

**MINUTES OF THE
LAKEFRONT MANAGEMENT AUTHORITY
BOARD MEETING
THURSDAY, NOVEMBER 21, 2019**

The regular monthly Board Meeting of the Lakefront Management Authority was held on Thursday, November 21, 2019 at the Lakefront Airport Terminal Building, 2nd Floor Conference Center, 6001 Stars & Stripes Blvd., New Orleans, Louisiana 70126, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Commissioner Fierke called the meeting to order at 4:35 p.m. and led in the pledge of allegiance. Louis Capo called the roll and a quorum was present.

PRESENT:

* Chair Wilma Heaton arrived at the Board Meeting at 4:37 p.m.
Commissioner Roy Arrigo
Commissioner Sean Bruno
* Commissioner Stanley Cohn arrived at the Board Meeting at 4:42 p.m.
Commissioner Leila Eames
Commissioner Thomas Fierke
Commissioner Dawn Hebert
* Commissioner Carla Major arrived at the Board Meeting at 4:41 p.m.
Commissioner Pat Meadowcroft
Commissioner Chris Morvant
* Commissioner Anthony Richard arrived at the Board Meeting at 5:39 p.m.
Commissioner Robert Romero
Commissioner Robert Watters

ABSENT:

Commissioner Stanley Brien
Commissioner Esmond Carr
Commissioner Eugene Green

STAFF:

Louis Capo – Executive Director
Shelly Raborn – Administrative Program Manager – Human Resources
Sarion Granger – Human Resources Analyst A
Bruce Martin – Deputy Airport Director

Helaine Millner – Orleans Marina Manager

ALSO, PRESENT:

Al Pappalardo – Real Estate Consultant, P.C.I.
Mike Daley – Grace Developing
John Testa – Resident
Tom Long – Corporate Communications (President)
Addie Fanguy – General Manager of Signature
Stephanie Spencer – CS III Services
Vince Alvero – Richard C. Lambert Architecture (R.C.L.)
Paul Dimitrios – Richard C. Lambert Architecture (R.C.L.)
Sharon Renton – Resident
Katherine Renton – Resident
Darren J. Persick – Kutchins & Groh
Monte Shalett – Lake Vista Property Owners Association

OPENING COMMENTS: None

MOTION TO ADOPT AGENDA:

A motion was offered by Commissioner Watters, seconded by Commissioner Bruno, and unanimously adopted, to adopt the agenda.

MOTION TO APPROVE MINUTES:

- 1) A motion was offered by Commissioner Eames, seconded by Commissioner Hebert, to approve the minutes of October 24, 2019.

PUBLIC COMMENTS:

- Thomas Long, President of Corporate Communications, stated that Lakeshore Drive residents weren't notified of a bicycle race that occurred during the weekend. Mr. Long requested better communication between the Lakefront Management Authority and the residents.
- Commissioner Green explained that he hasn't been serving on the Lakefront Management Authority's Board because he was running for State Representative House District 97. He stated that it was a pleasure to run for office and he is eager to return to the LMA Board.

DIRECTOR'S REPORT:

Louis Capo, Executive Director, reported that the Authority received the draft of the audit report and there weren't any audit findings or comments.

Mr. Capo reported that the no overnight parking signs have been installed along Lakeshore Drive.

Mr. Capo stated that the RFQ is out for advertisement for architectural and engineering subdivision restriction review services and the proposal are due on December 5, 2019. Commissioner Romero asked how many architects will be chosen. Mr. Capo responded that one architect is under contract and three more will be chosen, and they will be used on a rotational basis.

Louis Capo, Executive Director, reported that the Orleans Marina is 87% occupied, South Shore Harbor is 72% occupied, and the construction of the new piers in the Orleans Marina is going well.

Mr. Capo stated that Derek Boese, Chief Administrative Officer, contacted the Authority to report that the lights aren't working on the Seabrook Bridge.

Daniel Hill, Director of Engineering & Operations, stated that the Authority will audit the water and electrical systems. He reported that the fallen oak tree will be removed next week. Commissioner Romero asked which company is removing the tree. Mr. Hill responded that Treeman, Inc. is removing the fallen oak tree.

Chair Heaton reported that the Flood Protection Authority held a special meeting on November 21, 2019 at 2:30 p.m. to discuss the millage. She explained that the FPA voted to set the millage at .49, which will generate the same revenue due to the higher assessment.

Mr. Capo reported that the Authority hasn't received any ad valorem taxes this fiscal year. He stated that the expenses are going accordingly to how they were budgeted and projected.

COMMITTEE REPORTS:

Airport Committee:

Bruce Martin, Deputy Airport Director, reported that the Runway is at substantial completion on November 27, 2019. He stated that 85% of the temporary markings are done and it should be completed by the end of the weekend. Commissioner Watters asked if a final walkthrough is conducted. Mr. Martin responded that a final walkthrough will be performed after November 27, 2019.

Mr. Martin discussed recent and upcoming events.

Chair Heaton reported that the Flood Protection Authority's Board approved the selection of the engineering firm, Arcadis, to perform the \$300,000 study for the flood wall.

Chair Heaton reported that the FPA finished Phase 5 of the Seawall Erosion Project. Commissioner Romero asked when the start date of the Lake Terrace Park Road Project is. Chair Heaton responded that she will have Daniel Hill, Director of Engineering & Operations, and Louis Capo, Executive Director, meet with the Engineering Department at the Flood Protection Authority to distribute a fact sheet about the project.

Finance Committee:

The Finance Committee meeting was deferred until next month.

Legal Committee:

The Legal Committee meeting was deferred until next month.

Commercial Real Estate:

The Commercial Real Estate Committee meeting was deferred until next month.

Marina Committee:

The Marina Committee meeting was deferred until next month.

Recreation/Subdivision Committee:

Louis Capo, Executive Director, stated that several topics were discussed at the Recreation/Subdivision Committee Meeting.

PRESENTATION:

Chair Heaton explained that Jay Taffet wants to build Hangars on the Airport, however, he doesn't want to agree to a lease with the Lakefront Management Authority until he tests the market. She stated that she spoke with Mr. Taffet and told him that he would have to present his proposal to the Board and if the Board approves the proposal, then he would be allowed to test the market.

OLD BUSINESS: None

NEW BUSINESS:

- 1) Status report regarding Orleans Marina Boathouse W-21 (John Testa).
 - Paul Dimitrios, R.C.L., stated that he was initially tasked to design a condo project that included twelve condo units. Chair Heaton asked if the City of New Orleans requested a variance. Mr. Dimitrios explained that he and John Testa, Orleans Marina resident, met with the zoning and permitting departments of the City of New Orleans to discuss zoning, parking, setbacks, and variances. He stated that the City of New Orleans deemed the project to be acceptable. Chair Heaton requested frequent updates about the project. Commissioner Fierke asked where the project will be located. Mr. Dimitrios responded that the project will be located across from the 17th Street Canal Pump Station. Commissioner Fierke asked how many boathouses will be replaced. Mr. Dimitrios responded that three boathouses will be replaced. Commissioner Fierke asked who owned the property. Mr. Dimitrios responded that the condominiums are owned by John Testa. Commissioner Fierke asked if Mr. Testa will rent out or sell the condominiums. Mr. Dimitrios responded that Mr. Testa will sell the condominiums.
- 2) Motion to approve a lease with Clay Construction Group, LLC, to lease Suites 225A 229 in the Lakefront Airport Terminal for a one-year primary term with four one-year options to renew and under the standard terms and conditions for leases in the Lakefront Airport Terminal Building.

MOTION: 02-112119
RESOLUTION: 01-112119
BY: COMMISSIONER COHN
SECONDED: COMMISSIONER MAJOR **November 21, 2019**

- 2) Motion to approve a lease with Clay Construction Group, LLC to lease Suites 225A and 229 in the Lakefront Airport Terminal for a one-year primary term with four one-year options to renew and under the standard terms and conditions for leases in the Lakefront Airport Terminal Building.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the Management Authority manages, operates and administers the New Orleans Lakefront Airport, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, which is a non-flood protection asset owned by the Orleans Levee District (“Airport”);

WHEREAS, Clay Construction Group, L.L.C. (“Clay Construction”) proposed to lease Suites 225A and 229, containing 669 square feet, in the Terminal, under the terms and conditions set forth below;

WHEREAS, the proposed lease will be for a primary term of one (1) year, with a base annual rental of \$9,376.96, payable in equal monthly installments of \$781.33, with four (4) one (1) year options to renew, subject to a CPI adjustment of the annual rental rate during the option terms; and, the lease will also provide that the lessee will be responsible to pay an additional rent, consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which will be \$294.36 per month during the first year of the lease, and which additional rent for the pro-rata share of said insurance and utility charges will be recalculated each year on the lease anniversary date; and,

WHEREAS, the Management Authority after considering the terms of the proposed lease resolved that it was in the best interest of the Airport and the Orleans Levee District to approve the proposed lease with Clay Construction Group, L.L.C., under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves a lease of Suites 225A and 229 in the Terminal at the New Orleans Lakefront Airport with Clay Construction Group, L.L.C., effective December 1, 2019, for a primary term of one (1) year, with a base annual rental of \$9,375.96, payable in equal monthly installments of \$781.33, with four (4) one (1) year options to renew, subject to a CPI adjustment of the annual rental rate during the option terms; and, said lease will also provide that the lessee will pay an additional rent, consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which will be \$294.36 per month, resulting in a total monthly rental of \$1,075.69 during the first year of the lease, and which additional rent for the pro-rata share of said insurance and utility charges will be recalculated each year on the lease anniversary date, and conditioned on the written lease being signed no later than thirty (30) days after the date of this resolution

BE IT HEREBY FURTHER RESOLVED, that the Lakefront Management Authority Chairman or Executive Director be and is hereby authorized to sign a written lease with Clay Construction Group, L.L.C., which said lease shall include the terms and conditions set forth above, and any other documents necessary to carry out the above.

YEAS: Heaton, Arrigo, Bruno, Cohn, Eames, Fierke, Hebert, Major, Meadowcroft, Morvant, Romero, Watters

NAYS: None

ABSTAIN: None

ABSENT: Brien, Carr, Green, Richard

RESOLUTION ADOPTED: Yes

- 3) Motion to approve a lease with Musso Architects to lease Suite 244 in the Lakefront Airport Terminal for a one-year primary term with one-year option to renew and under the standard terms and conditions for leases in the Lakefront Airport Terminal Building.

MOTION: 03-112119

RESOLUTION: 02-112119

BY: COMMISSIONER COHN

SECONDED: COMMISSIONER MAJOR

November 21, 2019

- 3) Motion to approve a lease with Nicholas S. Musso, dba Musso Architects to lease Suite 244 in the Lakefront Management Airport Terminal for a one-year primary term with one-year option to renew and under the standard terms and conditions for leases in the Lakefront Airport Terminal Building.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the Management Authority manages, operates and administers the New Orleans Lakefront Airport, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, which is a non-flood protection asset owned by the Orleans Levee District (“Airport”);

WHEREAS, Musso Architects proposed to lease Suite 244, containing 660 square feet, in the Terminal, under the terms and conditions set forth below;

WHEREAS, the proposed lease will be for a primary term of one (1) year, with a base annual rental of \$9,299.40, payable in equal monthly installments of \$774.95, with one (1) year option to renew, subject to a CPI adjustment of the annual rental rate during the option terms; and, the lease will also provide that the lessee will be responsible to pay an additional rent, consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which will be \$290.40 per month during the first year of the lease, and which additional rent for the pro-

rata share of said insurance and utility charges will be recalculated each year on the lease anniversary date; and,

WHEREAS, the Management Authority after considering the terms of the proposed lease resolved that it was in the best interest of the Airport and the Orleans Levee District to approve the proposed lease with Musso Architects under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves a lease of Suite 244 in the Terminal at the New Orleans Lakefront Airport with Nicholas S. Musso, DBA, Musso Architects effective December 1, 2019, for a primary term of one (1) year, with a base annual rental of \$9,299.40, payable in equal monthly installments of \$774.95, with one (1) year option to renew, subject to a CPI adjustment of the annual rental rate during the option terms; and, said lease will also provide that the lessee will pay an additional rent, consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which will be \$290.40 per month, resulting in a total monthly rental of \$1,065.35 during the first year of the lease, and which additional rent for the pro-rata share of said insurance and utility charges will be recalculated each year on the lease anniversary date.

BE IT HEREBY FURTHER RESOLVED, that the Lakefront Management Authority Chairman or Executive Director be and is hereby authorized to sign a written lease with Nicholas S. Musso, DBA, Musso Architects which said lease shall include the terms and conditions set forth above, and any other documents necessary to carry out the above.

YEAS: Heaton, Arrigo, Bruno, Cohn, Eames, Fierke, Hebert, Major, Meadowcroft, Morvant, Romero, Watters

NAYS: None

ABSTAIN: None

ABSENT: Brien, Carr, Green, Richard

RESOLUTION ADOPTED: Yes

- 4) Motion to approve a lease with CS III Services, LLC to lease Suite 202 in the Lakefront Airport Terminal for a 5-year primary term with two 5-year options to renew under the standard terms and conditions for leases in the Lakefront Airport Terminal Building.
- Commissioner Major asked if the rate increases. Al Pappardo, Real Estate Consultant, PCI, responded that the base rate remains the same, however, the rate will increase each year.

MOTION: 04-112119
RESOLUTION: 03-112119
BY: COMMISSIONER BRUNO
SECONDED: COMMISSIONER COHN

November 21, 2019

- 4) Motion to approve a lease with CS III Services, LLC to lease Suite 202 in the Lakefront Airport Terminal for a 5-year primary term with two 5-year options to renew under the standard terms and conditions for leases in the Lakefront Airport Terminal Building.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the Management Authority manages, operates and administers the New Orleans Lakefront Airport, which is a non-flood protection asset owned by the Orleans Levee District, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, (“Airport”);

WHEREAS, CSIII Services, L.L.C. (“CSIII” or “Lessee”) proposed to lease Suite 202, containing 523 square feet in the Terminal, under the terms and conditions set forth below;

WHEREAS, the proposed lease will be for a primary term of five (5) years, with a base annual rental of \$7,369.08, payable in the amount of \$614.09 per month, with two (2) five (5) year options to renew, subject to a CPI adjustment of the annual rental rate during the option terms; the lease will also provide that the lessee will be responsible to pay an additional rent, consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which will be \$230.32 per month, resulting in a total monthly rental of \$844.41 during the first year of the lease, which additional rent pro-rata share of insurance and utility charges will be recalculated each year on the lease anniversary date; and,

WHEREAS, the Management Authority after considering the terms of the proposed lease resolved that it is in the best interest of the Airport and the Orleans Levee District to approve the proposed lease with CSIII Services, under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves a lease of Suite 202 in the Terminal at the New Orleans Lakefront Airport with CSIII Services, L.L.C., effective on December 1, 2019, for a primary term of five (5) years, with a base annual rental of \$7,369.08, payable in equal monthly installments of \$614.09 each, with

two (2) five (5) year options to renew, subject to a CPI adjustment of the annual rental rate during the option terms; and, the lease will also provide that the lessee will be responsible to pay additional rent, consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which as of the commencement date of the lease will be \$230.32 per month, resulting in a total monthly rental of \$844.41 during the first year of the lease, and conditioned on the written lease being signed no later than thirty (30) days after the date of this resolution and the additional rent pro-rata share of insurance and utility charges will be recalculated each year on the lease anniversary date.

BE IT HEREBY FURTHER RESOLVED, that the Lakefront Management Authority Chairman or Executive Director be and is hereby authorized to sign a written lease with CSIII Services, L.L.C., which said lease shall include the terms and conditions set forth above, and any other documents necessary to carry out the above.

YEAS: Heaton, Arrigo, Bruno, Cohn, Eames, Fierke, Hebert, Major, Meadowcroft, Morvant, Romero, Watters

NAYS: None

ABSTAIN: None

ABSENT: Brien, Carr, Green, Richard

RESOLUTION ADOPTED: Yes

- 5) Motion to approve Change Order No.1 in the amount of \$89,091.03 for the contract with Barber Brothers Contracting Co., L.L.C. for the Runway 18R/36L Rehabilitation Project at the New Orleans Lakefront Airport.
 - Bruce Martin, Deputy Airport Director, stated that the Change Order is for the bedding that was installed under the 54in drainage pipe. He explained that the contractors realized that they needed to dig deeper and place concrete cradles underneath the pipe to keep the pipe secured. Commissioner Fierke asked if the work was out of scope of the contract. Mr. Martin responded that the bedding was out of scope of the contract. Commissioner Fierke explained that AECOM performed a site survey, so they should have noticed the issue and the work should have been included in the scope of work. He requested that AECOM attend a meeting and explain the scope of work. Commissioner Morvant asked if the initial scope included soil boring. Mr. Martin responded that the contractors did perform soil boring.

MOTION: 05-112119

RESOLUTION: 04-112119

BY: COMMISSIONER WATTERS

SECONDED: COMMISSIONER ARRIGO

November 21, 2019

- 5) Motion to approve Change Order No.1 in the amount of \$89,091.03 for the contact with Barber Brothers Contracting Co., L.L.C. for the Runway 18R/36L Rehabilitation Project at the New Orleans Lakefront Airport.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the New Orleans Lakefront Airport is one of the non-flood protection assets of the District under the management and control of the Management Authority (the “Airport”);

WHEREAS, the Management Authority and the Orleans Levee District are co-sponsors of the Airport for Federal and State grant funding for projects at the Airport;

WHEREAS, the Management Authority and the District submitted a Project Application to the United States Department of Transportation and Development, Federal Aviation Administration (“FAA”) for a grant of federal funds for a project at the Airport identified as the “Lakefront Airport Mill and Overlay Runway Project for Runway 18R/36L,” with a Louisiana DOTD Aviation match grant (the “Project”);

WHEREAS, the Management Authority in March of 2019 issued an Invitation for Bids for the Project in accordance with the provisions of the Louisiana Public Bid Law, La. Rev. Stat. 38:2212, et seq., and the Invitation for Bids provided that bids had to be received by no later than 10:00 a.m. o’clock on May 24, 2019;

WHEREAS, after bids were received, Barber Brothers Contracting Company, L.L.C. (“Barber Brothers”) was the lowest responsive and responsible bidder for the scope of work for the Base Bid and was awarded a contract for the Project at a Board meeting held on June 17, 2019;

WHEREAS, Barber Brothers submitted a request for Change Order No. 1 in the amount of \$89,091.03 for increasing the depth of pipe bedding, the use of a trench box for pipe installation and related work, a copy of which is attached to this Resolution;

WHEREAS, the Management Authority resolved that it was in the best interest of the Orleans Levee District and Airport to approve the Change Order for the Project;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Lakefront Management Authority approves and authorizes execution of Change Order No. 1 in the amount of \$89,091.03

for the contract with Barber Brothers Contracting Company, L.L.C for the Lakefront Airport Mill and Overlay Runway Project for Runway 18R/36L.

BE IT FURTHER HEREBY RESOLVED that the Lakefront Management Authority authorizes the Chairman or Executive Director of the Lakefront Management Authority to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Arrigo, Bruno, Cohn, Eames, Hebert, Major, Meadowcroft, Morvant, Romero, Watters

NAYS: Fierke

ABSTAIN: None

ABSENT: Brien, Carr, Cohn, Richard

RESOLUTION PASSED: Yes

6) Motion to approve Change Order No.2 with Barber Brothers Contracting Co., L.L.C., to authorize acceleration of the Project Schedule for the Runway 18R/36L Rehabilitation Project at the New Orleans Lakefront Airport.

- Bruce Martin, Deputy Airport Director, explained that the Authority compromised with the contractors that if they wanted the liquidated damages waived, then they would have to reopen the Runway early. He stated that the Runway will reopen on November 27, 2019 and roofing work is scheduled from December 6th – 20th. He explained that the roofing work will be done at night and the Runway will be open from 6:00 AM to 6:00 PM. Mr. Martin stated that the FAA (Federal Aviation Administration) required that the new asphalt on the Runway cure and harden for thirty 30 days. He explained that the grooving can't be completed until the asphalt is fully harden and cure. Commissioner Romero asked if the total cost is \$13,650.00. Mr. Martin responded that the increased overtime production cost is \$13,650.00 and the fees will be charged to Barber Brothers. Commissioner Morvant asked what the projected completion date was. Mr. Martin responded that the completion date was January 13, 2019. Commissioner Morvant asked how many days of liquidated damages they were going to face. Mr. Martin responded that they were going to face approximately twenty days of liquidated damages at a cost of \$2,500.00 per day. Addy Fanguy, Signature, stated that the Runway closure at night will impact his business; financially. He explained that pilots won't fly into the Airport in fear of not being able to fly out because of the night closure. Commissioner Morvant asked if the closure was at 8:00 PM instead of 6:00 PM. Mr. Fanguy responded that 8:00 PM would be a better time and that the extra two hours would be helpful. Commissioner Watters asked Mr. Fanguy what days he would request to have extended hours. Mr. Fanguy responded that Monday, Tuesday, Thursday, and Friday are his busiest days. He commented that Sunday is busy because of the New Orleans Saints football game. Louis Capo, Executive Director, stated that the Runway will be open 24 hours from December

20th until the after the BCS National Championship Game. Mr. Fanguy requested frequent communication via phone or e-mail.

- An amendment to the Resolution was offered by Commissioner Fierke, seconded by Commissioner Arrigo, and unanimously adopted, to remove the phrase “to date.”

MOTION: 06-112119

RESOLUTION: 05-112119

BY: COMMISSIONER FIERKE

SECONDED: COMMISSIONER ARRIGO

November 21, 2019

- 6) Motion to approve Change Order No. 2 with Barber Brothers Contracting Co. L.L.C. to authorize acceleration of the Project Schedule for the Runway 18R/36L Rehabilitation Project at the New Orleans Lakefront Airport.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the New Orleans Lakefront Airport is one of the non-flood protection assets of the District under the management and control of the Management Authority (the “Airport”);

WHEREAS, the Management Authority and the Orleans Levee District are co-sponsors of the Airport for Federal and State grant funding for projects at the Airport;

WHEREAS, the Management Authority and the District submitted a Project Application to the United States Department of Transportation and Development, Federal Aviation Administration (“FAA”) for a grant of federal funds for a project at the Airport identified as the “Lakefront Airport Mill and Overlay Runway Project for Runway 18R/36L,” with a Louisiana DOTD Aviation match grant (the “Project”);

WHEREAS, the Management Authority in March of 2019 issued an Invitation for Bids for the Project in accordance with the provisions of the Louisiana Public Bid Law, La. Rev. Stat. 38:2212, et seq., and the Invitation for Bids provided that bids had to be received by no later than 10:00 a.m. o’clock on May 24, 2019;

WHEREAS, after bids were received, Barber Brothers Contracting Company, L.L.C. (“Barber Brothers”) was the lowest responsive and responsible bidder for the scope of work for the Base Bid and was awarded a contract for the Project at a Board meeting held on June 17, 2019;

WHEREAS, the Management Authority issued a Notice to Proceed to Barber Brothers on July 25, 2019 and Barber Brothers thereafter commenced work on the Project;

WHEREAS, the Management Authority Staff and Barber Brothers representatives discussed an accelerated completion of the Project by implementing a seven (7) day work week to ensure that the Airport would have access to the runway as early as possible;

WHEREAS, as a result of these discussions, Barber Brothers proceeded to implement a seven (7) day work week to accelerate completion of the Project commencing on the weekend of October 6th and 7th, 2019 and has worked three weekends to date;

WHEREAS, the accelerated completion schedule for the project increased the overtime production cost by \$4,550.00 per weekend and the total due for the increased overtime production cost is \$13,650.00;

WHEREAS, Barber Brothers proposed Change Order No. 2 to ratify and confirm the accelerated Project Schedule, the payment of additional over-time production cost of \$4,550.00 per week commencing on the weekend of October 6th and 7th, 2019 and other terms and conditions described below agreed upon by the Staff and Barber Brothers' representatives;

WHEREAS, the proposed Change Order to accelerate the Project Schedule will result in substantial completion of the Project being achieved earlier than provided in the Contract, which was December 6, 2019, and the new substantial completion date will be on November 27, 2019, subject to change only in the event of unexpected, adverse weather conditions and other unforeseen delays beyond the control of Barber Brothers;

WHEREAS, upon substantial completion of the Project, including completion of the runway overlay and installation of temporary striping, on or before November 27, 2019, Barber Brothers has agreed that the Management Authority will have access to use the runway daily between the hours of 6:00 a.m. and 6:00 p.m. CST and Barber Brothers will perform the work to complete punch list items, including grooving, lighting, permanent striping and any remaining punch list items identified at the time of substantial completion, between the hours of 6:00 p.m. and 6:00 a.m. CST, excluding days that the Management Authority will need to keep the runway open 24 hours per day for special events, such as the Sugar Bowl and BCS National Championship Game;

WHEREAS, in consideration of the accelerated project schedule and access to the runway prior to final completion of the Project, Barber Brothers requested that the Management Authority

hold harmless, defend and indemnify Barber Brothers from and against any damages that may occur during the hours that the runway is in use and within the Project limits, except for damages caused by the negligence of Barber Brothers; and,

WHEREAS, the Management Authority resolved that it was in the best interest of the Orleans Levee District and the Airport to approve Change Order No. 2 for the Project, which will include the terms and conditions set forth above.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Lakefront Management Authority approves and authorizes execution of Change Order No. 2 for the Lakefront Airport Mill and Overlay Runway Project for Runway 18R/36L.

BE IT FURTHER HEREBY RESOLVED that the Lakefront Management Authority authorizes the Chairman or Executive Director of the Lakefront Management Authority to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Arrigo, Bruno, Cohn, Eames, Fierke, Hebert, Major, Meadowcroft, Morvant, Romero, Watters

NAYS: None

ABSTAIN: None

ABSENT: Brien, Carr, Green, Richard

RESOLUTION PASSED: Yes

Announcement of next Regular Board Meeting:

1) **Thursday, December 19, 2019 – 5:30 PM**

Adjourn:

A motion was offered by Commissioner Major, seconded by Commissioner Watters, and unanimously adopted, to adjourn. The meeting was adjourned at 5:45 PM.