

THE NON-FLOOD PROTECTION ASSET MANAGEMENT AUTHORITY
MINUTES OF THE SPECIAL BOARD MEETING
FRIDAY, JULY 8, 2011 – 2:00 P.M.

A special meeting of the Board of the Non-Flood Protection Asset Management Authority of the Orleans Levee District was held on Friday, July 8, 2011 at 2:00 P.M., in the Lake Vista Community Center, 2nd Floor, 6500 Spanish Fort Blvd., New Orleans, Louisiana after due legal notice of the meeting was sent to each Board member, the news media, and a copy of the call was posted.

Chairman Lupo called the meeting to order at 2:13 p.m. and led in the Pledge of Allegiance.

The roll was called and a quorum was present.

PRESENT:

Chairman Robert E. Smith Lupo
Commissioner Darrel Saizan
Commissioner Wilma Heaton
Commissioner Stanley Brien
Commissioner Greg Ernst
Commissioner Patrick DeRouen
Commissioner Joe Hassinger
Commissioner John B. Trask
Commissioner Pearl Cantrelle

ABSENT:

Commissioner Romona Baudy
Commissioner William Hoffman
Commissioner Michael Bridges
Commissioner Carlton Dufrechou

STAFF:

Louis Capo, Executive Director
Sharon Martiny, Non-Flood
Fred Pruitt, Airport Director
Nina Marchand, Non-Flood

ALSO PRESENT:

Al Pappalardo
Gerard Metzger
Roy Thomas
John Holtgreve
Tom Long
Walter Baudier

ADOPT AGENDA

Commissioner Hassinger offered a motion to adopt the Agenda, seconded by Commissioner Trask and unanimously adopted.

Chairman Lupo expressed his appreciation for the members of the Board who made themselves available for this meeting on such short notice. Chairman Lupo noted for the record there were many people from this Board, outside and local property owners associations that played a large role in enabling our legislators in Baton Rouge to understand the consequences and problems that relate to the split of the Non-Flood and Flood assets as a result of legislation back in 2006 and 2007. All of those people made it possible for this Authority to take the first steps toward a permanent solution of funding the Non-Flood obligations for this Authority. Chairman Lupo also thanked Commissioners DeRouen, Ernst and Hassinger, who were able to bring a two page white paper that explained the situation to our legislators. Commissioner Heaton also has an incredible relationship with and respect from the legislators up in Baton Rouge

and in par with no one else in Baton Rouge. Commissioner Heaton had the ability to present the facts to both sides which made everyone come to a reasonable conclusion which was really surprising.

NEW BUSINESS:

Chairman Lupo noted two very important items on the special meeting Agenda and requested Mr. Capo to brief the Board on the motions before the Board.

Motion No. 01-070811

Mr. Capo stated that Motion 01-070811 is a motion to approve a contract with BelouMagner Construction Company for the reconstruction of the Airport Terminal interior in the amount of \$7,095,000.

Mr. Alton Davis, Senior Project Manager of Richard C. Lambert Consultants, stated that the apparent low bidder was BelouMagner Construction Company. The bid was a qualified, fully responsive bid and all of their forms were in order. BelouMagner's consultants had the experience that we had requested and were consistent on having the front end documents. Richard C. Lambert Consultants is very comfortable with this bid and highly recommend that the Authority pass this resolution.

Mr. Metzger added that the bidding documents were reviewed and in accordance with the public bid law. Mr. Metzger reviewed the contract which is a standard form contract used with the Non-Flood and Flood side. There are a number of provisions that should be added into the contract such as venue, jurisdiction and attorney fee provisions. Mr. Metzger stated that this resolution authorizes the Chairman or the Executive Director to sign. Commissioner Heaton suggested the contract be copied to the Legal Committee for review. Mr. Metzger informed that bonding was a requirement of the contract and that the contract and bond are recorded in the mortgage records. Chairman Lupo requested Mr. Metzger send the contract to the Legal Committee for review and Commissioner Ernst, Chairman Lupo and Mr. Metzger will finalize the contract after Board review.

Commissioner Saizan requested qualified minority participation for the reconstruction of the terminal building as is standard for all public agencies in the City. This is important to keep our legislative support strong. People who live in and around Gentilly, Lakeview and New Orleans East have a stake in what we are rebuilding in Orleans Parish. Mr. Davis informed that Mr. Magner is more than willing to work directly with Ms. Marchand to increase DBE participation.

Mr. Capo noted the blank line in the resolution for budget contingencies and informed that Commissioner Hoffman recommended the blank until a plan is devised dealing with contingencies relating to the terminal building. Mr. Davis advised that a budget of \$7.5 million was established and this project came in under budget. Change orders are not to be unexpected in a job of this nature. If we can proceed with the change orders without having to wait for the Board to meet this will not slow down the process. Mr. Magner noted that BelouMagner was recently involved in the renovation of Fortier High School which is a three story building built in the 1030's. They had a considerable amount of plaster work that needed to be redone and all of the trim and wood work was restored and reconditioned. Nelson Belou was personally involved in a number of New Orleans projects including the Galliar Hall project which dates back to the 1850's. On the North Shore was the Abita Springs Grammar School that went through an extensive renovation and conversion where it was restored back to the original design of the building which included plaster and millwork. Mr. Davis added that a statement of qualifications was requested relative to the specific trades in this project such as terrazzo and stone. RCL is very comfortable with the subcontractors Mr. Magner is using for the specialty features in the building. Commissioner Saizan requested monthly reports regarding the renovation of the Airport interior because the Airport Committee is very interested in what is happening at the Airport. Mr. Davis advised that he would attend the monthly Airport Committee and Board meetings to update the Committee and Board members on the status of construction at the Airport. Mr. Davis

informed that if the contract is in place in the next two weeks we could start construction in 2-3 weeks. If construction is in progress by August we would make the end of March on the 8 month schedule. There may be unforeseen conditions. The worse case scenario will be the end of March but it will be able to be shown at that point because all mechanical and electrical work will be completed. If we can get the Notice to Proceed issued by the beginning of August we should make that schedule.

Commissioner Saizan offered a motion to enter into a contract with BelouMagner Construction Company for the reconstruction of the Airport Terminal interior in the amount of \$7,095,000, seconded by Commissioner DeRouen and unanimously adopted to wit:

MOTION: 01-070811
RESOLUTION: 01-070811
BY: COMMISSIONER SAIZAN
SECONDED: COMMISSIONER DEROUEN

July 8, 2011

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority (“Management Authority”) was established by Act 1014 of 2010 by the Louisiana Legislature effective August 15, 2010 and is the governing authority of the non-flood assets of Orleans Levee District (“District”), and an agency of the State of Louisiana placed within the Louisiana Department of Transportation and Development as provided under Title 36, Section 801.1 (A) of the Louisiana Revised Statutes;

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

WHEREAS, the Management Authority is moving forward with the reconstruction of the Main Terminal Interior Project at the Airport (the “project”), which was publicly advertised for and bids were received on June 30, 2011 as follows:

BelouMagner Construction Company	\$ 7,095,000
FHP Tectonics Corp	\$ 7,994,350
Gibbs Construction	\$ 8,377,000
Construction Masters, Inc	\$ 8,506,000
Lathan Company	\$10,322,000
Ryan Gootee	\$12,090,000

WHEREAS, the lowest responsible bidder for the project was BelouMagner Construction Company, which desires to enter into a contract for this project with the Management Authority;

WHEREAS, funding for the project has been identified from FEMA funding and Insurance proceeds; and,

WHEREAS, after considering the bids and recommendations of staff and the supervising architect for the project, the Management Authority resolved that it is in the best interest of the District and of the New Orleans Lakefront Airport to award a contract for this project to BelouMagner Construction Company.

BE IT HEREBY RESOLVED, that the Management Authority accepts the bid and awards the contract for this project to BelouMagner Construction Company in the amount of \$7,095,000; and,

BE IT FURTHER RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign a contract for the project with BelouMagner Construction Company under the terms and conditions set forth above and any and all other documents necessary to accomplish the above.

YEAS: LUPO, HASSINGER, ERNST, HEATON, BRIEN, TRASK, SAIZAN, CANTRELLE, DEROUEN

NAYS:

ABSTAIN:

ABSENT: BAUDY, HOFFMAN, BRIDGES, DUFRECHOU

RESOLUTION ADOPTED: YES

Motion No. 02-070811

This motion is to approve a contract with URS for runway/taxiway resurfacing, seal coating and painting on runway18R-36L, Taxiways B,F and the terminal ramp with funding provided by the FAA through an AIP grant. The Management Authority Chairman or Executive Director is authorized to sign the special services contract with URS and to sign any and all documents necessary to carry out the above, including task orders for the project. Mr. Capo informed that there is a very short time frame trying to get the first task order in the current FAA fiscal budget and moving forward with the runway seal coat and taxiway painting and striping only at this time. URS has two weeks to design with a 30 day bid process to enable the Authority to get the bids in and get hard numbers to submit to the FAA for Mr. Velayos to include these numbers in the writing of the FAA grant. The first task order is the runway seal coat and construction. Mr. Pruitt advised that in the rating process URS was the top rated company. We recently got an independent cost analysis from Stuart in which there was a higher number with Stuart than URS, by just under \$20,000. There was no reason to negotiate down since URS is as low as you are going to get and they are aware of what we are trying to do. Mr. Velayos has a copy of our rating numbers and we are in line with all FAA regulations. The reason for going forward with these projects is because they are part of the Part 139 areas of the Airport and the Authority cannot move forward with filling for a Part 139 certificate without these projects. A Part 139 certificate allows air carrier operations, chartered air carriers or scheduled air carriers, whatever may be available at the time which gives more options to the Airport. Mr. Pruitt informed the board that having a Part 139 certificate will increase the operations and increase AIP funding possibilities. Mr. Pruitt informed if the contract is in place in August we could start by September and work will be completed before next year. Construction management is by DEI. Mr. Lupo announced for the record that Commissioner Hassinger's law firm does legal representation work for DEI which will result in Commissioner Hassinger not voting on this issue.

Commissioner Saizan offered a motion to enter into a contract with URS for runway/taxiway resurfacing, seal coating and painting on runway18R-36L, Taxiways B,F and the terminal ramp with funding provided by the FAA through the AIP, seconded by Commissioner Brien. Commissioner Hassinger abstained from this vote which was then unanimously adopted to wit:

MOTION: 02-070811
RESOLUTION: 02-070811
BY: COMMISSIONER SAIZAN
SECONDED BY: COMMISSIONER BRIEN

July 8, 2011

RESOLUTION

WHEREAS, the Non-Flood Protection Asset Management Authority (the "Management Authority") was established by Act 1014 of 2010 by the Louisiana Legislature, effective August

15, 2010, and is the governing authority of the non-flood assets of the Orleans Levee District (“District”);

WHEREAS, the New Orleans Lakefront Airport located on Stars and Stripes Boulevard in the City of New Orleans is one of the non-flood assets of the Orleans Levee District managed by the Management Authority;

WHEREAS, the Management Authority issued a Request for Qualifications for aviation, engineering and/or architectural consultants to develop architectural and engineering services for the Lakefront Airport Development Projects, including the Runway/Taxiway Resurfacing/Sealcoat and Painting, Construction of new Airfield Lighting Regulator Building Facilities and the Airport Wildlife Hazard Assessment, Project Number 3-22-0038-021-2011 (the “Project”);

WHEREAS, funding for the Project shall be provided by the Federal Aviation Administration pursuant to a FAA Airport Improvement Project Grant;

WHEREAS, URS Corporation, a professional engineering firm with subcontractor, Design Engineering, Inc., was selected for recommendation to the Management Authority to provide the engineering and construction administration services for the Project by a committee appointed by the Executive Director of the Management Authority;

WHEREAS, the selection process for a firm to provide the requested professional services was conducted in accordance with the FAA Advisory Circular 150/5070-6B and 150/5100-14D;

WHEREAS, URS shall only provide services pursuant to Task Orders specifying the scope of professional services to be rendered and compensation for services approved by the Management Authority;

WHEREAS, as provided under Louisiana law, the Contract is subject to approval by the Louisiana Department of Civil Service; and,

WHEREAS, the Management Authority considers it to be in the best interest of the District to approve a Professional Services Contract with URS;

BE IT HEREBY RESOLVED, that the Management Authority approves a Professional Services Contract with URS for the Project, subject to approval by the Louisiana Department of Civil Service.

BE IT FURTHER RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign a Professional Services Contract with URS, and sign any and all other documents to carry out the above, including Task Orders for the Project.

AYES: LUPO, ERNST, HEATON, BRIEN, TRASK, SAIZAN, CANTRELLE, DEROUEN

NAYS:

ABSTAIN: HASSINGER

ABSENT: BAUDY, HOFFMAN, BRIDGES, DUFRECHOU

RESOLUTION ADOPTED: YES

NEXT BOARD MEETING

Mr. Capo announced the next full Board meeting was scheduled for Thursday, July 21, 2011 at 5:30 p.m.

ADJOURNMENT

Commissioner DeRouen offered a motion to adjourn, seconded by Commissioner Ernst and unanimously adopted.

The meeting adjourned at 2:41 p.m.