

**PORT OF IBERIA DISTRICT
BOARD OF COMMISSIONERS
REGULAR MEETING - TUESDAY, JANUARY 20, 2015
PORT ADMINISTRATIVE OFFICE - 5:30 P.M.
MINUTES**

The regular meeting of the Port of Iberia District Board of Commissioners was called to order by Commissioner Danny J. David, Sr., Board President, at the Port of Iberia Administrative Office, on Tuesday, January 20, 2015, at 5:30 P.M.

In attendance were Commissioners Danny J. David, Sr., Board President, Larry G. Rader, Vice President, Gene L. Jefferies, Secretary-Treasurer, Roy A. Pontiff, Elbridge "Smitty" Smith III, and Mark T. Dore'.

Commissioner Simieon d. Theodile was absent.

Also present were Craig F. Romero, Executive Director, Joanna D. Durke, Administrative Assistant, Holly Breaux, Secretary-Bookkeeper, and Ray Allain, Port Attorney.

Thus, with a quorum being acknowledged, Commissioner Larry Rader recited the opening prayer and the Pledge of Allegiance.

I. APPROVAL OF MINUTES.

On a motion by Commissioner Larry G. Rader, seconded by Commissioner Mark Dore', the Commission approved the minutes of the Regular meeting held on Tuesday, December 16, 2014.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

II. PRESENTATION OF APPRECIATION PLAQUE TO 2014 BOARD PRESIDENT COMMISSIONER MARK T. DORE'.

Commissioner Danny J. David, Sr., newly elected Board President for the year 2015, recognized and presented on behalf of the Board, an appreciation plaque to Commissioner Mark T. Dore', 2014 Board President.

III. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:

- (a) Budget Summary for Six (6) Months Ending December 2014.**
- (b) Listing of Tenant Lease Billings.**
- (c) Listing of Boat Stall Lease Billings.**
- (d) Approve Payment of Bills & Checks Issued During Interim Period.**
- (e) Computer Summary of Lease Agreement Activity Sheet.**
- (f) Status of Invoices Report.**

Discussion ensued on the above Agenda items (a) thru (f) and there was no action taken.

IV. MR. DAVID TALDO, DIRECTOR OF OPERATIONS & MANUFACTURING & MR. CRAIG WINEBRENNER, GENERAL MANAGER, THE BAYOU COMPANIES, INC., TO ADDRESS THE BOARD REGARDING A PRESENTATION PROVIDING AN OVERVIEW OF THE DEVELOPMENT OF A NEW PROJECT INVOLVING INFRASTRUCTURE IMPROVEMENTS ON THE 24.2 ACRE TRACT AND LOT 1C AT THE PORT OF IBERIA.

*****If approved, following completion of the construction of infrastructure improvements, Tenant shall submit to the Port within ninety (90) days after substantial completion, one (1) complete set of "As Built" Drawings showing the precise location and dimensions of the improvements constructed, particularly any underground utilities or other facilities in the course of construction.**

Mr. David Taldo, Director of Operations and Manufacturing, The Bayou Companies gave a Power Point Presentation which provided an overview regarding the construction of a new plant facility and infrastructure improvements on the 24.2 acre tract and Lot 1C (Port Properties) at the Port of Iberia. According to Mr. Taldo, The Bayou Companies new facility will apply a corrosion and insulation coatings for up to 8 ft. length pipe, and the facility will encompass a brand new 46,000 sq. ft. pre-engineered building. The Administrative area (lab area) will be approximately 7,000 sq. ft. with potential for a two shift operation, employment for up to thirty full time employees and a parking lot to accommodate twenty cars. Mr. Taldo went on to say that the new facility will be a "State of the Art" Plant; however, he is unable to divulge the client at this time. The Bayou Companies plans on raising the elevation an additional six (6) feet. Currently, the elevation is 4-5 feet. Mr. Taldo also explained the process and procedures that will take place with the corrosion and insulation coating of various diameters of pipe. The new building will look similar to the "Bayou Wasco" building located on Curtis Lane. The approximate cost of the project (building and equipment) is \$15 Million. The anticipated project start-up date is middle to late February 2015, with production anticipated to commence during October or November 2015. Discussion ensued and there was no action taken.

V. MR. DUSTIN FAULK, GENERAL MANAGER & MR. TREVOR WILHELMY, MANAGER OF SALES & MARKETING, LOUISIANA & DELTA RAILROAD, TO ADDRESS THE BOARD REGARDING THE LOUISIANA & DELTA RAILROAD RAIL SYSTEM IN THE PORT OF IBERIA.

Mr. Trevor Wilhelmy, Manager of Sales & Marketing, Louisiana & Delta Railroad, gave a Power Point Presentation to the Board Regarding the Louisiana & Delta Railroad Rail System in the Port of Iberia. Mr. Dustin Faulk, General Manager also addressed the Board. Discussion ensued.

VI. MR. TOM CARROLL, PROJECT MANAGEMENT, SELLERS & ASSOCIATES, INC. TO ADDRESS THE BOARD REGARDING THE DAVID DUBOIN ROAD BRIDGE REPLACEMENT PROJECT.

Mr. Tom Carroll, Project Management, Sellers & Associates, Inc. addressed the Board regarding the David Duboin Road Bridge Replacement Project. Mr. Carroll indicated that the design work for the bridge should be finished in February 2015, and bids ready to be accepted in April 2015. Thereafter, it may take approximately two (2) months to commence the construction in June 2015. Mr. Carroll also indicated that it could take up to 6 to 8 months to construct weather permitting. Mr. Carroll feels, not warranting any delays, that by the end of 2015 the bridge would be completed and opened for traffic.

VII. MR. JOHN ISTRE, BROUSSARD, POCHE', LEWIS & BREAUX, L.L.P. TO ADDRESS THE COMMISSION – PRESENTATION OF THE 2013-2014 AUDIT.

Mr. John Istre, Broussard, Poche', Lewis & Breaux, L.L.P., presented the Port of Iberia District's Financial Audit Report for the fiscal year 2013-2014. There were no management findings cited.

VIII. REPORT FROM MR. MARC BERARD, P.E., BERARD, HABETZ AND ASSOCIATES, INC., ON:

- (a) Extending the Existing Bulkhead at Slip 1a in The Port's Marina Due to the Deplorable Condition of the Existing Bulkhead.**
- (b) Port Marina "Wash-Outs" Located at Various Gate Slip Entrances.
{1} Discuss/Approve BH&A Invoices.**

Mr. Mark Berard, BH&A reported that the plans are substantially complete and he is currently in the process of securing the necessary permits for the Project.

A motion was made by Commissioner Gene L. Jefferies, seconded by Commissioner Roy A. Pontiff, to approve and authorize the payment of Invoice Number 214493 in the amount of \$15,991.36 to Berard, Habetz & Associates, Inc. for Professional Services (Basic Engineering) rendered through December 7, 2014 in accordance with the Standard Form of Agreement between Owner and Engineer for Professional Services Contract dated August 8, 2014 regarding

extending the existing bulkhead at Slip 1a in the Port's Marina due to the deplorable condition of the existing bulkhead and Port Marina "Wash-Outs" located at various Gate Slip entrances.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Gene L. Jefferies, to approve and authorize the payment of Invoice Number 214492 in the amount of \$8,183.75 to Berard, Habetz & Associates, Inc. for Professional Services (Surveying & Permitting) rendered for the period September 22, 2014 through December 7, 2014, in accordance with the Standard Form of Agreement between Owner and Engineer for Professional Services Contract dated August 8, 2014 regarding extending the existing bulkhead at Slip 1a in the Port's Marina due to the deplorable condition of the existing bulkhead and Port Marina "Wash-Outs" located at various Gate Slip entrances.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

(c) **Update on Port Project Consisting Primarily of Drainage Improvements and Roadside Cleanup Along Major Roadways Within the Port.**

{1} **Status of Standard Form of Agreement Between Owner and Engineer for Professional Services.**

{2} **Status of Defining the Scope of the Project.**

Mr. Marc Berard reported that in the process of assessing the drainage improvements and roadside cleanup along major roadways within the Port, it was determined that Curtis Lane and a portion of Port Road are in poor condition. The scope of the project has been narrowed down to those areas. It appears that all of the drainage along Curtis Lane is in very poor condition, and appears to have occurred over the years. BH&A has performed the necessary surveying and preliminary engineering. Discussion ensued.

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Elbridge "Smitty" Smith III, to approve and authorize the Executive Director and Port Attorney to enter into negotiations and drafting of a Cooperative Endeavor

Agreement for a joint venture between the Port of Iberia District and the Iberia Parish Government for drainage improvements primarily to Curtis Lane and a portion of Port Road.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

- (d) Update on Berard, Habetz, & Associates, Inc. obtaining Cost Estimates for Infrastructure Improvements Regarding Tract "F-1" (15.14 acres) on the Port Expansion Phase I Property Site, with Improvements to be Determined by the Tenant Chart Energy & Chemicals, Inc.**

{1} Status of Standard Form of Agreement Between Owner and Engineer for Professional Services.

The Port Attorney will review the Standard Form of Agreement Between Owner and Engineer for Professional Services, and will be presented to the full Board for review and approval.

{2} Status of Port Priority Application Submission.

Mr. Berard reported that Chart Energy & Chemicals, Inc. is considering constructing a new facility and is also considering wanting to apply for Port Priority funding in the future for improvements to the facility and a bulkhead. Chart plans on utilizing their own funds on all the buildings and everything above the ground. Chart Energy and Chemicals, Inc. is planning on presenting the proposed improvements to their Board for further review and discussion. Mr. Berard indicated that it is anticipated that the first phase would entail the stabilization of the site, including a bulkhead. As a result, Mr. Berard also indicated that this matter is "on hold" until Chart Energy & Chemicals, Inc. meets with their Board for further direction.

- (e) Discuss/Consider a Standard Form of Agreement Between Owner and Engineer for Professional Services Regarding Engineering Services Performed on an "As Needed" Basis for the Port of Iberia District.**

Mr. Berard asked the Board to consider a Standard Form of Agreement Between Owner and Engineer for Professional Services regarding engineering services performed on an "as needed" basis for the Port of Iberia District. These services would be requested in writing or by e-mail by the POI Board or its Executive Director. The request shall contain a complete scope of work and a description of deliverables. The reimbursement for Engineering and Additional Services would be on a Standard Hourly Rate and Reimbursable Expenses Method of Payment. Discussion ensued.

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Gene L. Jefferies, to approve and authorize the Board President to execute a Standard Form of Agreement between the Port of Iberia District and Berard, Habetz and Associates, Inc. for Professional Services regarding engineering services performed on an "as needed" Time and Materials basis for the Port of Iberia District; and motion further stipulates that these services would be requested in writing or by e-mail by the POI Board or its Executive Director, in which the request shall contain a complete scope of work and a description of deliverables; and motion further acknowledges that the reimbursement for Engineering and Additional Services would be on a Standard Hourly Rate and Reimbursable Expenses Method of Payment; with the payments being made using the "Port Improvements & Development" budgetary line item; and this motion is contingent upon the legal review and approval of the Port Attorney.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, and Elbridge "Smitty" Smith, III.

Nays: Mark Dore'.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

- (f) **Discuss/Consider a Standard Form of Agreement Between Owner and Engineer for Professional Services Regarding Construction Improvements to The Bayou Companies Facility at the Port of Iberia.**
{1} **Discuss/Approve the Executive Director Making a Request to the Iberia Parish Council Regarding a Port TIF Priority Project to Include Infrastructure Improvements for the Drainage along Curtis Lane; Establishment of Roadside Staging Areas with Catch Basin for Installation to Accommodate a New Pipe Coating Facility, Rail Spur Rehabilitation, Perimeter Fencing, and Parking Lot.**

Mr. Berard and the Executive Director met with representatives of The Bayou Companies in order to discuss construction improvements to The Bayou Companies Facility at the Port of Iberia. The discussions included Infrastructure Improvements for the Drainage along Curtis Lane; Establishment of Roadside Staging Areas with Catch Basin for Installation to Accommodate a New Pipe Coating Facility, Rail Spur Rehabilitation, Perimeter Fencing, and Parking Lot. Mr. Berard indicated that the approximate cost of the improvements is \$1.5 Million. Discussion ensued.

It was the consensus of the Board to not enter into a Standard Form of Agreement between Owner and Engineer for Professional Services regarding construction improvements to The Bayou Companies Facility at the Port of Iberia at this time. Once

additional information is obtained the Board will revisit this Agenda item for further review and discussion.

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Larry G. Rader, to approve and authorize the Executive Director to make a request to the Iberia Parish Council regarding a Port TIF Priority Project to include infrastructure improvements for the drainage along Curtis Lane; Establishment of Roadside Staging Areas with Catch Basin for installation to accommodate a new Pipe Coating Facility, Rail Spur Rehabilitation, Perimeter Fencing, and Parking Lot; and motion further authorizes that Berard, Habetz and Associates, Inc. develop a Scope of Work and Cost Estimate to provide to the Executive Director for his presentation to the Iberia Parish Council; and motion further stipulates that if the Port is successful in being approved for the TIF Funding that the Board will discuss entering into a Professional Services Agreement with BH&A regarding same.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

- (g) Discuss/Consider a Standard Form of Agreement Between Owner and Engineer for Professional Services Regarding Construction of a New Facility (Site Stabilization) for Ram Design, LLC at the Port of Iberia Millennium Expansion Phase II Property Site (Tract "L")**

Discussion ensued and it was the consensus of the Board to discuss/consider this Agenda item at a later date; however, any Professional Services work that BH&A performs on this matter is be paid from the Port Improvement & Development Budgetary Line Item until further review and discussion of a Professional Services Contract.

{1} Authorize the Executive Director to Submit a Letter of Request to the LA DOTD Port Construction & Development Priority Program Regarding Approval to use Previously Committed Funds Remaining from State Project Number 548-23-0019 (approximately \$170,464.00) for the Construction of a Stabilized Laydown Yard on Tract "L" of the Millennium Expansion Phase II Property Site.

Mr. Berard reported that soil borings have been done on Tract "L" in an effort to determine a Scope of Work and equipment load requirements, as well as an opinion of probable cost for the stabilized base and limestone area. Discussion ensued.

The Administrative Assistant briefed the Board on her discussions with representatives of the LA DOTD Port Priority Program of this date. Initially, the LA DOTD was going to just need a Letter of Request from the Port; however, after their further review, it was decided that not only a Letter of Request would be required but a Resolution Authorizing an Intergovernmental Agreement and Designation of Person Authorized to Sign as well. The Letter of Request will include the transferring of the remaining funds from State Project Number 578-23-0019 in the amount of \$170,464.00 to "shovel ready" State Project Number H.011756 – Site Stabilization, Buildings, Bulkheading and Utilities at Tracts "K", "L", and "M". It is noted that the funding in the amount of \$170,464.00 is only being made available since those funds were not expended on SPN 548-23-0019, (Site Stabilization, Buildings & Utilities at Lots 77-82 – All Pts Bldg Project).

A motion was made by Commissioner Larry G. Rader, seconded by Commissioner Gene L. Jefferies, to approve and authorize the Executive Director to Submit a Letter of Request to the LA DOTD Port Construction & Development Priority Program Regarding Approval to use Previously Committed Funds Remaining from State Project Number 548-23-0019 (approximately \$170,464.00) for the Construction of a Stabilized Laydown Yard on Tract "L" of the Millennium Expansion Phase II Property Site.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

A motion was made by Commissioner Larry G. Rader, seconded by Commissioner Gene L. Jefferies, to adopt the following:

**RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT
AND DESIGNATION OF PERSON AUTHORIZED TO SIGN**

STATE PROJECT NO H.011756
PARISH OF IBERIA

RESOLUTION

PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS

A Resolution authorizing the Port of Iberia District to enter into an agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and Development Priority Program for assistance in the

implementation of a port improvement project; providing for the necessary documentation of the need for the port improvement; and providing for other matters in connection therewith.

WHEREAS, the Port of Iberia District has a need for port improvements; and

WHEREAS, the Port of Iberia District has reviewed the application for Site Improvements Tract "K", "L", and "M" located on the Port Millennium Expansion Phase II Property Site, and agrees with said agreement; and

WHEREAS, the Port of Iberia District has applied for State matching funds pursuant to Chapter 47 of Title 34 of the Louisiana Revised Statutes of 1950, as amended, to implement a project to improve its port operation and the Port of Iberia District is fully aware of its obligations under said Statute; and

WHEREAS, the Port of Iberia District is a political body duly organized and existing under the laws of the State of Louisiana and is eligible to apply for funds under said Statute; and

NOW, THEREFORE, BE IT RESOLVED by the Port of Iberia District as follows:

Section 1. That the Port of Iberia District acknowledges that an application was submitted to the Louisiana Port Construction and Development Priority Program.

Section 2. That at the appropriate time and prior to commencement of work on the project the Port of Iberia District agrees to execute a Project Agreement and a Statement of Sponsorship pursuant to the Statute and hereby authorizes and empowers Danny J. David, Sr., Board President, to enter into and execute said agreement with the Louisiana Department of Transportation and Development.

Section 3. That Danny J. David, Sr., is hereby Authorized Representative for the Port of Iberia District to represent the Port with regards to the receipt of funds from the Louisiana Port Construction and Development Priority Program for a port improvement project.

Section 4. That said Authorized Representative shall have the authority to sign and approve all documents that are necessary under the circumstances to accomplish the above project.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the Resolution was therefore adopted on this the 20th day of January, 2015.

- {2} Discuss/Consider Authorizing the Executive Director to Negotiate a Lease Amendment to Ram Design, LLC Lease Agreement Regarding Site Stabilization on Tract "L" of the Millennium Expansion Phase II Property Site.**

Lengthy discussion ensued regarding Ram Design, LLC and the proposed Stabilized Base and Limestone area to be developed.

A motion was made by Commissioner Larry G. Rader, seconded by Commissioner Roy A. Pontiff, to approve and authorize the Executive Director to negotiate a Lease Amendment to Ram Design, LLC Lease Agreement regarding Site Stabilization on Tract "L" (approximately 192 ft. x 150 ft.) of the Millennium Expansion Phase II Property Site.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

- {3} Discuss/Consider Authorizing BH&A to Obtain Request for Proposals Regarding Site Stabilization (Tract "L") Project.**

A motion was made by Commissioner Mark Dore', seconded by Commissioner Larry G. Rader, to approve and authorize Berard, Habetz and Associates, Inc. to prepare a Request for Proposals regarding Site Stabilization for the Tract "L" Limestone Work Area Project and motion further stipulates that the LA DOTD Port Construction & Development Priority Program will need to review and approve the RFP's prior to distributing the to the interested parties participating in the RFP process.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

IX. REPORT FROM MR. O'NEIL MALBROUGH & MR. GLENN LEDET, CB&I, ON:

- (a) LA DOTD Port Construction & Development Priority Program: Phase I of State Project Number 578-23-0018/H.009021(321) Port-Site Bulkhead Relocation Phase II A-(for the AGMAC Bulkhead Relocation & Design Project (Public Property)).**

{1} Status of Dynamic Site Bulkheads 3, 4, and 4A and Chart Energy & Chemical Bulkhead 2.

Mr. Glenn Ledet, CB&I gave a Power Point Presentation on the construction status of the project. Mr. Ledet reported that the project is substantially complete and there are a few remaining punch list items which remain to be completed (mainly welding on fender system and brackets).

{2} Discuss/Approve Contractor's Application for Pmt. No. 19.

Mr. Ledet reported that RFP #19 includes the installation of deformed reinforcing steel and granular material and installation of structural steel, treated timber and excavation and embankment, etcetera.

Mr. Ledet also reported that RFP #19 brings the gross earned to date at \$4.987 Million of the \$4.987 Million (100% complete).

A motion was made by Commissioner Larry G. Rader, seconded by Commissioner Roy A. Pontiff, to approve and authorize Contractor's Application for Payment Number 19 in the amount of \$203,166.55, to Coastal Bridge Company, LLC for the period December 1, 2014 thru December 31, 2014 in accordance with the Contract dated February 6, 2013, regarding the LA DOTD Port Construction & Development Priority Program: Phase I of State Project Number 578-23-0018/h.009021(321) Port-Site Bulkhead Relocation Phase II A-Bulkheads 2 thru 4a(for the AGMAC Bulkhead Relocation & Design Project (Public Property); and motion further stipulates that the Payment Request be forwarded to the LA Department of Transportation & Development for review and approval.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

{3} Discuss/Consider Change Order Number 6 (Balancing Change Order)

Mr. Ledet presented Change Order Number 6 for review and discussion. Change Order Number 6 is a balancing change order for the entire project. It will balance all quantities for the project. The Change Order includes a detailed table of the increase and/or decrease of each item's quantity that varied from the original contract along with the supporting documentation. The majority of the net increase is from the loss of material behind the existing sheet pile. There was an increase in Aggregate Roadway

Surfacing, Geotextile Fabric, Deformed Reinforcing Steel and Class A (M) Concrete.

With the approval of Change Order Number 6 depicting an increase in the amount of \$133,247.75, this brings the revised Contract amount to \$4,987,029.15.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Elbridge "Smitty" Smith, to approve and authorize the Board President to execute Change Order Number 6 regarding a balancing change order for the entire project which balances all the quantities for the project; and motion further acknowledges that Change Order Number 6 depicts an increase of \$133,247.75, with the revised Contract amount being \$4,987,029.15; in accordance with the Contract dated February 6, 2013, regarding the LA DOTD Port Construction & Development Priority Program: State Project Number 578-23-0018/h.009021(321) Port-Site Bulkhead Relocation Phase II A- Bulkheads 2 thru 4a(for the AGMAC Bulkhead Relocation & Design Project (Public Property); and motion further stipulates that the Change Order request be forwarded to the LA Department of Transportation & Development for review and approval.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

{4} Discuss/Consider Substantial Completion.

Mr. Ledet presented the Certificate of Substantial Completion, along with the Punch List Form for review. Mr. Ledet indicated that all items of the project are substantially complete and CB&I recommends the approval of Substantial Completion for the Project.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Larry G. Rader, to accept, approve, and authorize the Board President to execute the Certificate of Substantial Completion in accordance with the Coastal Bridge Company, LLC Contract dated February 6, 2013, regarding the LA DOTD Port Construction & Development Priority Program: State Project Number 578-23-0018/h.009021(321) Port-Site Bulkhead Relocation Phase II A- Bulkheads 2 thru 4a(for the AGMAC Bulkhead Relocation & Design Project (Public Property); and motion further stipulates that the Certificate of Substantial Completion be forwarded to the LA Department of Transportation & Development for review and approval; and further acknowledges that the Certificate of Substantial Completion be recorded with the Iberia Parish Clerk of Court's Office for the 45-day lien period to commence.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

{5} Report from Port Attorney on:

❖ Update on Mr. Murphy Foster, Breazeale Sachse and Wilson, "Co-Counsel" for the POI District.

The Port Attorney reported that there has been no activity to report at this time since the mediation occurred; however, the Port Attorney is waiting for the project to be complete in order to address the contract dispute in an effort to resolve the issues.

{6} Discuss/Approve CB&I Invoice.

A motion was made by Commissioner Gene L. Jefferies, seconded by Commissioner Elbridge "Smitty" Smith III, to approve and authorize payment of Invoice Number 1981332-R8-00541 in the amount of \$15,056.00, to CB&I Coastal, Inc., (f/k/a Shaw Coastal Inc.) for the period December 1, 2014 thru December 31, 2014 (reimbursable to POI by DOTD), regarding the AGMAC Bulkhead Relocation Project Phase IIA (for engineering during construction and resident project representation on Bulkheads 2,3,4,&4A) in accordance with the contract between the POI and Shaw Coastal, Inc., dated September 3, 2002 and Amendment Number 21 dated November 6, 2014.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January 2015.

**(b) LA DOTD Port Construction & Development Priority Program:
Phase II of State Project Number 578-23-0018/H.009021(322) Port-Site Bulkhead Relocation Phase II A- Bulkhead 12A (for the AGMAC Bulkhead Relocation & Design Project (Public Property).**

{1} Update on the Advertisement for Bids for the Public Bulkheads (#12A POI Public Dock – Commercial Canal).

Mr. Ledet reported that the bids were received on Wednesday, December 17, 2014 at the Port Administrative Office.

{2} Discuss Bid Tabulation and Bid Evaluation Summary.

Mr. Ledet presented a Bid Tabulation & Evaluation Summary for review and discussion. There were five contractors who submitted bids: James Construction Group, LLC,

Coastal Bridge Company, LLC, Shavers-Whittle Construction, Inc., Professional Construction Services, Inc., and Cayo, LLC.

The Port Attorney presented a letter dated January 20, 2015 to the Board regarding the bids received. He reported that in the course of CB&I's review of the bids, an irregularity was found with the James Construction Group, LLC bid. James Construction Group did not complete all parts of Section C, Louisiana Uniform Public Work Bid Form, in accordance with Paragraph 7 of Section B, Instructions to Bidders, Sheet B2. The Port Attorney recommended that under the circumstances, that the Board find the bid submitted by James Construction Group LLC (the apparent low bidder) non-responsive, and reject the bid.

The Port Attorney also recommended that the bid be awarded to either the second or third apparent low bidder, depending upon whether the second lowest bidder is qualified and responsive. The statute indicates that when an apparent low bid is rejected, that the second apparent low bidder be notified and advised that they have 10 days from the date of the Commission's decision to supply any and all information or documentation required in accordance with LA R.S. 38:2212(B)(3)(a). After the passage of the ten day period, the Port will review its bid and give an opinion on its validity. The second apparent lowest bidder is Coastal Bridge Company, LLC with a bid of \$4,393,034.25. Discussion ensued.

A motion was made by Commissioner Elbridge "Smitty" Smith, III, seconded by Commissioner Roy A. Pontiff, to reject the apparent low bid received on December 17, 2014 by James Construction Group, LLC in the amount of \$4,159,001.10 regarding the LA DOTD Port Construction & Development Priority Program - Phase II of State Project Number 578-23-0018/H.009021(322) Port-Site Bulkhead Relocation Phase II A- Bulkhead 12A (for the AGMAC Bulkhead Relocation & Design Project (Public Property) due to an irregularity in which James Construction Group did not complete all parts of Section C, Louisiana Uniform Public Work Bid Form, in accordance with Paragraph 7 of Section B, Instructions to Bidders, Sheet B2, and is therefore a non-responsive bid.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January 2015.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Gene L. Jefferies, to award the bid (received on December 17, 2014) to the next apparent low bidder submitting a responsive bid, regarding the LA DOTD Port

Construction & Development Priority Program - Phase II of State Project Number 578-23-0018/H.009021(322) Port-Site Bulkhead Relocation Phase II A- Bulkhead 12A (for the AGMAC Bulkhead Relocation & Design Project (Public Property)).

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January 2015.

{3} Discuss/Approve CB&I Invoice.

A motion was made by Commissioner Gene L. Jefferies, seconded by Commissioner Elbridge "Smitty" Smith, III, to approve and authorize payment of Invoice Number 1981331-R8-00541 in the amount of \$15,606.00, to CB&I Coastal, Inc., (f/k/a Shaw Coastal Inc.), for the period December 1, 2014 thru December 31, 2014 (Advertising & Bidding of Bulkhead 12A - Public Dock)(100% reimbursable to POI by DOTD), regarding AGMAC Project Management in accordance with the contract between the POI and Shaw Coastal, Inc., dated September 3, 2002 and Amendment Number 13 (Project Management) dated December 16, 2014.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith, III and Mark Dore'

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

- (c) LA DOTD Port Construction & Development Priority Program: Phase III of State Project Number 578-23-0018/H.009021(323) Port-Site Bulkhead Relocation Phase II A- Bulkhead 12B{POI Public Dock-Port Canal for the AGMAC Bulkhead Relocation & Design Project (Public Property)}.**

Mr. Ledet reported that Bulkhead 12B has been placed "on hold" until additional Port Priority funding has been acquired from the LA DOTD.

- (d) Port-Site Bulkhead Relocation Phase II B- All Private Bulkheads (for the AGMAC Bulkhead Relocation & Design Project (Private Property)).**
{1} Update on Reconnaissance and Design of Private Bulkhead Numbers 1, 6, 7, 11, and 14, in accordance with the Engineering Contract with CB&I Coastal, Inc. f/k/a Shaw Coastal, Inc. dated September 3, 2002.

Mr. Ledet gave a Power Point Presentation on the Port-Site Bulkhead Relocation Phase II B- All Private Bulkheads (for the AGMAC Bulkhead Relocation & Design Project (Private Property). He reported that the Geotechnical work started in December (Eustis Engineering), and the field work and lab work have been completed (borings at BH1 & BH14). In addition, the Survey Work (Bayou Country Survey), is scheduled to commence its work on Thursday, January 22, 2015.

{2} Discuss/Approve CB&I Invoice

A motion was made by Commissioner Mark Dore', seconded by Commissioner Elbridge "Smitty" Smith III, to approve and authorize payment of Invoice Number 832775-R8-00501 in the amount of \$18,443.15, to CB&I Coastal, Inc., (f/k/a Shaw Coastal Inc.) for the period December 1, 2014 thru December 31, 2014, (not reimbursed by the LA DOTD or credited by the USACE) regarding the costs associated with the additional services in the AGMAC Bulkhead Relocation Phase II B – Private Bulkheads (1, 6, 7, 11, and 14) (Private Property) Project for reconnaissance engineering design and other tasks; and invoice also includes Bathymetry Survey work of POI; in accordance with the contract dated September 3, 2002 and Amendment #13 dated December 16, 2014.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

(e) Status of the AGMAC Project.

The Executive Director reported that December 19, 2014 a meeting was held at the Port Administrative Office with USACE Colonel Hansen and U.S. Congressman Boustany and others regarding the AGMAC Project. The Executive Director will follow up with Michael Hare with U.S. Congressman Boustany's Office for a status report.

(f) Central Gulf Shipyard, L.L.C. (Lots 62-67 & Tracts A & B Located at POI Public Dock – 10.520 acres).

{1} 160' x 70' 1800 Ton Dry Dock.

{2} Slip C-2 Modifications (200 ft. long x 100 ft. wide & -24 ft. depth).

◆ Reevaluation of the Engineering, Design, and Necessary Permitting Process for the Project (The Dry Dock was a Previously approved POI Project).

◆ Update on Agreement Between Port of Iberia District and CB&I Coastal, Inc. for Professional Services.

◆ Update on Third Amendment of Lease Agreement Negotiations.

Central Gulf Shipyard, LLC is in the process of reviewing the Third Amendment of Lease Agreement.

X. REPORT FROM PORT ATTORNEY ON:

- (a) **Status of POI Acquiring 140.81 Acres of Property Owned by the City of New Iberia as Identified in a 99 Year Lease Signed by the Port and City on July 28, 1948.**
{1} Title Examination/Title Opinion.

Mr. Ray Allain, Port Attorney, did not have anything to report on this Agenda item.

- (b) **POI vs. LBC Port, LLC in Iberia Docket No. 124906.**
◆ Suit to Cancel Lease.

The Port Attorney did not have anything to report on this Agenda item.

XI. REPORT FROM EXECUTIVE DIRECTOR ON:

- (a) **Update on the Consulting Services of Ms. Carmel Breaux, President, Norris Insurance Consultants, Inc. Regarding the Port of Iberia District's Insurance as it Relates to General Liability, Automobile Liability and Physical Damage, Workers Compensation, Umbrella Liability, Public Official Errors & Omissions Liability, Crime, Boiler & Machinery, Inland Marine, Equipment Floater and Building & Contents and Flood.**
{1} Discuss/Approve Invoice.

The Executive Director reported that on Monday, January 19, 2015 a meeting was held at the Port Administrative Office with approximately four to five insurance agents attending. Ms. Carmel Breaux, President, Norris Insurance Consultants, Inc. conducted the meeting and respective markets were assigned accordingly.

A motion was made by Commissioner Larry G. Rader, seconded by Commissioner Gene L. Jefferies, to approve and authorize the payment of Invoice Number 1 in the amount of \$9,000.00 to Norris Insurance Consultants, Inc. in accordance with the Professional Services Contract dated January 1, 2015 for Property & Liability Insurance Consulting Services for the period January 1, 2015 to January 1, 2016.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

(b) Discuss Parker Drilling Silt Removal from Bulkhead Area.

The Executive Director reported that Parker Drilling has six drilling rigs and some pipe barges in the slip between Parker Drilling and Regional Fabricators. There is a lot of siltation that has formed and Parker is unable to moor up against their bulkhead, and the barges are "sitting" on the bottom. Discussion ensued and there was no action taken on this Agenda item.

(c) Authorization to Negotiate a Lease Amendment between Ram Design LLC & the Port of Iberia Regarding a First Right of Refusal on Tract "K" (15.61 acres) on the Millennium Expansion Phase II Property Site.

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Larry G. Rader, to approve and authorize the Executive Director to negotiate a Lease Amendment Agreement between Ram Design, LLC and the Port of Iberia District regarding a First Right of Refusal on Tract "K" (15.61 acres) on the Millennium Expansion Phase II Property Site, and bring back to the full Board for further review and approval.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

(d) Update on the Negotiations to the Amendment to Ram Design LLC Lease Agreement Regarding Additional Acreage from Tract "M" (18.77 acres) on the Port Millennium Expansion Phase II Property Site.

(e) Update on the Following Regarding D & J Const. Company, Inc.:

{1} Negotiations for a Lease Cancellation Regarding Tract "F-1" (15.14 acres) on the Port Expansion Phase I Property Site.

{2} Negotiations for a New Lease Agreement Regarding Tract "M" (18.77 acres) on the Port Expansion Phase II Property Site.

(f) Update on the Following Regarding Chart Energy & Chemicals, Inc:

{1} Negotiations for a Fifth Amendment of Lease Agreement between Chart Energy & Chemicals, Inc. and the POI District Regarding Tract "F-1" (15.14 acres) on the Port Expansion Phase I Property Site.

The Executive Director reported that negotiations are ongoing with regards to the above Agenda items (d) thru (f).

(g) Activity Update.

There was no activity update given.

(h) Discuss/Consider the Approval of the Purchase of Copier Equipment for the POI Administrative Office (previously approved in POI Fiscal Year Budget 2014-2015).

A motion was made by Commissioner Mark Dore', seconded by Commissioner Larry G. Rader, to approve and authorize the purchase of copier equipment for the POI Administrative Office which was previously approved in the POI Fiscal Year Budget for 2014-2015 in the amount of \$8,000.00.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

(i) Announcements.

*****Discuss/Consider Rescheduling the February 17, 2015 Regular Board Meeting.**

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Elbridge "Smitty" Smith, to reschedule the regular Board Meeting from Tuesday, February 17, 2015 to Tuesday, February 24, 2015 due to the Mardi Gras Holiday.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Larry G. Rader, Gene L. Jefferies, Roy A. Pontiff, Elbridge "Smitty" Smith III, and Mark Dore'.

Nays: None.

Absent at Voting: Simieon d. Theodile.

And the motion was therefore passed on this the 20th day of January, 2015.

*****The Greater Iberia Chamber of Commerce Annual Banquet Thursday, January 22, 2015 – Cade Community Center.**

XII. ADJOURNMENT.

On a motion made by Commissioner Larry G. Rader, and unanimously seconded by the POI District Board of Commissioners, the meeting was adjourned at 8:45 p.m.


SECRETARY-TREASURER


PRESIDENT