PROCEEDINGS OF A REGULAR MEETING OF

**THE BOARD OF COMMISSIONERS OF**

**THE MORGAN CITY HARBOR AND TERMINAL DISTRICT**

**May 11, 2020**

The Board of Commissioners (“Board”) of the Morgan City Harbor and Terminal District (“District”) met in regular session via teleconference on May 11, 2020 at 5:00 p.m. Raymond Wade, Executive Director, convened the meeting with Commissioners Joseph Cain, Lee Dragna, Deborah Garber, Tim Matthews, Sr., Adam Mayon, Pete Orlando, Steven Cornes and Troy Lombardo in attendance. Ben Adams was absent. Also present in the meeting were Tori Henry, Office Manager; Cindy Cutrera, Manager of Economic Development; Gerard Bourgeois & Jennifer Reasoner, Board Attorneys; Commander Heather Mattern, United States Coast Guard (“USCG”); Michael Knobloch, Knobloch Professional Services; Bryan Breaud, GSE/Providence Engineering; Mark Lane, Paul’s Agency, LLC; along with members of the general public.

The meeting was called to order and the presence of a quorum was noted.

It was moved by Mr. Dragna and seconded by Mr. Lombardo that the minutes of the Regular Meeting of April 13, 2020 be approved and adopted, with said motion carrying unanimously.

It was moved by Mr. Mayon that the report of receipts and disbursements for the month of April, 2020 be received and accepted and that all invoices presented to the Board for the month of April, 2020 be paid. Mr. Dragna seconded that motion, which carried unanimously.

Tim Connell reported that: (i) they are in the process of issuing another task order to Inland Dredge for Berwick Harbor to begin in late July or early August; (ii) they are looking to award a contract in July for Upper Bar, Crew Boat Cut and Bay due to shoaling, pending availability of cutterhead dredges; (iii) Bayou Chene maintenance dredging will not happen due to funding not materializing; (iv) another task order has been issued to Brice into August; (v) Dredge Jadwin is working in Stouts Pass and making significant progress; however, they are having issues with TALCO pipeline and the dredge captain is reluctant to go over it. Mr. Dragna requested any information available to see if some of the Board can provide any additional information down; (vi) New surveys are available for most of the reaches; (vii) Bayou Boeuf guide wall project has had many delays but the new subcontractor should be able to get things moving; and (viii) the FY20/21 budget for the River is $4.43 million, to which Mr. Wade commented on the terrible, insufficient figure.

Heather Mattern reported that: (i) they are excited about the work in Stouts Pass and should see a decrease in groundings; (ii) her change of command will be June 26th and her replacement will be Commander Ben Russell.

Michael Knobloch reported that the U.S. Dept. of Transportations’ Port Infrastructure Development Program (PIDP) Grant application is due on May 18th. It was moved by Mr. Dragna and seconded by Mr. Cornes, the PIDP Grant application be submitted in the amount of $3,751,185.60 with a 20% match of $750,237.12, and that the following resolution be adopted, which was unanimously approved.

**RESOLUTION**

**BE IT RESOLVED,** that the Board of Commissioners of the above, does hereby authorize the submission of its proposed funding request entitled *“Multimodal Cargo Terminal and Rail Improvements Project,*” estimated to cost $3,751,185.60, to the US Department of Transportation’s (USDOT’s) *FY 2020 Port Infrastructure Development Program* (PIDP); and, the Port District Commission, also, agrees to provide a twenty percent (20%) local match (estimated at $750,237.12) for the submitted FY 2020 Port Infrastructure Development Program (PIDP) project application.

(ii) The U.S. Dept. of Transportations’ Better Utilizing Investments to Leverage Development (BUILD) Grant application is due on May 18th. It was moved by Mr. Dragna and seconded by Mr. Cornes, the BUILD Grant application be submitted in the amount of $1,371,600.60 with a 20% match of $274,320, and that the following resolution be adopted, which was unanimously approved.

**RESOLUTION**

**BE IT RESOLVED,** that the Board of Commissioners of the above, does hereby authorize the submission of its proposed funding request entitled *“Multimodal Surface Transportation and Facilities Improvement Project,”* estimated to cost $1,371,600, to the US Department of Transportation’s (USDOT’s) *FY 2020 Better Utilizing Investments to Leverage Development (BUILD) Transportation Grants Program*; and, the Port District Commission, also, agrees to provide a twenty percent (20%) local match (estimated at $274,320.00) for the submitted FY 2020 BUILD Transportation Grant project application.

Bryan Breaud reported that: (i) we received bids on Youngswood Yard Rehabilitation project on April 20th with Patriot Construction being the low bidder of $397,597. Due to the low bid, InterMoor requested three additional areas on site be taken care of, including a change order for 30% more materials at a cost of $157,305. Based on DOTD’s approval and Mr. Breaud’s recommendation, it was moved by Mr. Cain, seconded by Mr. Mayon to award the low bidder, Patriot Construction Award of Contract and Change Order No. 1 for a total of $554,902.82, and the following resolution for Award of Contract be adopted, which carried unanimously.

R E S O L U T I O N

A resolution awarding and authorizing the signing of the Construction Contract for the “State Project No. H.014297, Morgan City Harbor and Terminal District, Port Improvements, Youngswood “InterMoor” Yard Rehabilitation Project, St. Mary Parish, Louisiana”, funded in part by Louisiana Port Construction and Development Priority Program, and authorizing the issuance of the Notice to Proceed.

WHEREAS, the Morgan City Harbor and Terminal District received construction bids on Monday, April 20, 2020 at 2:00 p.m., on the “State Project No. H.014297, Morgan City Harbor and Terminal District, Port Improvements, Youngswood “InterMoor” Yard Rehabilitation Project, St. Mary Parish, Louisiana”, a port improvements project under the Louisiana Port Construction and Development Priority Program; and

WHEREAS, Providence Engineering and Design, LLC, Consulting Engineer, has recommended that award of contract be made to the lowest qualified bidder, Patriot Construction and Industrial, LLC, of Duson, Louisiana.

NOW, THEREFORE, BE IT RESOLVED by the Morgan City Harbor and Terminal District, regular session, assembled on this 11th day of May 2020, acting pursuant to the recommendation of Providence Engineering and Design, LLC, Consulting Engineer, that the Base Bid in the amount of $397,597.81 by Patriot Construction and Industrial, LLC of Duson, Louisiana and the Change Order No. 1 in the amount of $157,305, be accepted and a contract be awarded to them.

BE IT FURTHER RESOLVED that Joseph E. Cain, President, and Raymond M. Wade, Executive Director be and are hereby authorized and directed individually to do any and all acts and things on behalf and in the name of the District that they deem necessary, proper, or that may be required in regards to the award, notice to proceed and contract.

(ii) It was moved by Mr. Mayon and seconded by Mr. Dragna that the following Resolution Certifying Compliance with Public Bid Law be adopted and carried unanimously.

RESOLUTION

Whereas, the Morgan City Harbor and Terminal District has solicited bids for State Project No. H.014297 Port Improvements, Youngswood “InterMoor” Yard Rehabilitation Project, St. Mary Parish, Louisiana, in accordance with the current bid laws of the State of Louisiana, including, but not limited to R.S. 38:2211 et. seq; and

Whereas, the Morgan City Harbor and Terminal District submitted to LDOTD Certification of proof of publication, one ( l ) copy of the bid proposals and bid bonds as submitted by each of the three (3) lowest bidders, a legible copy of the bid tabulation of all bids received, and certified to be correct by Providence Engineering and Design, LLC, the Engineer, and an authorized official of the Sponsor, a copy of the engineer's recommendation, contract documents, Notice of Award of Contract, and a copy of the recordation data in the Clerk of Court's Office.

NOW, THEREFORE, BE IT RESOLVED by the Morgan City Harbor and Terminal District, Regular Session, assembled on this 11th day of May, 2020, does hereby certify that the bidding procedures comply with Louisiana Revised Statutes 38:2211, et. seq.

BE IT FURTHER RESOLVED that Joseph E. Cain, President, and Raymond M. Wade, Executive Director be and are hereby authorized and directed individually to do any and all acts and things on behalf and in the name of the District that they deem necessary, proper, or that may be required in regards to the certification of said bidding.

Charles Brittingham reported that: (i) Congress passed the Cares Act, which included legislation to get our nation back on its feet; (ii) Senate is currently in session, with the House to return next week; and (iii) while the FY20/21 budget is $4.43 million for the Atchafalaya River, it will likely be plussed up by an anticipated supplemental and/or work plan.

Cindy Cutrera reported: (i) we have been participating in lots of online meetings, webinars, etc. in order to practice social distancing. She noted three clear takeaways from this pandemic is the need to improve technology and broadband, the need for PPE, the need for new opportunities to improve our economy; (ii) we have continued to keep our stakeholders up to date via email, website and Facebook; and (iii) we will host our annual hurricane preparedness meeting virtually through Zoom on May 19th.

Gerard Bourgeois presented: (i) Extension Letter Agreement with Cassidy & Associates, Inc. at current amount of $10,000 per month plus expenses incurred. Mr. Cain moved to authorize the execution of said agreement, which was seconded by Mr. Mayon and carried unanimously. Mr. Cain noted that we need someone in D.C. fighting for us and Mr. Brittingham has been successful in the past. Mr. Dragna agreed with Mr. Cain, reiterating we need someone up there fighting for us daily. (ii) Paul’s Agency insurance renewal for insurance coverages for the District which has decreased by $6,325 due to decreased rental revenue and equipment coverage changes. Mr. Dragna moved to authorize renewal with Paul’s Agency, which was seconded by Mr. Cornes and carried unanimously; (iii) proposals from American Integration Contractors for TACCS license renewals and software maintenance in the amount of $27,994.92 under State Contract; and a contract between the District and American Integration Contractors and for the Port of Morgan City Regional Collaboration Network (PMCRCN) annual program support, which has a limit of $20,600 was also presented. Mr. Lombardo moved to authorize said purchase and to authorize Mr. Wade to execute said contract, which was seconded by Mr. Mayon and carried unanimously.

Mr. Bourgeois further reported that: (iv) we have received all but $4700 of the $240,000 Crosby settlement, which is expected to be in the mail today; (v) we received one bid of $8300 for the sale of the Yamaha outboard surplus motors but was unable to accept due to the reserve set at $13,000. Mr. Dragna moved to lower the reserve to $7500 and rebid, which was seconded by Mr. Mayon and carried unanimously.

With no further business to come before the Board, the meeting was adjourned.

Attest:

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Timothy Matthews, Sr., Secretary