

2022-0150

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)**

ORDINANCE NO. 22-6-2

An ordinance approving and authorizing the execution of Amendment No. 8 to Ordinance No. 08-10-6, which approved the execution of a Professional Services Agreement with MB3 Inc. d/b/a Civix, formerly GCR, Inc. and GCR & Associates, Inc., for right-of-way acquisition and program management services for the West Bank Hurricane Protection Levee (Parish Project No. 080905-1D).

WHEREAS, Ordinance No. 08-10-6 adopted October 20, 2008, by the St. Charles Parish Council, approved and authorized execution of a Professional Services Agreement (the "Agreement") with GCR, Inc. (formerly GCR & Associates, Inc.) to provide right-of-way acquisition and program management services for the West Bank Hurricane Protection Levee Project for a period of three years; and,

WHEREAS, the St. Charles Parish Council determined that services were still required for the progression of the project and adopted Ordinance No. 11-2-13 approving Amendment No. 1; Ordinance No. 12-10-6 approving Amendment No. 2; Ordinance No. 14-4-3 approving Amendment No. 3; Ordinance 15-6-7 approving Amendment No. 4; Ordinance No. 16-7-5 approving Amendment No. 5; Ordinance No. 17-9-3 approving Change Order No.1 to Amendment No. 5; Ordinance No. 18-12-1 approving Amendment No. 6, and Ordinance No. 20-6-3 approving Amendment No. 7; and,

WHEREAS, Resolution 6547 adopted on February 22, 2021, by the St. Charles Parish Council, approved and authorized the execution of a letter by St. Charles Parish approving MB3, Inc. as the successor of GCR, Inc. regarding the Agreement for the West Bank Hurricane Protection Levee; and,

WHEREAS, said right-of-way acquisition and program management services continue to be needed for the West Bank Hurricane Protection Levee initiative; and,

WHEREAS, St. Charles Parish now desires the approval of Amendment No. 8 to said Agreement to extend the contract time frame from July 1, 2022 through June 30, 2024 and to increase the maximum compensation allowance for the extended time frame by \$200,000.00, per the hourly billable rates in the attached EXHIBIT A.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Amendment No. 8 to Ordinance No. 08-10-6 adopted on October 20, 2008, to extend the contract time frame and provide for additional funding is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Amendment No. 8 on behalf of St. Charles Parish.

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

YEAS: BILLINGS, FONSECA, DARENSBOURG GORDON, CLULEE, GIBBS,
DUFRENE, BELLOCK, FISHER, FISHER-CORMIER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 6th day of June, 2022, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN:

SECRETARY:

DLVD/PARISH PRESIDENT:

APPROVED :

DISAPPROVED:

PARISH PRESIDENT:

RETD/SECRETARY:

AT: 7:34pm RECD BY:

**AMENDMENT NO. 8
TO
PROFESSIONAL SERVICES AGREEMENT
FOR WEST BANK HURRICANE
PROTECTION LEVEE**

THIS AMENDMENT NO. 8 is made and entered into on this 16th day of June, 2022;

BY AND BETWEEN:

ST. CHARLES PARISH, represented herein by its duly authorized Parish President, Matthew Jewell, (hereafter sometimes referred to as "OWNER"), and

MB3 INC. D/B/A CIVIX, FORMERLY GCR INC. AND GCR & ASSOCIATES, INC., represented herein by Mona Nosari, its Senior Vice President, duly authorized by Corporate Resolution attached hereto (hereafter sometimes referred to as "CONSULTANT");

WHEREAS, on October 20, 2008, the St. Charles Parish Council approved Ordinance No. 08-10-6 authorizing a Professional Services Agreement (the "Agreement") between St. Charles Parish and GCR, Inc. (formerly GCR & Associates, Inc.) to provide right-of-way acquisition and program management services for the West Bank Hurricane Protection Levee (Parish Project No. P080905-1D); and,

WHEREAS, the St. Charles Parish Council determined that services were still required for the progression of the project and adopted Ordinance No. 11-2-13 approving Amendment No.1; Ordinance No. 12-10-6 approving Amendment No.2; Ordinance No. 14-4-3 approving Amendment No.3; Ordinance 15-6-7 approving Amendment No.4; Ordinance No. 16-7-5 approving Amendment No.5; Ordinance No. 17-9-3 approving Change Order No.1 to Amendment No.5; Ordinance No. 18-12-1 approving Amendment No.6, and Ordinance No. 20-6-3 approving Amendment No.7; and,

WHEREAS, On February 22, 2021, the St. Charles Parish Council adopted Resolution 6547 approving and authorizing the execution of a letter by St. Charles Parish approving MB3, Inc. as the successor of GCR, Inc. regarding the Agreement for the West Bank Hurricane Protection Levee; and

WHEREAS, said right-of-way acquisition and program management services continued to be needed for the West Bank Hurricane Protection Levee initiative; and,

WHEREAS, St. Charles Parish now desires the approval of Amendment No.8 to said Agreement to extend the contract time frame from July 1, 2022, through June 30, 2024, and to set the maximum compensation allowance for the extended time frame at \$200,000.00, per the hourly billable rates in the attached EXHIBIT A.

**ATTACHMENT "EXHIBIT A"
Hourly Billable Rates**

THUS DONE AND SIGNED in the presence of the undersigned competent witnesses,
on this 16th day of June, 2022.

Witnesses:

ST. CHARLES PARISH

James C. Cies

By: Matthew Jewell
Matthew Jewell
Parish President

Michelle Laporte

Date: 6/16/22

MB3 INC. D/B/A CIVIX

Linda B. Thibodeaux
Print: LINDA B THIBODEAUX

By: Mona Nosari
Mona Nosari
Senior Vice President

x Jane Dufan
Print Jane Dufan

Date: 6/14/2022

EXHIBIT A
PROFESSIONAL SERVICES AGREEMENT
WEST BANK HURRICANE LEVEE, ST. CHARLES PARISH
HOURLY BILLABLE RATES

<u>Employee Classification</u>	<u>2022 Billable Hourly Rate</u>
Program Manager	\$195.00
Project Manager	\$130.00
Senior GIS/Mapping Tech.	\$125.00
Senior Real Estate Specialist	\$120.00
Planner /Real Estate Specialist	\$110.00
GIS/Mapping Technician	\$100.00
Graphics Specialist	\$90.00
Abstractor	\$95.00
Junior Real Estate Specialist	\$80.00
Administrative/Clerical	\$67.00

Appraisal and Surveying Rates to be furnished under separate proposal.

**WRITTEN CONSENT TO RESOLUTIONS
OF THE EXECUTIVE COMMITTEE
OF THE BOARD OF DIRECTORS OF GCR HOLDINGS, INC.
ACTING ON BEHALF OF MB3 INC.**

October 11, 2021

The undersigned, being all of the elected and qualified members of the Executive Committee (the “Executive Committee”) of the Board of Directors (the “Board”) of GCR Holdings, Inc., an Indiana corporation (“Holdings”), acting under the provisions of the Indiana Business Corporation Law, as amended, hereby waive all notice and unanimous consent to the following actions to be taken in lieu of a special meeting of the Executive Committee:

WHEREAS, the Executive Committee, acting on behalf of the Board of Holdings, desires to confirm the individuals who have certain signing authority on behalf of MB3 Inc., a Delaware corporation and an indirect wholly-owned subsidiary of Holdings (“MB3”);

NOW, THEREFORE, BE IT

RESOLVED, that each of the individuals listed below hereby is authorized to execute and deliver, for and on behalf of MB3, all ordinary course customer contracts, contract amendments, and contract proposals:

Name and Title

Michael A. Foisy, Chairman
Tommy Wayne Amburgey, Jr., Chief Executive Officer
Matthew Blaziewske, Chief Financial Officer

; and

RESOLVED, FURTHER, that the individual listed below hereby is authorized to execute and deliver, for and on behalf of MB3, all ordinary course customer contracts, contract amendments, and contract proposals, except for those contracts, contract amendments, and contract proposals with a value exceeding Two Million (\$2,000,000) in revenue:

Name and Title

Angele Romig, President

; and

RESOLVED, FURTHER, that the individual listed below hereby is authorized to execute and deliver, for and on behalf of MB3, all ordinary course customer contracts, contract amendments, and contract proposals, except for those contracts, contract amendments, and contract proposals with a value exceeding Two Hundred Thousand Dollars (\$200,000) in revenue:

Name and Title

Mona Nosari, Senior Vice President

; and

RESOLVED, FURTHER, that the officers of MB3 are hereby authorized to cause MB3 to perform its obligations under any such contracts, contract amendments and contract proposals; and

RESOLVED, FURTHER, that the foregoing resolutions supersede and replace any resolutions adopted by the Board of Directors of MB3 (including those certain resolutions adopted as of November 8, 2019) to the extent that such resolutions relate to any signing authority for Matt Blakely and Rod Thornhill (which signing authority be and hereby is revoked); and

RESOLVED, FURTHER, that this consent may be executed in one or more counterpart copies which, when signed by all of the members of the Board, shall be effective and taken together shall be one and the same instrument; and

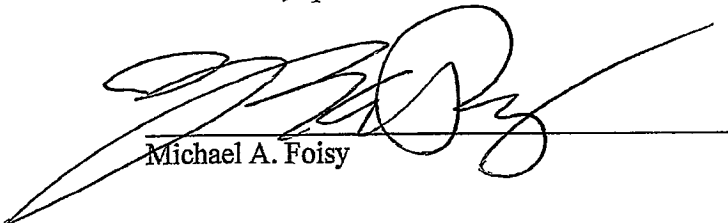
RESOLVED, FURTHER, that all acts and deeds taken or done by the officers of MB3 which are in conformity with the purpose and intent of these resolutions, shall be and hereby are in all respects ratified, approved and confirmed.

71329928

[Signature Page Follows]

[Signature Page to Executive Committee Consent – MB3]

IN WITNESS WHEREOF, the undersigned have executed this Written Consent to Resolutions effective as of the date first written above, thereby agreeing that the foregoing resolutions shall be of the same force and effect as if adopted at a meeting of the Executive Committee, upon due notice, on such date.




Michael A. Foisy

Tommy Wayne Amburgey, Jr.

[Signature Page to Executive Committee Consent – GCR]

IN WITNESS WHEREOF, the undersigned have executed this Written Consent to Resolutions effective as of the date first written above, thereby agreeing that the foregoing resolutions shall be of the same force and effect as if adopted at a meeting of the Executive Committee, upon due notice, on such date.

Michael A. Foisy



Tommy Wayne Amburgey, Jr.