

10266
2001-0428

INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. 01-12-13

An ordinance to amend Ordinance No. 99-4-4, a DNR Cooperative Agreement for the Davis Pond Freshwater Diversion Project, to extend the Agreement through January 31, 2006 and provide funding thereto.

WHEREAS, Ordinance No. 99-4-4 approved and authorized the execution of DNR Cooperative Agreement No. 2512-99-05 by and between St. Charles Parish and the Louisiana Department of Natural Resources for the operation, maintenance, repair, replacement, and rehabilitation of the Davis Pond Freshwater Diversion Project; and,

WHEREAS, DNR wishes to amend said Agreement to extend it through January 31, 2006, and to increase the "total project cost" to provide funding for said extension; and,

WHEREAS, the Department of Public Works has approved said amendment.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Amendment No. 1 to Ordinance No. 99-4-4 is hereby approved, extending said Agreement through January 31, 2006, and to increase the "total project cost" to provide funding for said extension.

SECTION II. That the Parish President is hereby authorized to execute Amendment No. 1 on behalf of St. Charles Parish.

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

YEAS: RAMCHANDRAN, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT,
BLACK, MARINO, MINNICH

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 17th day of December, 2001, to become effective five (5) days after publication in the Official Journal.

Amendment No. 1 Davis Pond Freshwater

CHAIRMAN: Barry Minnich

SECRETARY: Barbara J. Jurek

DLVD/PARISH PRESIDENT: December 18, 2001

APPROVED. _____ DISAPPROVED. _____

PARISH PRESIDENT: Albert D. Laque

RETD/SECRETARY: December 18, 2001

AT: 3:15 pm RECD BY: B99

AMENDMENT TO THE
COOPERATIVE AGREEMENT
STATE OF LOUISIANA
DEPARTMENT OF NATURAL RESOURCES
(Hereinafter referred to as "Department")

AND

ST. CHARLES PARISH GOVERNMENT
(Hereinafter referred to as "Contracting Party")

The Parties have agreed to extend the term for fulfillment of services to be performed under this contract from January 31, 2002, to January 31, 2006, and to that end Article 2 entitled Contract Term is amended to read in its entirety as follows:

The term for the fulfillment of services to be performed pursuant to this agreement shall be from February 1, 1999, through January 31, 2006.

FURTHERMORE, the Parties have agreed to fix the "total project cost" at One Million, Three Hundred Eighty-Seven Thousand, Seven Hundred Seventy-Seven and 00/100 Dollars (\$1,387,777.00), an increase of Three Hundred Forty Thousand, Three Hundred Thirty-Six and 00/100 Dollars (\$340,336.00) over the existing contractual fee, and to that end Article 6 entitled Compensation is amended to read in its entirety as follows:

The Department shall pay to the Contracting Party a total sum not to exceed One Million, Three Hundred Eighty-Seven Thousand, Seven Hundred Seventy-Seven and 00/100 Dollars (\$1,387,777.00) for services rendered under this agreement. Travel and other allowable costs shall constitute part of the maximum payable under the terms of this agreement.

No authority exist for payments which exceed the approved maximum contract amount except through written amendment prior to expiration date of the contract.

In addition, it is understood and agreed by the Contracting Party, that U. S. Army Corp of Engineers DNR Cooperative Agreement No. 25086-93-01 is used by the Department to partially fund this contract.

All other terms and conditions of the agreement shall remain the same.

DNR COOPERATIVE AGREEMENT NO. 2512-99-05
OCR COOPERATIVE AGREEMENT NO. 435-900225
AMENDMENT NO. 01

This amendment entered into this 27th day of December, 2001, at Baton Rouge,
Louisiana.

WITNESSES:

JACK C. CALDWELL, SECRETARY
DEPARTMENT OF NATURAL RESOURCES

Susan R. Robinson
Barbara J. Jacob

Valerie Berthelot

Jack Caldwell
Albert D. Lagne
ST CHARLES PARISH GOVERNMENT

APPROVED
Office of the Governor
Office of Contractual

JAN 30 2002

Susan R. Robinson
DIRECTOR