

ord.

2009-0159

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT

(DEPARTMENT OF ECONOMIC DEVELOPMENT & TOURISM)

ORDINANCE NO. 09-5-4

An ordinance to approve and authorize the execution of a Professional Services Contract between St. Charles Parish and Berning Marketing, LLC.

WHEREAS, it is the desire of St. Charles Parish to implement marketing initiatives to advance its economic development efforts; and,

WHEREAS, it is also the desire of St. Charles Parish to engage a third party to assist in its economic development efforts; and,

WHEREAS, St. Charles Parish will benefit from the services set forth in the "Scope of Work" included in said Contract; and,

WHEREAS, it is the intent of the St. Charles Parish Council to approve said Contract.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Contract for Professional Services between St. Charles Parish and Berning Marketing, LLC is hereby approved.

SECTION II That the Parish President is hereby authorized to execute said Contract on behalf of St. Charles Parish.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 4th day of May, 2009, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Tony Quill

SECRETARY: Barbara Jacob Zucker

DLVD/PARISH PRESIDENT: May 5, 2009

APPROVED: ✓

DISAPPROVED:

PARISH PRESIDENT: W. St. Pierre

RETD/SECRETARY: May 6, 2009

AT 8:55 am

REC'D BY: BJA

CONTRACT

May 4, 2009

St. Charles Parish
P.O. Box 302
Hahnville, LA 70057

ATTN: Corey Faucheux
Job #: TBA
Job Title: St. Charles Parish Business Development Video Production

This will serve as a complete agreement between BERNING MARKETING, LLC. and ST. CHARLES PARISH, hereinafter "CLIENT" for the production and final edit of an economic development marketing video consisting of not more than three (3) 3-8 minute videos.

BERNING MARKETING, LLC will provide and be responsible for the following:

Pre-production including creative meetings, script writing, three (3) days of location shooting; one (1) 4-hour day of aials; director cameraman and crew; HD camera package; lighting and grip package; sound package; creative editing at BERNING MARKETING, LLC.; voiceover talent licensed for non-broadcast usage plus TV broadcast in St. Charles Parish for one year, and internet for one year; stock music licensed for non-broadcast usage plus TV broadcast in St. Charles Parish for one (1) year, and internet for one (1) year; necessary graphics and/or audio mixing/sweetening; DVD Menu and Authoring; DVD Label Artwork design and layout; edited master and five DVD client copies; digital media asset management and archiving.

CLIENT will provide and be responsible for the following:

CLIENT employees and expenses; access to shooting locations; on-camera talent and interviews.

Any dubs other than one edited master and five DVDs are to be paid for by the CLIENT and shall be considered extra work not provided for therein. Additional dubs will not be released until final payment under the contract terms has been received. Dub costs are as follows:

Beta SP	\$34.75
Digi-Beta	\$52.50
DVD	\$25.00
CD	\$15.00

Duplication costs will be estimated separately based on CLIENT needs.

The agreed upon contract price is for the approved concept at the time of signing this contract. Any concept revisions or other major changes will result in a re-negotiation of price, the terms of which will be designated below in writing and initialed by the parties.

Any overages in talent, shooting time, equipment, and/or editing time which was not caused by the action or inaction of BERNING MARKETING, LLC during the performance of this contract shall result in additional expenses for which the CLIENT will be responsible. The CLIENT agrees to pay any additional amounts which arise as a result of overages in talent, shooting time, equipment or editing, for which BERNING MARKETING, LLC is not responsible, provided the CLIENT is notified and consulted before the additional expenses are incurred. Notice in this instance may be verbal or in writing, and shall not affect the other rights of the parties herein.

The final edit will be scheduled based upon CLIENT approval. Any editing revisions by the CLIENT after the final session will constitute overages and will be billed accordingly at \$450/hr.

Any reproductions or further usage of this film in any capacity other than that agreed upon in this contract must be approved by BERNING MARKETING, LLC. BERNING MARKETING, LLC retains all intellectual rights of any raw material acquired during the production of product, as outlined in contract. CLIENT holds the copyright of the final product.

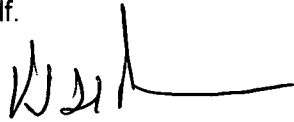
Contract Price: \$ 67,127.68

Terms of Payment:

1 st payment due upon signing of contract:	\$ 22,375.90
2 nd payment due upon completion of shooting:	\$ 22,375.89
3 rd payment due upon delivery of approval:	\$ 22,375.89

Failure to pay any sums when due shall cause this contract to become null and void or shall cause the entire contract price to become due and payable in full immediately at the option of BERNING MARKETING, LLC. Forbearance or failure to insist on immediate payment shall not affect the right of BERNING MARKETING, LLC to cancel this contract or accelerate payment under this contract when payments due BERNING MARKETING, LLC are not made timely.

I have read the above contract in full and agree to comply with the terms as stated; I certify that I am the authorized agent of CLIENT and as such, have the authority to enter into this contract in their behalf.

BY: 

CLIENT

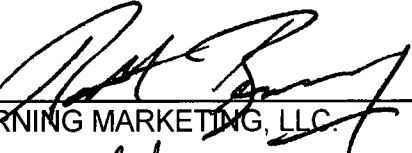
V.J. St. Pierre, Jr.

St. Charles Parish President

5/5/09
DATE


WITNESS

5/6/09
DATE

BY: 

BERNING MARKETING, LLC

5/8/09
DATE


WITNESS

5/8/09
DATE

PROPOSAL:

St. Charles Parish and the River
Region Business Development
Video Production

March 2, 2009

Submitted by

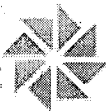
BERNING
MARKETING 

TABLE OF CONTENTS

Business Development Video Production Proposal

3	Scope of Work
4	End Product
4	Payment Terms
5	Film Production Cost Summary (AICP Bid Form)
6	Berning Marketing Overview
7	Capabilities
9	Similar Experience/References

Attachments

13	Sample Contract
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SCOPE OF WORK

Berning Marketing, in coordination with St. Charles Parish and the River Region, will develop a marketing video with two components that will enhance economic and business development initiatives.

The components will each have a different topical focus:

- 1) Introduction 6-8 minutes
branding and positioning St. Charles Parish and the River Region
- 2) Why St. Charles Parish and the River Region? 5-7 minutes
highlight the top five reasons to locate to St. Charles Parish and the River Region

Testimonials of up to five key spokespersons such as business leaders, politicians and economic development leaders will be integrated into the video components.

Berning Marketing estimates up to four months to complete the project.

END PRODUCT

Berning Marketing will provide St. Charles Parish and the River Region with:

- one mastered DVD authored to view separate components, with combined air time not to exceed 18 minutes.
- Five duplicated DVDs
- Artwork for DVD amaray case and label
- Quicktime files of each component for website usage

PAYMENT TERMS

Berning Marketing will provide a contract including the following payment terms:

1st payment due upon signing of contract
34% of total

2nd payment due upon completion of filming
33% of total

3rd payment due upon final approval
33% of total

Additional duplication fees will be invoiced separately.

FILM PRODUCTION COST SUMMARY

Bid Date: February 26, 2009

Actualization Date:

Production Co.: Robert Berning Productions, Inc.	Agency: Berning Marketing, LLC
Address: 710 Papworth Avenue	Client: St. Charles Parish
City, State: Metairie, LA 70005	
Telephone No.: 504.834.8811	
Prod. Contact: Alexis Vicknair	Agency Prod.: Tel:
Director: Robert Berning	Agency Cr. Dir. Tel:
Dir. of Photography:	Agency Writer: Tel:
Set Designer:	Business Mgr.: Tel:
Editor:	Title: St. Charles Parish Mktg. Film No. 3 Length:
No. Pre-Prod. Days: 1 Pre-Light/Rehearse	1. Intro to St. Charles Parish 4-6minutes
No. Build/Strike Days: Hours:	2. Why St. Charles Parish 3-5minutes
No. Studio Days: Hours:	3. Testimonials 5-7minutes
No. Location Days: 4 Hours: 10	4.
Location Sites: Various Locations, St. Charles Parish	5.
	6.

SUMMARY OF ESTIMATED PRODUCTION COSTS				ESTIMATED	ACTUAL
1. Pre-Production and Wrap Costs	Totals A & C			\$850.00	\$0.00
2. Shooting Crew Labor	Total B			\$11,500.00	\$0.00
3. Travel and Location Expenses	Total D			\$1,070.00	\$0.00
4. Props, Wardrobe, Animals & Handlers	Total E			\$0.00	\$0.00
5. Studio and Set Construction Costs	Totals F, G, & H			\$0.00	\$0.00
6. Production Equipment Rentals	Total I			\$6,550.00	\$0.00
7. P2 Card Stock	12 #Cards	P2 Card Stock	Total J	\$750.00	\$0.00
8. Miscellaneous Costs	Total K			\$200.00	\$0.00
9. Insurance at: 4 %				\$1,939.10	\$0.00
10.				\$0.00	\$0.00
Sub-Total Direct Costs:				\$22,859.10	\$0.00
11. Production Fee: (Flat Fee)				\$5,711.08	\$0.00
12. Director's Creative Fee	Total L			\$11,000.00	\$0.00
13. Talent Fees and Expenses	Totals M & N			\$1,725.00	\$0.00
14. Editorial and Finishing:	Totals O, P & Q			\$25,832.50	\$0.00
15.				\$0.00	\$0.00
Grand Total:				\$67,127.68	\$0.00
16. Contingency at: 0 %				\$0.00	\$0.00

Comments:

This Bid does NOT Include the following:

BERNING MARKETING OVERVIEW

Founded in 1975, Robert Berning Productions, Inc. worked out of a French Quarter walk up with only four employees that produced and edited all of the company's materials. Over the years it has evolved into a complete communications company, **Berning Marketing, LLC**. All marketing and advertising services are available under one roof—strategic planning, creative development, media strategy and placement, public relations, event coordination, graphic design, interactive media, motion graphics, digital signage, photography, along with film and video production and post production.

Berning Marketing employs a professional staff of 18 employees, constituting a complete communications facility. As a result of the extensive in-house management and creation in all areas of production and strategy, **the end product bears a recognizable signature of high quality in style and execution.**

The company has the ability to undertake and complete a wide range of key processes in house, without relying on outside vendors for the majority of production and creative support services. Their extensive experience in the communications business has enabled the company to develop and adhere to a strategically planned marketing process that ensures the most efficient and effective mobilization of personnel and resources for any and all projects.

Berning Marketing, LLC considers economic development an area of specialty based on its experience and passion for sectors such as government, ports, aviation, oil and gas and energy.

CAPABILITIES

This is what makes Berning Marketing different—their production resources. With an on-site film studio and production facility, the production staff is prepared to establish timelines, manage casting and talent payment, as well as ensure that each production is completed on time, on or under budget and gets completed with no hassle.

Owing much of its success to its production background, Berning Marketing's production facilities are second to none. These in-house assets allow them to quickly and cost effectively create high-end products for their clients without having to hassle with outside vendor mark-ups.

Assets

The company is completely self-sufficient in production with an on-site 8,000 sq. ft. studio with a 2,000 sq. ft. compositing stage, three High Definition (HD) editing suites and two Standard Definition (SD) edit suites. All workstations include and utilize *3-D Studio Max*, *Syntheyes* tracking and compositing software, in conjunction with *Adobe AfterEffects*, *Photoshop CS2* and *V-Ray* capabilities. The facilities also include an on-site recording studio enhanced by a comprehensive library of licensed music and stock footage library with an excess of 25,000 scenes in a search-friendly database.

Their camera assets include:

- (3) motion picture cameras, formatted for HD production
- (1) *Ikegami* Beta Cam,
- (2) *Canon XL2s*
- (1) *Éclair* 35mm motion picture camera

They own a fleet of five production vehicles and extensive lighting equipment along with a Hollywood-style camera crane system that makes them totally independent of outside equipment rentals. Berning carries a standard \$2 million liability insurance policy that was grandfathered in since 9-11-01, which is costly for other companies to obtain.

This state-of-the-art facility allows for:

- High-end motion picture and HD image acquisition
- 3-D animation/modeling/texturing
- HD/SD uncompressed video editing
- 16 channel sound mixing
- Audio Dialogue Replacement
- Original music scoring
- Transitional effects
- Multi-dimensional image tracking and compositing
- Variable frame transfer rates
- Color correction
- Title and mechanical animations
- Digital special effects (i.e. explosions, water)
- Media format transferring and duplication
- Audio and video encoding/streaming web distribution
- Digital asset management and searchable database
- Original motion picture negative storage and relative EDL print to film

SIMILAR EXPERIENCE

Jefferson Parish Economic Development Commission

JEDCO has continually utilized multiple services offered by Berning Marketing, including film production, since 2003. Most recently, in December 2007, JEDCO debuted the short movie "10 Hours", an economic development piece sharing the tale of a corporate site selector and his wife's 10 hour tour of Jefferson Parish. The film was developed for multiple applications—it was a feature at their annual luncheon, it was encoded for use online, and continues to be a tool for ongoing marketing of Jefferson Parish.

To view the movie in its entirety, go to
<http://www.berning.com/corporatecommunications.php> .

Reference:

Scott Rojas, Marketing and Public Relations Manager
3445 N. Causeway Blvd., Suite 300
Metairie, LA 70002
(504) 833-1881 ext. 349
srojas@jedco.org

Port of South Louisiana

In the fall of 2007 and into the beginning of 2008, a series of two marketing films were produced for the Port of South Louisiana to inform legislators and financial organizations about the port and to secure funding to improve the port-owned Globalplex Intermodal Terminal. The films educated audiences of the little known fact that the Port of South Louisiana is the largest port in the Western hemisphere. The films also are being used to help lure more tenants to Globalplex. In preparation of increased maritime traffic from China and other foreign countries due to the forthcoming widening of the Panama Canal, the marketing film was translated into Mandarin Chinese, Spanish and German.

To view the movie in its entirety, go to
<http://www.berning.com/corporatecommunications.php>.

Reference:

Linda Prudhomme, Director of Business Development
171 Belle Terre Blvd.
PO Box 909
LaPlace, LA 70069
(985) 652-9278
lprudhomme@portsl.com

Port of Morgan City

Berning Marketing has performed various marketing services for the Port of Morgan City including public relations, media placement, graphic design and film production. In June 2008, a marketing film was completed to assist the port's Board of Directors and other port representatives in their ongoing educational mission with local, regional and federal government entities. The goal of the film was to inform viewers of the location and importance of the port so when funding requests are made, a better understanding of the dynamics are considered. The film was translated into Spanish for general marketing applications when reaching out to Mexico and the Caribbean basin. The film project, along with the re-design of the port's Web site, was partially funded by a grant from Louisiana Economic Development's Matching Grant Program.

Due to the request for proposals to be submitted via email, a copy of this film cannot be submitted electronically, however, copies are available for viewing upon request.

Reference:

Jerry Hoffpauir, Executive Director
800 Youngs Road
PO Box 1460
Morgan City, LA 70381
(985) 384-0850
jerry@portofmc.com

Other Production Clients of Interest:

American Heart Association
Cardiovascular Institute of the South
Chevron
City of New Orleans
Dominion Exploration and Production
East Jefferson General Hospital
First Bank and Trust
Gulf Islands Water Park
Hollywood Casino, Bay St. Louis
Jefferson Workforce Connection
Kerr McGee Corporation
Lamarque Motor Company
Louisiana Lottery Corporation
McDermott International
The McIlhenny Company
Metro Disposal Services, Inc.
Northrop Grumman Shipbuilding
Patrick F. Taylor Foundation
Port of New Orleans
Shell Exploration and Production Company
Plaquemines Parish Sheriff's Office
Taylor Energy Company, LLC
Terrebonne General Medical Center
United States Marine