

2021-0196

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

ORDINANCE NO. 21-8-5

An ordinance to approve and authorize the execution of Amendment No. 1 to Ordinance No. 20-7-6, which approved the Engineering Services Agreement with Principal Engineering, Inc., for providing all necessary services for the 2020 East Bank Master Drainage Plan (MDP) (Parish Project No. P200601).

WHEREAS, On July 6, 2020, the St. Charles Parish Council approved Ordinance No. 20-7-6; an Engineering Services Agreement with Principal Engineering Inc. for providing all necessary services for the 2020 East Bank Master Drainage Plan (Parish Project No. P200601); and,

WHEREAS, St. Charles Parish now desires for Principal Engineering to start Phase II of the Master Drainage Plan (MDP) which includes the following watersheds: St. Rose, Dianne Place, Bar None, Turtle Pond, and Almedia; and,

WHEREAS, St. Charles Parish and Principal Engineering have mutually agreed upon a not-to-exceed fee of \$479,250.00 to complete the work.

WHEREAS, the attached Amendment to the Engineering Services Agreement between St. Charles Parish and Principal Engineering, Inc., describes the details of the proposed services and compensation.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Amendment No. 1 attached to and made a part hereof, to the Engineering Services Agreement with Principal Engineering, Inc., for providing necessary services for the 2020 East Bank Master Drainage Plan (MDP) (Parish Project No. P200601) is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Amendment 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, DUFRENE,
BELLOCK, FISHER, FISHER-PERRIER
NAYS: NONE
ABSENT: GIBBS

And the ordinance was declared adopted this 9th day of August, 2021, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Marilyn Bellock
SECRETARY: Nichelle Dupontato
DLVD/PARISH PRESIDENT: August 10, 2021
APPROVED: ✓ DISAPPROVED: _____

PARISH PRESIDENT: Matthew Jewell
RETD/SECRETARY: August 12, 2021
AT: 9:24am RECD BY: [Signature]

**AMENDMENT NO. 1
TO
ENGINEERING SERVICES AGREEMENT
FOR EAST BANK MASTER DRAINAGE
PLAN**

THIS AMENDMENT NO. 1 is made and entered into on this 18th day of August, 2021;

BY AND BETWEEN:

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

PRINCIPAL ENGINEERING, INC. (PRINCIPAL), represented herein by Henry I. DiFranco, Jr., duly authorized by Corporate Resolution attached hereto (hereafter sometimes referred to as "ENGINEER"):

WHEREAS, On July 6, 2020 the St. Charles Parish Council approved Ordinance No. 20-7-6 to authorize an Agreement between St. Charles Parish and Principal Engineering Inc. for the design of The East Bank Master Drainage Plan (Parish Project No. P200601); and,

WHEREAS, St. Charles Parish now desires for Principal Engineering to start Phase II of the Master Drainage Plan (MDP) which includes the following watersheds: St. Rose, Dianne Place, Bar None, Turtle Pond and Almedia; and,

WHEREAS, St. Charles Parish and Principal Engineering have mutually agreed upon a not-to-exceed fee of \$479,250.00 to complete the work.

SECTION 8.0 PAYMENTS

Delete subsection 8.1 and replace with the following:

8.1 For performance of Basic Engineering, the Owner shall authorize and pay the Engineer a not-to-exceed fee, based on the hourly rates in the Proposal and actual time worked and charges incurred. For the various phases the Engineer shall be paid as follows:

Montz	\$32,360.00
Norco	\$171,640.00
New Sarpy	\$163,500.00
Ormond	\$340,010.00
St. Rose	\$112,580.00
Dianne Place	\$80,330.00
Bar None	\$80,330.00
Turtle Pond	\$125,680.00
Almedia	\$80,330.00
Destrehan Plantation	TBD*
Plantation Business Center	TBD*
Destrehan West	TBD*
Destrehan East	TBD*

*Scope and cost to be negotiated between parties and authorized by mutual written amendment to the contract.

THUS DONE AND SIGNED in the presence of the undersigned competent witnesses, on this 18th day of August, 2021.

Witnesses:

Richard C Champagne

Billy Raymond

ST. CHARLES PARISH

By: Matthew Jewell
Matthew Jewell
Parish President

Date: August 13, 2021

PRINCIPAL ENGINEERING, INC.
(PRINCIPAL)

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[Signature]

By: Henry I. DiFranco, Jr.
Henry I. DiFranco, Jr., P.E.
President

Date: 8-18-2021

CORPORATE RESOLUTION

EXCERPT FROM THE MINUTES OF THE ANNUAL MEETING OF THE SHAREHOLDERS AND BOARD OF DIRECTORS OF **PRINCIPAL ENGINEERING, INC.**

AT THE ANNUAL MEETING OF THE SHAREHOLDERS AND BOARD OF DIRECTORS OF **PRINCIPAL ENGINEERING, INC.**, DULY NOTICED AND HELD ON **DECEMBER 2, 2020** A QUORUM BEING THERE PRESENT, ON MOTION DULY MADE AND SECONDED.

IT WAS THEREFORE RESOLVED,

THAT **HENRY I. DIFRANCO, JR., THE PRESIDENT, SECRETARY AND TREASURER OF PRINCIPAL ENGINEERING, INC.** BE AND IS APPOINTED, CONSTITUTED AND DESIGNATED AS AGENT AND ATTORNEY-IN-FACT OF THE CORPORATION WITH FULL POWER AND AUTHORITY TO ACT ON BEHALF OF THIS CORPORATION IN ALL NEGOTIATIONS, BIDDING, CONCERNS AND TRANSACTIONS WITH THE **PARISH OF ST. CHARLES** OR ANY OF ITS AGENCIES, DEPARTMENTS, EMPLOYEES OR AGENTS, INCLUDING BUT NOT LIMITED TO, THE EXECUTION OF ALL BIDS, PAPERS, DOCUMENTS, AFFIDAVITS, BONDS, SURETIES, CONTRACTS AND ACTS AND TO RECEIVE AND RECEIPT THEREFORE ALL PURCHASE ORDERS AND NOTICES ISSUED PURSUANT TO THE PROVISIONS OF ANY SUCH BID OR CONTRACT, THIS CORPORATION HEREBY RATIFYING, APPROVING, CONFIRMING, AND ACCEPTING EACH AND EVERY SUCH ACT PERFORMED BY SAID AGENT AND ATTORNEY-IN-FACT.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT COPY OF AN EXCERPT OF THE MINUTES OF THE ABOVE DATED MEETING OF THE BOARD OF DIRECTORS OF SAID CORPORATION, AND THE SAME HAS NOT BEEN REVOKED OR RESCINDED.


PRESIDENT, SECRETARY & TREASURER

7-23-21

DATE