

2023-0163

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

ORDINANCE NO. 23-7-11

An ordinance approving and authorizing the execution of Amendment No. 3 with Principal Engineering, Inc., to perform design services for the East Bank Master Drainage Plan (Project No. P200601), in the amount not to exceed \$569,737.50.

WHEREAS, Ordinance No. 20-7-6 adopted July 6, 2020, by St. Charles Council, approved and authorized the execution of a Professional Services Agreement with Principal Engineering, Inc. for the design of the East Bank Master Drainage Plan (Project No. P200601); and,

WHEREAS, Ordinance No. 21-8-5 adopted August 9, 2021, by St. Charles Council, approved and authorized execution of an Amendment No.1 with Principal Engineering, Inc., for the continued design of the East Bank Master Drainage Plan (Project No. P200601); and,

WHEREAS, Ordinance No. 22-4-6 adopted April 18, 2022, by St. Charles Council, approved and authorized execution of an Amendment No. 2 with Principal Engineering, Inc. to include design work supporting funding requirements for a Louisiana Watershed Initiative (LWI) Grant as well as a revision to the Montz watershed to reflect new drainage patterns, both made a part of the East Bank Master Drainage Plan (Project No. P200601); and,

WHEREAS, Principal Engineering, Inc. has exceeded their fee for the LWI and Montz watershed funding allocated in Amendment No. 2, as well as the fee for the St. Rose and Almedia watersheds, due to increases and changes in scope as directed by St. Charles Parish, and St. Charles Parish intends to compensate Principal Engineering, Inc. for the overrun charges; and,

WHEREAS, Principal Engineering Inc. is prepared to complete the remaining watersheds on the East Bank of St. Charles Parish, listed as Destrehan Plantation, Plantation Business Center, Destrehan West and Destrehan East; and,

WHEREAS, St. Charles Parish and Principal Engineering, Inc. have mutually agreed upon a not to exceed fee of \$569,737.50 to complete the work, which will bring the overall contract value to \$1,836,897.50; and,

WHEREAS, the Amendment No. 3 to the Professional 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. 3 attached to and made a part hereof, to the Professional Services Agreement between St. Charles Parish and Principal Engineering, Inc., for the East Bank Master Drainage Plan (Project No. P200601) is hereby approved and accepted in the amount not to exceed \$569,737.50.

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, GIBBS,
DUFRENE, BELLOCK
NAYS: NONE
ABSENT: FISHER, FISHER-CORMIER

And the ordinance was declared adopted this 10th day of July, 2023, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Beth Billings
SECRETARY: Michelle Dupontato
DLVD/PARISH PRESIDENT: July 11, 2023
APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: Matthew Jewell
RETD/SECRETARY: July 11, 2023
AT: 3:05pm RECD BY: [Signature]

**AMENDMENT NO. 3
TO
PROFESSIONAL SERVICES AGREEMENT
FOR EAST BANK MASTER DRAINAGE
PLAN**

THIS AMENDMENT NO. 3 is made and entered into on this 14th day of July, 2023;

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, On August 18, 2021, the St. Charles Parish Council approved Ordinance No. 21-8-5 to authorize Amendment No.1 between St. Charles Parish and Principal Engineering, Inc. for the continued design of the East Bank Master Drainage Plan (Parish Project No. P200601); and,

WHEREAS, On April 18, 2022, the St. Charles Parish Council approved Ordinance No. 22-4-6 to authorize Amendment No. 2 between St. Charles Parish and Principal Engineering, Inc. to include the work for a Louisiana Watershed Initiative (LWI) Grant and a modification to the Montz Watershed Drainage Pattern; and,

WHEREAS, Principal Engineering, Inc. has exceeded their fee for the LWI and Montz watershed funding allocated in Amendment No. 2, as well as the fee for the St. Rose and Almedia watersheds, due to increases and changes in scope as directed by St. Charles Parish, and St. Charles Parish intends to compensate Principal Engineering, Inc. for the overrun charges; and,

WHEREAS, St. Charles Parish desires that Principal Engineering, Inc. complete all remaining watersheds (Destrehan Plantation, Plantation Business Center, Destrehan West and Destrehan East) within the scope of the Master Drainage Plan, as well as finalize the scope items added in Amendment No. 2; and,

WHEREAS, St. Charles Parish and Principal Engineering, Inc. have mutually agreed upon a not-to-exceed fee of \$569,737.50 to complete the work.

NOW THEREFORE, be it understood and agreed by the parties hereto amend the contract as follows:

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:

Watershed	Original Contract Value	Amendment No. 1	Rebalanced Amount	Amendment No. 2	Amendment No. 3	Final Contract Value
Montz	\$32,360.00		\$50,655.00			\$50,655.00
Norco	\$171,640.00		\$162,893.75			\$162,893.75
New Sarpy	\$163,500.00		\$170,225.00			\$170,225.00
Ormond	\$340,010.00		\$322,175.00			\$322,175.00
St. Rose		\$112,580.00	\$120,363.75		\$36,088.75	\$156,452.50
Dianne Place		\$80,330.00	\$86,280.00			\$86,280.00
Bar None		\$80,330.00	\$81,105.00			\$81,105.00
Turtle Pond		\$125,680.00	\$114,232.50			\$114,232.50
Almedia		\$80,330.00	\$78,830.00		\$35,402.50	\$114,232.50
Destrehan Plantation					\$89,850.00	\$89,850.00
Plantation Business Center					\$89,850.00	\$89,850.00
Destrehan West					\$99,890.00	\$99,890.00
Destrehan East					\$99,890.00	\$99,890.00
LWI Application H&H Study				\$65,000.00	\$2,576.25	\$67,576.25
Montz Watershed Revised Drainage Pattern				\$15,400.00	\$116,190.00	\$131,590.00
TOTALS	\$707,510.00	\$479,250.00		\$80,400.00	\$569,737.50	
OVERALL CONTRACT	\$707,510.00	\$1,186,760.00	\$1,186,760.00	\$1,267,160.00	\$1,836,897.50	\$1,836,897.50

THUS DONE AND SIGNED in the presence of the undersigned competent witnesses, on this 14th day of July, 2023.

Witnesses:

Kary Moxley

Billy Raymond

ST. CHARLES PARISH

By: Matthew Jewell
Matthew Jewell
Parish President

Date: 7-11-23

PRINCIPAL ENGINEERING, INC
(PRINCIPAL)

Henry I. DiFranco, Jr.

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

Tracy D. Melendez

Date: 7-14-23

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, 2022 A QUORUM BEING THERE PRESENT, ON MOTION DULY MADE AND SECONDED.

IT WAS THEREFORE RESOLVED,

THAT HENRY I. DIFRANCO, JR., PRESIDENT OF PRINCIPAL ENGINEERING, INC.; WHO IS ALSO THE CHAIRMAN, SECRETARY AND TREASURER OF THE BOARD OF DIRECTORS 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

June 13, 2023

DATE