

**SPECIAL MEETING
OFFICIAL PROCEEDING
OF THE
SOUTH LAFOURCHE LEVEE DISTRICT
May 25, 2023**

The Board of Commissioners of the South Lafourche Levee District met in a special session at its temporary office location located at 17771 Highway 3235, Galliano, Louisiana, on Thursday, May 25, 2023, at eight (8:00) o'clock a.m., pursuant to the provisions of a notice of special session duly promulgated and posted in accordance with the law.

The special meeting was called to order by President Keith Guidry. Commissioner Brian Marts led the Pledge of Allegiance.

President Guidry directed the secretary to call roll.

Board members in attendance: Keith Guidry
Ronald Callais
Roland Curole
Brian Marts
Monty Vegas

Board members absent: Mitch Danos
Brett DeRoche
Roland Guidry
McNeely Rome

Also present were: General Manager Nicholas Matherne, Administrative Assistant 3 Amy Gisclair, and Engineering Personnel John Plaisance.

D-NORTH RAMP – TERMINATION OF CONTRACT AND AUTHORIZATION TO REBID

Mr. Matherne informed the Board that GIS Engineering, represented in the meeting by John Plaisance, P.E., had recommended termination of the contract with LA Contracting Enterprise, LLC, for their work on the D-North Ramp project. Mr. Matherne explained to the board that before bidding the project, SLLD had stockpiled material from the triangular borrow pit on the flood side of the levee near the project site, then roughly spread that material along the flood side berm. He explained that SLLD had then returned to the pit to have a contractor pull more material to stockpile on top of that previously stockpiled material for future use. Mr. Matherne further explained that the Bid Form for the project included 2,355 cubic yards of material under an item called "Excavation (Contractor Provided Pit or On-Site Borrow Pit)," for which the contractor bid \$46.00/cubic yard. Another bid item called "Embankment" included a quantity of 12,770 cubic yards of material for which the contractor bid \$22.00/cubic yard. He explained that, as typical, the bottom of the bid form included the language: "All quantities are estimated. The contractor will be paid based upon actual quantities as verified by the Owner."

Mr. Matherne then explained, with further explanation by Mr. Plaisance, that the contractor excavated the more recently stockpiled dirt from the nearby flood side berm, then began hauling material to the project from an off-site borrow pit. Mr. Matherne and Mr. Plaisance explained that in a meeting held with the Contractor on Monday, May 22, 2023, the Contractor claimed to believe that the language of the plans and specifications allowed him to not only begin hauling material from offsite before utilizing all the available material on the berm, but also to haul more material from their offsite pit than specified in the bid form, claiming that they had already captured the available material on the berm. Mr. Matherne and Mr. Plaisance reported to the Board that since there was a significant disagreement as to the nature of the plans and specifications, since the Contractor indicated his intent to submit a request for a change order well in excess of the limits allowed by Louisiana State Law, and since both parties in the May 22 meeting seemed agreeable to terminating the contract and paying for approved work completed to date, the most responsible solution would be to terminate the Contract with LA Contracting Enterprise, LLC, for the D-North Ramp project and rebid the project at a later date.

Mr. Plaisance informed the Board that LOOP, LLC, was aware of the situation and recommended waiting until planned workover rig activities, scheduled for late fall 2023, were complete before beginning construction on the remaining elements of the project. LOOP, LLC, would, at this time, likely be agreeable

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to completely closing the roadway, rather than requiring SLLD's future contractor to keep one lane of the road open during construction. Mr. Plaisance explained to the board that GIS Engineering would perform closeout of the current contract, assess the Contractor's as-built surveys, and re-design a project for later re-bidding.

On a motion of Ronald Callais, seconded by Monty Vegas and unanimously carried, the board approved to Terminate the Contract with LA Contracting Enterprise, LLC, for the D-North Ramp project, and to authorize the President or General Manager to sign any documents necessary for termination of the contract.

With no further business to discuss, the board unanimously adjourned the meeting on a motion of Roland Curole and seconded by Monty Vegas.

/S/Keith Guidry, President

/S/Nicholas P. Matherne, General Manager