



**"RE-BUILDING THE CITY'S WATER SYSTEMS FOR THE 21<sup>ST</sup> CENTURY"**

# **Sewerage & Water Board OF NEW ORLEANS**

MITCHELL J. LANDRIEU, *President*  
WM. RAYMOND MANNING, *President Pro-Tem*

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April 15, 2015

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE SEWERAGE AND WATER BOARD OF NEW ORLEANS:

A reconvene meeting of the **Executive Committee** of the Sewerage and Water Board was called to order on Wednesday, April 15, 2015 at 7:30 AM in the Board Room at 625 St. Joseph Street.

## **ATTENDANCE**

**Present:** Wm. Raymond Manning, Chair  
Mark Moody  
Kerri Kane  
Alan Arnold

**Also in Attendance:** Cedric S. Grant, Executive Director; Robert Miller, Deputy Director; Nolan Lambert, Legal Counsel; Joseph Becker, General Superintendent; Madeline Goddard, Deputy Superintendent; Robert Jackson, Community & Intergovernmental Relations; Brenda Thornton, Communirep, Inc.; Yolanda Grinstead, Legal Department; Harold Marchand, Legal Department; Geneva Coleman, The Hawthorne Agency, Inc.; Casey Crawford, Grady Crawford Construction; Jimmie Johnson, Grady Crawford Construction; Gray Sexton, Grady Crawford Construction; Derrick Goudeau, GEC, Inc.; Loretta Mince, Fishman Haygood Phelps Walmsley Willis & Swanson L.L.P.; Wally Drennan, Wallace C. Drennan, Inc.; Bart Peak, Wallace C. Drennan, Inc.; Larry Roedel, Roedel, Parsons, Koch, Blache Balhoff & McCollister; Randy Smith, Royal Engineering.

## **ACTION ITEMS**

### **1. Design Build Agreement for Contract 6249 Hazard Mitigation Grant Program Retrofit Power Distribution Network – Bid Protest.**

Attorney Larry M. Roedel, an outside counsel to the Sewerage and Water Board of New Orleans, stated that this was a continuation of the hearing that began on Friday, April 10<sup>th</sup> and described the procedure for concluding the hearing: counsel for the protesting party and the counsel for the responding party to summarize their perspective positions; Board staff to present their analysis and evaluation of proposals; Board legal team to provide recommendations after analyzing the terms of protest and responses; and, finally, the Committee to vote on the recommendation.

Attorney Loretta G. Mince, representing Wallace C. Drennan, summarized the five (5) points their bid protest was based on and asked the Committee: to declare GCCCI's proposal nonresponsive; to obtain an opinion from the EDBE Compliance Office relative to the responsiveness of GCCCI's EDBE submission; to vacate the technical scores awarded by the Selection Committee; and, to meet with the responders to discuss perceived strengths and weaknesses.

Attorney Daniel Lund, III, representing Grady Crawford Construction Company, Inc., stated Grady Crawford is committed to design and build the project in accordance with the New Orleans Sewerage and Water Board's RFP and will do so for the fixed price set forth in the Grady Crawford financial proposal.

Committee asked Legal Counsel if the company awarded the contract could later request additional funds in the form of a change order due to underbidding concrete/asphalt needed for the project. Mr. Nolan Lambert responded that if it was in the scope of the contract, we could not legally approve a change order of additional funds and that the company would have to absorb the additional cost.

Attorney Larry M. Roedel thereafter stated that there is no indication of a mistake or abuse of discretion by the Evaluation Committee, noting that the protest by Drennan and the response by Grady Crawford have been communicated in good faith and in a very professional way by their counsel. He stated that the legal team advising the Board did not find a clear error or an abusive discretion by the Evaluation Committee as it made its initial recommendation in favor of Grady Crawford.

Mr. Alan Arnold moved to accept the recommendation of the Sewerage and Water Board counsel regarding the bid protest and to award project to Grady Crawford Construction. Ms. Kerri Kane seconded the motion.

There being no further business to come before the Committee, the meeting adjourned at 8:40 AM.

Respectfully Submitted,

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Wm. Raymond Manning  
Committee Chair