



## NOTICE OF PUBLIC MEETING

**LOUISIANA STADIUM AND EXPOSITION DISTRICT (LSED)  
BOARD MEETING NOTICE & AGENDA  
THURSDAY, APRIL 22, 2021 1:00PM**

Please register at: <https://attendee.gotowebinar.com/register/2499665333406563344>

**Webinar ID-474-143-611**

**Audio/Dial-in Only: +1 (914) 614-3221/Access Code 335-624-973**

**Certification Under Act 302 of the 2020 Regular Session of the Louisiana Legislature Related to Open Meetings**

The Board of the Louisiana Stadium and Exposition District (LSED) is unable to operate due to quorum requirements. Therefore, pursuant to Act No. 302 of the 2020 Regular Session of the Louisiana Legislature, the LSED will conduct the Thursday, April 22, 2021 regular monthly meeting of the Board of Commissioners by telephone conference. **The public is invited to observe and provide input to the LSED via e-mail only. A person may e-mail a comment related to a particular actionable agenda item upon which a vote is to be taken until 12:00 p.m. on Thursday, April 22, 2021.** This email will be read aloud by the Chairman at the meeting. All e-mail comments (including your name and the agenda item that you wish to comment on) should be sent to: [LSEDboardmeetings@asmneworleans.com](mailto:LSEDboardmeetings@asmneworleans.com) by 12:00 pm on Thursday April 22, 2021. Further in accordance with Act 302, the Chairman hereby certifies that the meeting agenda is limited to matters set forth in Louisiana Revised Statute 42:17.1(a)(2)(a)-(c).

After the meeting is convened, the LSED Board of Commissioners will consider the following items:

- I. Call to Order.**
- II. Roll Call and Opening Remarks.**
- III. Public Comment:** The Louisiana Open Meetings law provides the public an opportunity to comment on any agenda items before the LSED Board of Commissioners. Pursuant to Act No. 302 of the 2020 Regular Session of the Louisiana Legislature, the LSED has solicited public comments related to actionable agenda items for which a vote is to be taken via email. All e-mail comments (including your name and the agenda item that you wish to comment on), will be read aloud by the Chairman (or an appointed individual) at the meeting.
- IV. Approval of Minutes of March 24, 2021 LSED Board Meeting.**
- V. Reports by SMG:**

	General Matters – <i>Doug Thornton (or his designee)</i>
	LSED Services Report – <i>Evan Holmes</i>
Tab 2	Facility Operations Report – <i>Mike Schilling</i>
Tab 3	Finance Report – <i>David Weidler</i>
Tab 4	LSED Capital Projects – <i>Eileen Long</i>

## VI. Board Reports

Tab 5	Legal Report – <i>Shawn M. Bridgewater</i>
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## VII. Review and Approval of Resolutions

The following Resolutions may be adopted in this public meeting:

(Tab 6) Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes and approves an appropriation from the LSED Capital Reserve Account in the amount of \$18,539.59 to purchase equipment and make repairs necessary to maintain and operate the Mercedes Benz Superdome, the Smoothie King Center, and Champions Square for the 2020-2021 Fiscal Year, including the specific items described on the Capital Reserve Request attached hereto. SMG has received competitive proposals for the equipment and the repairs related thereto. SMG (acting on behalf of the LSED) and/or Chairman Kyle M. France are authorized to sign the respective Purchase Requisitions and related documents for the specific equipment to be purchased and the repairs to be made by ADS Alarm, Detection & Suppression Systems, A-1 Elevator, Ferguson Enterprises, LLC, Titan of Louisiana, Inc., AllTemp Insulations, CT Traina, AirPro Services and Semper Fire Protection. Copies of each of the Purchase Requisition forms and related documents are attached to the Resolution. The funding source is the LSED Capital Reserve Account, and there are sufficient funds to support this Resolution.

(Tab 7) Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes, ratifies and approves Phase 1a Guaranteed Maximum Price Adjustment No. 15 (“Phase 1a GMP Adjustment No. 15”) and Phase 2 Guaranteed Maximum Price Adjustment Nos. 1 and 2 (“Phase 2 GMP Adjustment Nos. 1 and 2”) (collectively “Phase 1 and Phase 2 GMP Adjustments”) to the Phase 1a and Phase 2 Guaranteed Maximum Price Amendments for the Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC, dated May 1, 2019 and January 29, 2021, with respect to the 2019 Superdome Capital Improvements Project (“Master Plan Project”). The Phase 1 and Phase 2 GMP Adjustments provide as follows;

- (i) Phase 1a GMP Adjustment No. 15 provides for an increase in the amount of \$220,402.00 to the Phase 1a Master Plan Project Guaranteed Maximum Price for costs associated with the additional scope of work related to the impacted conference rooms at the Project Site all as more fully described on the Phase 1 GMP Adjustment No. 15 attached to the Resolution;
- (ii) Phase 2 GMP Adjustment No. 1 provides for a no cost change to the Phase 2 Master Plan Project Guaranteed Maximum Price to incorporate the baseline scheduling for Phase 2 of the Master Plan Project; and
- (iii) Phase 2 GMP Adjustment No. 2 provides for a net increase to the Phase 2 Master Plan Project Guaranteed Maximum Price in the amount of \$234,203.00 for adjustments to costs associated with the progression of the architectural and

structural construction documents from 50% to 100% all as more fully described on the Phase 2 GMP Adjustment No. 2 attached to the Resolution.

This Resolution has been recommended by Legends Hospitality (Master Plan Project Manager) and Trahan Architects (Project Architect), and has been approved by the Master Plan Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funding for Phase 1a GMP Adjustment No. 15 and Phase 2 GMP Adjustment Nos. 1 and 2 is the Master Plan Project Budget, and there are sufficient funds to support this Resolution. The execution of the Phase 1a GMP Adjustment No. 15 and the Phase 2 GMP Adjustment Nos. 1 and 2 by LSED Project Representative, Commissioner Hilary H. Landry is hereby authorized, ratified and approved.

(Tab 8) Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes, approves, and ratifies Trahan Architects, Additional Service Requests Nos. 7r2, 11r3, ASR 12r2, and 23r4 (collectively, “ASR 7r2, ASR 11r3, ASR 12r2, and ASR 23r4”) with respect to the 2019 Superdome Capital Improvements Project (the “Master Plan Project”) under its Contract for architectural services, dated March 25, 2019, as amended (“Trahan Contract”). The Additional Architectural Services that are to be performed by Trahan pursuant to ASR Nos. 7r2, 11r3, 12r2 and 23r4 (copies of which are attached to the Resolution), shall consist of the following:

- (i) ASR Nos. 7r2 and 12r2 provide for the performance of Additional Architectural Services related to (i) Phase 1 Existing Conditions and Design Models Reconciliation for a reduced, not to exceed fee of \$102,413.75, and (ii) Phase 2-5 Existing Conditions and Design Models Reconciliation for a reduced, not to exceed fee of \$77,125.00;
- (ii) ASR No. 11r3 provides for the performance of Additional Architectural Services related to design changes related to scope and budget adjustments for Phases 1-5 of the Master Plan Project for a not to exceed fee of \$1,769,103.00; and
- (iii) ASR No. 23r4 provides for the performance of Additional Architectural Services related to the redraw and redesign of the Master Plan Project for Phases 3b+ for a reduced not to exceed fee of \$3,400,000.00.

This Resolution has been recommended by Legends Hospitality (Master Plan Project Manager-copy of which is attached to the Resolution) and has been approved by the Master Plan Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funds for ASR Nos. 7r2, 11r3, 12r2, and 23r4 is the Master Plan Project Budget and there are sufficient funds to support the Resolution. The execution of ASR Nos. 7r2, 11r3, 12r2, and 23r4 by Commissioner Hilary H. Landry is hereby authorized, approved, and ratified.

(Tab 9) Pursuant to Resolution 21-16, dated March 24, 2021, the Louisiana Stadium & Exposition District (“LSED”) accepted the Base Bid of Daktronics, Inc. in the amount of \$2,248,379.00 (“Bid”), as the lowest responsive bid for the LED Fascia Displays and Control Systems Procurement (“Project”). On April 15, 2021, the LSED received a letter from Daktronics, Inc. ( a copy of which is attached to the Resolution) wherein it requests the LSED to withdraw its Bid from consideration due to its inability to meet the Project schedule as required by the bid documents. Accordingly, the LSED hereby authorizes, confirms and approves the following actions with respect to the Project:

1. Accepts the request of Daktronics, Inc. to withdraw its Bid dated March 3, 2021 and rescinds LSED Resolution 21-16, dated March 24, 2021;

2. Based on the review, examination, and recommendations of ASM Global and Legends Hospitality (as the Master Plan Project Manager) the LSED recognizes and accepts the Base Bid of ANC Sports Enterprises, LLC in the amount of \$2,363,057.00, as the lowest responsive bid for the Project; and
3. Authorizes and approves the negotiation of an agreement/contract with ANC Sports Enterprises, LLC on terms and conditions that are acceptable to the Master Plan Project Team and LSED Legal Counsel (“Project Contract”).

This Resolution has the Staff Analysis Support and Recommendation of ASM Global, and Legends Hospitality (copies of which are attached to the Resolution), and has been approved by the LSED Construction Committee and the Master Plan Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funding for this Resolution is the Master Plan Project Budget and there are sufficient funds to support this Resolution. Chairman Kyle M. France and/or Commissioner Hilary H. Landry are hereby authorized to execute the Project Contract.

(Tab 10) Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes, approves, and ratifies the negotiation and execution of a Site Use Agreement (“Agreement”) by and between the LSED and Farmstand Entertainment, LLC (“Farmstand”) with respect to the limited use of the parking facility at the Stadium on Airline Drive for a series of outdoor drive-in concerts, on such terms and conditions as are more fully set forth in the Farmstand Agreement (a copy of which is attached to the Resolution). The execution of the Farmstand Agreement by Chairman Kyle M. France is hereby and herein ratified.

(Tab 11) Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes, approves, and ratifies the negotiation and execution of a Site Use Agreement (“Agreement”) by and between the LSED and Southern Quality Ford Dealers, LLC (“Southern Quality”) with respect to the limited use of the parking facility at the Stadium on Airline Drive for a Ford Motor Company exhibition event, on such terms and conditions as are more fully set forth in the Southern Quality Agreement (a copy of which is attached to the Resolution). The execution of the Southern Quality Agreement by Chairman Kyle M. France is hereby and herein ratified.

(Tab 12) Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes and approves Change Order No. 005 to the Contract between the LSED and CM Combs Construction, LLC with respect to the Alario Center Kitchen Replacement Project No. ALR-2017-KIT-AFC825KR1 (the “Project Contract”). Change Order No. 005 reflects a total increase in the amount of \$11,349.53 to the Project Contract that consists of the following: (i) an increase of \$2,315.93 to the Project Contract amount to furnish and install safety quick disconnects to (7) seven gas appliances at the Project Site, (ii) an increase of \$6,266.33 to the Project Contract amount to furnish and install (3) three compartment sink plus faucets at the Project site, and (iii) an increase of \$2,767.27 to the Project Contract amount to furnish and install regulators to the kitchen equipment at the Project site.

This Resolution has the Staff Analysis Support and Recommendation of ASM Global and has been approved by the LSED Construction Committee. The source of funding for Change Order No. 005 is the Alario Center Capital Outlay, and there are sufficient funds to support this Resolution. Chairman Kyle M. France is hereby authorized to execute Change Order No. 005 (a copy of which is attached to the Resolution).

(Tab 13) Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes and approves the negotiation and execution of Amendment No. 002 (“Amendment No. 002”) to the Agreement for Professional Services by and between the LSED and Duplantis Design Group, P.C. dated August 25, 2017 (“Contract”) for the 2017 Westwego Sports Complex Project (“Westwego Project”). Pursuant to Amendment No. 002, the Contract amount will be increase by \$13,925.00 for costs associated with additional surveying that is required in connection with the Westwego Project.

This Resolution has the Staff Analysis and Recommendation of ASM Global (copy attached to the Resolution) and has been approved by the LSED Construction Committee. The source of funds for Amendment No. 002 is the Westwego Sports Complex Project Capital Outlay and there are sufficient funds to support the Resolution. Chairman Kyle M. France is hereby authorized to execute Amendment No. 002 (a copy of which is attached to the Resolution).

(Tab 14) Resolved that on the recommendation of its Legal Counsel, the Louisiana Stadium and Exposition District (“LSED”) hereby authorizes and approves the negotiation and execution of a settlement agreement with one or more of the defendants in the lawsuits entitled (i) “*Louisiana Stadium and Exposition District and The State of Louisiana v. GAF Materials, LLC and GAF Corporation*” Civil District Court for the Parish of Orleans, No. 17-10443, Division N, Section 8 and (ii) “*Louisiana Stadium and Exposition District and The State of Louisiana v. Brazos Industries, LLC*”, 19<sup>th</sup> Judicial District Court for the Parish of East Baton Rouge, No. 691760, Division F, Section 22 and (collectively the “Lawsuit”) and further authorizes Chairman Kyle M. France and LSED Legal Counsel to finalize the terms and conditions of the Settlement Agreement with one or more of the defendants in the lawsuit and sign and file any and all pleadings and other papers consistent with the terms of the Settlement Agreement in order to obtain a full and/or partial dismissal of the Lawsuit.

(Tab 15) Whereas, pursuant to Title V, Section 5005 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits and Venues Act (“Shuttered Venue Operators Act”), the U. S. Small Business Administration has established a grant program for live venue operators to provide grants for unforeseen expenses and revenue losses associated with event cancellation and venue closures resulting from the Coronavirus Disease of 2019 (“COVID-19”); and

Whereas, the Shuttered Venue Operators Act and associated federal guidance has established procedures and guidelines whereby the Louisiana Stadium and Exposition District (“LSED”) could be eligible to receive one or more grants through the U.S. Small Business Administration, upon the completion and submission of an application and other related forms and documents (collectively, the “Shuttered Venue Operator Grant Application”); and

Whereas, in connection with the submission of the Shuttered Venue Operator Grant Application, the LSED will require the engagement of LaPorte, APAC to perform professional services related to the preparation and compilation of schedules to include, without limitation, LSED financial data, revenue(s), receipt(s) and expenses for the period that covers the 2019 and 2020 calendar and LSED Fiscal Years.

Resolved, that the LSED hereby and herein authorizes, approves and ratifies: (i) the engagement of LaPorte, APAC to perform professional accounting services related to the preparation and compilation of the necessary financial, revenue, receipt and expense information to complete the LSED Shuttered Venue Operator Grant Application, all as more fully described in the engagement letter attached to the Resolution; (ii) the preparation and completion of the LSED Shuttered Venue Operator Grant Application, and (ii) the execution and submission by Chairman, Kyle M. France of any and all documents that are required in connection with the LSED Shuttered Venue Operator Grant Application.

This Resolution has the Staff Analysis Support and Recommendation of ASM Global. Chairman Kyle M. France is hereby authorized to execute any and all documents that are required in connection with the LSED Shuttered Venue Operator Grant Application.

(Tab 16) Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes and approves Chairman Kyle M. France, upon the recommendation of Legal Counsel and Bond Counsel, to request any opinion from the Attorney General of the State of Louisiana that may be beneficial to the plan of finance for the 2019 Superdome Capital Improvements Project.

**Other Business**

The April 2021 meeting of the Louisiana Sports and Entertainment District has been cancelled, there being no business to come before the Board at this time.

**VIII. Persons wishing to address Commission (limit 5 minutes)**

**IX. Adjournment**