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Site Selection & Business Development
Alexandria International Airport

The England Economic and Industrial Development District Board of Commissioners

Special Session
April 12, 2006

The England Economic and Industrial Development District met in Special Session at its regular meeting place, the England Authority Board Room, 1611 Arnold Drive, England Industrial Airpark and Community, Alexandria, Louisiana, on Wednesday, April 12 at 12:00 p.m. (Central Standard Time). England Authority Commissioners were contacted by telephone regarding the Notice of meeting. Notice was faxed to media, public and posted on front door of 1611 Arnold Drive.

There were present: Mr. Wayne Denley, Chairman; Mr. Curman Gaines, Vice-Chairman; Mr. Kit Provine, Secretary/Treasurer; Mr. William Barron, Mr. Richard Bushnell, Mr. Lance Harris, Mr. Martin Johnson, and Mr. Michael Tudor.

Absent: Mr. Charles Waites, Ms. Bridgett Brown

Also present were: Mr. Jon Grafton, Executive Director; members of the England Authority staff, legal counsel, and members of the public, press and media.

Commissioner Johnson delivered the invocation and Commissioner Bushnell led the Pledge of Allegiance.

The England Economic and Industrial Development District was duly convened as the governing authority of said District by Mr. Wayne Denley, Chairman, who then stated that the England Economic and Industrial Development District was ready for the transaction of business.

MOTION TO VACATE RESOLUTION #40-2006; REJECT ALL BIDS RECEIVED FOR JET BRIDGES FOR THE NEW AEX PASSENGER TERMINAL AND AUTHORIZE RE-ADVERTISEMENT.
Motion by Mr. Johnson, second by Mr. Gaines to vacate Resolution #40-2006; reject all bids received for Jet Bridges for the new AEX passenger terminal and authorize re-advertisement.

John Doggett, counsel for the England Authority, stated that in so far as the ability to cancel the Notice of Award, Section 3003 of the General Provisions, the England Authority had the right to cancel at anytime before the contract had been fully executed. It was his understanding that it was caught before Notice of Award was even sent to FMC Technology.

Heard comments regarding rejection of bids from Mr. Ray Fulcher, Director of Contracts for the Airport System Division with FMC Technologies.

Discussion ensued between counsel, board and staff.

On vote, motion carried. 049-2006

MOTION TO REJECT ALL BIDS FOR HARDSCAPE AND LANDSCAPE AND AUTHORIZE RE-ADVERTISEMENT AS RECOMMENDED BY LEGAL COUNSEL.

Motion by Mr. Bushnell, second by Mr. Gaines to reject all bids for hardscape and landscape and authorize re-advertisement as recommended by legal counsel. Attorney John Doggett, attorney with Provosty, Sadler, deLaunay, Fiorenza & Sobel Law Firm, and counsel for England Authority is conflicted out of this item, so Mr. Munsterman is the conflict counsel on the matter. Mr. Doggett removed himself temporarily as counsel for England Authority.

Mr. Grafton stated that the bids needed to be rejected and referred to Mr. Munsterman for a detailed explanation.

Mr. Munsterman requested the board to consider going into an Executive Session in order to discuss the matter with them due to the prospect of litigation being discussed by the numerical low bidder on this project.

Motion by Mr. Gaines, second by Mr. Provine to enter into Executive Session. The Chairman called for a vote.

- Mr. Barron Yes
- Ms. Brown Absent
- Mr. Bushnell Yes
- Mr. Denley Yes
- Mr. Gaines Yes
- Mr. Harris Yes
- Mr. Johnson Yes
- Mr. Provine Yes
- Mr. Tudor Yes
- Mr. Waites Absent

Yes - 8 No - 0 Absent - 2

By unanimous vote, the motion carried to enter into Executive Session.

Motion by Mr. Johnson, second by Mr. Harris to resume back to regular Special Called meeting.

Upon unanimous vote, the Chairman called the meeting back to order and into public session.

Motion by Mr. Provine, second by Mr. Tudor to adopt substitute motion to read:
Motion to accept the low bidder for the hardscape and landscape subject to the final agreement of counsel and Executive Director of the contract documents.

Mr. Tudor thanked Mr. Munsterman and Mr. Grafton for their guidance with the issue. Mr. Tudor presented detailed reasons for the board to proceed at this time.

By unanimous vote, the substitute motion was adopted and set for final vote.

MOTION TO ACCEPT THE LOW BIDDER FOR THE HARDSCAPE AND LANDSCAPE SUBJECT TO THE FINAL AGREEMENT OF COUNSEL AND EXECUTIVE DIRECTOR OF THE CONTRACT DOCUMENTS.

Motion by Mr. Provine, second by Mr. Tudor, to accept the low bidder for the hardscape and landscape subject to the final agreement of counsel and Executive Director of the contract. On vote, motion carried.

050-2006

MOTION TO AUTHORIZE CHANGE ORDER TO TOWNSCO CONSTRUCTION IN THE AMOUNT OF \$625,578.17 FOR TAXIWAY B PROJECT.

Motion by Mr. Gaines, second by Mr. Bushnell, to authorize Change Order to Townsco Construction in the amount of \$625,578.17 for Taxiway B project. On vote, motion carried. 051-2006

MOTION TO AUTHORIZE AMENDMENT TO CONTRACT WITH PAN AMERICAN ENGINEERS FOR ENGINEERING SERVICES REGARDING CHANGE ORDER TO TOWNSCO CONSTRUCTION FOR TAXIWAY B PROJECT.

Motion by Mr. Barron, second by Mr. Bushnell, to authorize amendment to contract with Pan American Engineers for engineering services regarding Change Order to Townsco Construction for Taxiway B project. On vote, motion carried. 052-2006

MOTION TO ADOPT BUDGET AMENDMENT #3 TO THE 2005/2006 CAPITAL BUDGET TO FUND CHANGES IN TAXIWAY B PROJECT.

Motion by Mr. Bushnell, second by Mr. Johnson, to adopt budget amendment #3 to the 2005/2006 Capital Budget to fund changes in Taxiway B project. On vote, motion carried. 053-2006

MOTION TO AUTHORIZE EXECUTIVE DIRECTOR TO ACCEPT FAA GRANT IN THE AMOUNT OF \$5,197,025.00 FOR PHASE XI TO CONSTRUCT PASSENGER TERMINAL AREA COMPLEX.

Motion by Mr. Johnson, second by Mr. Bushnell, to authorize Executive Director to accept FAA Grant in the amount of \$5,197,025.00 for Phase XI to Construct Passenger Terminal Area Complex. On vote, motion carried. 054-2006

Public Comments - None

There being no further business to come before the board, the meeting was adjourned.

Wayne Denley, Chairman
England Economic and Industrial Development District
Board of Commissioners

C. E. Provine, Secretary/Treasurer
England Economic and Industrial Development District
Board of Commissioners