

In The Matter Of:
COASTAL PROTECTION & RESTORATION ASSOCIATION
Professional Land Protection RFP

Pre-Proposal Meeting
July 20, 2015

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3 COASTAL PROTECTION & RESTORATION ASSOCIATION

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Professional Land Protection RFP

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The Pre-Proposal Meeting of Professional Land Services was held at the Coastal Protection and Restoration Association, 450 Laurel Street, Chase North Tower, 11th Floor Conference Room, Baton Rouge, Louisiana, beginning at 3:01 p.m. on July 20, 2015.

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Before Mark LaCour, Certified Stenomask Reporter, in and for the State of Louisiana.

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M E E T I N G

MS. DURHAM:

I'm Susan Durham. I'm the land rights attorney and we have an RFP out for land right services that we're looking to get up to four different contracts. Our contracts are task oriented. They're task based. So when one of our projects has some kind of project going and they need some land rights they'll come to us and then we will in turn talk to one of our land rights contractors and enter into a task order letter defining the specific duties of that particular task. But one of the reasons we wanted to call this meeting was just so that everybody understood that there is an RFP out and all of the instructions must be followed. If there are technical things that aren't submitted with the application, with the proposal, it's going to get kicked out. I'm kind of losing my

1 voice here. It'll get kicked out.
2 So things like if you leave a blank
3 space that's a technicality that's
4 going to get the contract kicked out.
5 If it asks for an hourly rate for a
6 particular job and you give us a
7 range it's going to get kicked out.
8 So follow the instructions carefully.
9 If you don't provide the financial
10 information that's required it's
11 going to get kicked out. If the
12 financial information for the sub
13 isn't there it's going to get kicked
14 out. So be careful about being sure
15 that whatever is asked in the RFP is
16 there. Again, this is kind of a
17 little bit of a Q and A but if you
18 have a specific question that needs a
19 formal answer that does have to be in
20 writing and submitted no later than
21 three o'clock on Wednesday and an
22 official answer will be presented and
23 posted. So just so that you're aware
24 of that and that is -- that again is
25 something that is in the RFP.

1 So some of the things that
2 specifically we're looking for, the
3 high type of volume that we would be
4 going out for tasking we might need
5 to know who the landowners are on a
6 particular site. So if it's just for
7 going in to doing some survey or some
8 preliminary work we have a statute
9 that allows us to look at the tax
10 records and then send notices to the
11 landowners as listed in the tax
12 records. So doing tax assessment
13 reports is one of the things we do a
14 lot. We need -- often we need
15 abstracts. They may be all the way
16 back to sovereign or they might be
17 back three years, 50 years or, you
18 know, a limited time span. Title
19 reports are things we need. We also
20 would want our person to be able to
21 contact the landowners, help with
22 negotiating certain servitude
23 agreements, rights of way. Typically
24 we don't purchase the property but
25 there are occasions when we actually

1 do purchase the property. But it's
2 often access agreements, servitude
3 rights of way whether they be
4 temporary during the process of the
5 construction of the project or
6 permanent after the fact. Appraisals
7 are an important factor. Once
8 documents have been executed,
9 agreements executed, we need those to
10 be recorded. And that would be some
11 of the tasks that would be required.
12 Again the really important thing for
13 this first step is to remember you
14 need to provide whatever is asked in
15 the RFP, put that in your proposal.
16 You have to identify your
17 subcontractors. So you can't just
18 say, well, I'm going to have so and
19 so as a subcontractor and then decide
20 later down the road, oh, you want
21 somebody else. It can be done but it
22 has to be done through an amendment.
23 So tell us up front who your
24 subcontractors are. And a
25 subcontractor is defined as someone

1 who is not a full time employee of
2 your company. Again, all the
3 information that is required of you
4 will be required on your sub as well.
5 And again this is a task driven
6 report. So when we have a project
7 and they say we're going to do build
8 -- do some marsh creation here,
9 here's the project, here is -- we're
10 taking dredge from the gulf, we're
11 going to have to find out who all
12 those landowners are between the gulf
13 and the project and we'll say here's
14 the exact -- here is the area that
15 we're looking at. So that's kind of
16 what we're looking for in a nutshell.

17 MS. DURHAM:

18 Jim, do you have anything that?

19 MR. ALTMAN:

20 No, other than we've still got a
21 lot of levee work in the New Orleans
22 area. We are the local sponsor, if
23 you will, to all the Federal Corp
24 levee building projects in and around
25 New Orleans. And we still are doing

1 a lot of acquisitions, surveying,
2 appraisals, acquisition for that.
3 And the Corp and maybe Harold has
4 heard in that area they're starting a
5 new armoring program down there. And
6 there's political issues I guess that
7 need to be worked out but that may or
8 may not start to require additional
9 right of way for the levees. And
10 there have been some additional
11 lifting of the levees. So that may
12 have some effect on, you know, if
13 you're going to go up you've got to
14 go wider so they may need new
15 acquisitions. But we've still got
16 plenty from Katrina that we're still
17 -- still working on.

18 MS. DURHAM:

19 We've got lots of projects.

20 MR. ALTMAN:

21 Lots of projects.

22 MS. DURHAM:

23 Stephanie, was there anything on
24 a technical aspect that we need --

25 MS. HORVATH:

1 You've covered all my points.

2 MS. DURHAM:

3 Okay. So are there any -- yes?

4 MR. ANDERSON:

5 I have a question and my
6 question is, you know, in lieu of
7 listing every single subcontractor
8 you may have because you don't know
9 the extent of the job at first
10 because it may expand in the event
11 you see you may need more
12 subcontractors can you in the future
13 list those people?

14 MS. DURHAM:

15 Well, that's what I said. It
16 can be done but it has to be done
17 through an amendment.

18 MR. ANDERSON:

19 Yeah.

20 MS. DURHAM:

21 So it's better -- it's better,
22 you know, I mean you should have --
23 know who you're working with, who you
24 work with, get your subs lined up and
25 get that information. Down the road

1 if we have to add it can be done.
2 It's an amendment and it sometimes
3 takes a while for the amendment to go
4 through. And again everything --
5 everything you're going to need to
6 get for your sub up front you're
7 going to need to get down the road.
8 But it can be done through an
9 amendment.

10 MR. ANDERSON:

11 And the only reason why I'm
12 asking that question is that
13 naturally these people, you know,
14 want to work every day and if you
15 don't put them on right away well
16 naturally they'll look for other
17 jobs. However, at the time you feel
18 you need more people they may be
19 available. So, you know, you
20 wouldn't have -- subcontractors work
21 for you. However, they don't work
22 for you every day. That's why
23 they're called subcontractors.

24 MS. HOFFPAUIR:

25 I have a question. Helen

1 Hoffpauir. If you do need to -- if
2 you have a sub who basically says I
3 can't do this anymore, something's
4 come up --

5 MS. DURHAM:

6 Uh-huh.

7 MS. HOFFPAUIR:

8 -- and you need to add someone
9 to cover them, --

10 MS. DURHAM:

11 Uh-huh.

12 MS. HOFFPAUIR:

13 -- do you have to stop working
14 on that project until the amendment
15 is approved?

16 MS. DURHAM:

17 I believe that's correct, yes.

18 Jim?

19 MR. ALTMAN:

20 An extremely good point.
21 Nonetheless you've got other folks
22 that could fill in in the meantime.

23 MS. DURHAM:

24 Yes, you've got -- if you've
25 got, you know, --

1 MR. ALTMAN:

2 Staff or somebody, it don't have
3 to be that particular sub but if you
4 get somebody else, another sub or
5 staff on the payroll --

6 MS. DURHAM:

7 But if that's the only entity or
8 individual you've got doing that --

9 MS. HOFFPAUIR:

10 That's probably not the case
11 because we've doubled on everything.
12 If you have one subcontractor who is
13 otherwise occupied on some of your
14 other projects for CPRA and we get
15 another one can we then substitute
16 one of our other subcontractor who is
17 not currently working on something
18 else?

19 MS. DURHAM:

20 Would they be listed in this? I
21 mean if you get -- if it's in the
22 proposal and they're listed and we
23 know who they are --

24 MS. HOFFPAUIR:

25 You're good to go.

1 MR. MAYO:

2 This is Eric Mayo. I know it's
3 hard to tell with a three year
4 contract but do you have an idea of
5 which regions we're looking
6 specifically for this proposal as
7 opposed to the other proposals?

8 MS. DURHAM:

9 It's coastal.

10 MR. MAYO:

11 Yeah.

12 MS. DURHAM:

13 It goes from, you know, the west
14 to the east.

15 MR. MAYO:

16 Right.

17 MS. DURHAM:

18 We've got projects going all
19 along the coast.

20 MR. MAYO:

21 And secondly, for that CPA do
22 they need to be certified in that
23 business valuation or can they just
24 be CPAs?

25 MS. DURHAM:

1 What do you mean? I'm sorry.

2 MR. MAYO:

3 Well, I know there's additional
4 certificate or certification for
5 being a business valuation expert and
6 some CPAs don't have that but have
7 practiced with business valuations.
8 I'm not sure in y'all's experience if
9 y'all have --

10 MS. DURHAM:

11 I'll have to go back and take a
12 look at precisely what -- but if you
13 want to know that again --

14 MR. MAYO:

15 Right.

16 MS. DURHAM:

17 -- send -- submit a formal
18 question.

19 (People enter the room)

20 MS. DURHAM:

21 You're almost at the tail end
22 and we kind of talked about what --
23 the purpose of this is just to make
24 sure everybody understands what we do
25 and the fact in order for your -- the

1 proposal not to get kicked out in the
2 first round is to make sure you fill
3 in all the technical requirements,
4 fill in all the blanks, answer all
5 the questions on the proposal.

6 MS. HORVATH:

7 And we will post the transcript
8 so you can --

9 MS. DURHAM:

10 And, again, if you have any
11 specific questions the formal
12 official answer has to be -- the
13 question has to be in writing,
14 submitted by three o'clock on
15 Wednesday and an answer will be
16 posted. And that's the official
17 response.

18 MS. HOFFPAUIR:

19 I've got another question.

20 MS. DURHAM:

21 Uh-huh.

22 MS. HOFFPAUIR:

23 Helen Hoffpauir. In the RFP it
24 states in paragraph 3.4 that there's
25 a waiver administrative --

1 administrative informalities and the
2 text says the state reserves the
3 right at its sole discretion to
4 waive, honor administrative
5 informalities contained in a new
6 proposal. What are minor
7 administrative informalities and can
8 you provide an example?

9 MS. DURHAM:

10 That's the technical person and
11 the technical person isn't here.
12 When we get them they're already --
13 they've already made those
14 determinations. Again that I guess
15 might be a question you might want to
16 submit.

17 MS. HOFFPAUIR:

18 And I have another question.

19 MS. DURHAM:

20 Sure.

21 MS. HOFFPAUIR:

22 Full of questions today.

23 MS. DURHAM:

24 That's fine.

25 MS. HOFFPAUIR:

1 The RFP states that we're
2 suppose to supply whatever we supply
3 is required for the prime contractor
4 to supply also for the
5 subcontractors. Does that include
6 certificates of insurance for the
7 subcontractors?

8 MS. HORVATH:

9 Yeah. Insurance?

10 MS. HOFFPAUIR:

11 Yes.

12 MS. HORVATH:

13 I believe it should so we prefer
14 that you provide that proof of
15 coverage but it's not mandatory
16 requirement.

17 MS. HOFFPAUIR:

18 And where would we put -- would
19 that be included where we put our
20 certificate of insurance in volume
21 one?

22 MS. HORVATH:

23 Yes.

24 MS. HOFFPAUIR:

25 Also one more question. On the

1 Hudson Initiative Small Business
2 Enterprise my subs who have that
3 qualification in business that's
4 needed, do we need anything more than
5 that? Do you need --

6 MS. HORVATH:

7 No, but we check the
8 certification on the Louisiana
9 Economic and Development website. If
10 they're not actively certified you
11 can't work --

12 MS. HOFFPAUIR:

13 I actually have their
14 certifications.

15 (TALKING OVER ONE ANOTHER)

16 MS. HORVATH:

17 You just confirm you can submit
18 it but it is valid.

19 MR. RABALAIS:

20 Ronnie Rabalais. How about the
21 -- our deal with overhead rates for
22 subs if they don't have an audited
23 overhead?

24 MS. DURHAM:

25 I don't think I can answer that

1 one.

2 MR. RABALAIS:

3 Okay.

4 MS. HOFFPAUIR:

5 I'm sorry, I didn't hear the
6 answer to that question.

7 MS. DURHAM:

8 I don't have any answer to that.
9 I can't answer that.

10 MR. MILLER:

11 John Miller. I notice there's a
12 provision in there about errors and
13 omissions --

14 MS. DURHAM:

15 Uh-huh.

16 MR. MILLER:

17 -- insurance in one place in the
18 RFP. Is that an error or is that --

19 MS. DURHAM:

20 The errors and omission
21 insurance?

22 MR. MILLER:

23 In the errors and omission
24 insurance --

25 MS. DURHAM:

1 Yeah.

2 MR. MILLER:

3 -- is that an error itself?

4 Isn't that something new? It was not
5 in the last --

6 MS. DURHAM:

7 No, it was not. That was added
8 to this in case there was a major
9 error on the part of the contractor
10 there's insurance to cover that. If
11 you miss a landowner and we purchase
12 the property and if somebody out
13 there -- that's errors and omissions
14 insurance.

15 MS. HOFFPAUIR:

16 So you want us to get a
17 certificate of our errors and
18 omissions included in there?

19 MS. DURHAM:

20 Yes.

21 MS. LEMAIRE:

22 What is the minimum amount of
23 coverage required?

24 MS. DURHAM:

25 Was that listed?

1 MS. HORVATH:

2 I think --

3 MS. DURHAM:

4 I thought it was. A million.

5 MR. MAYO:

6 That's aggregate?

7 THE COURT REPORTER:

8 State your name before you
9 speak.

10 MS. DURHAM:

11 For you late folks that came in
12 we kind of went through the spiel.
13 The purpose is just to remind
14 everybody that everything has to be
15 filled out on the proposal. No
16 blanks so that it doesn't -- it
17 doesn't get kicked out. Any
18 technical omissions in the proposal
19 that comes in it won't be considered.
20 Anything else?

21 MS. HOFFPAUIR:

22 Yes, is Stephen the technical
23 person?

24 MS. DURHAM:

25 Oh, David. Yeah, you are. You

1 are the technical person for -- I
2 mean as far as like I just kind of
3 talked about what we wanted -- what
4 we were looking for is work -- for
5 the work type -- whatever kicks it
6 out prior to us getting --

7 MR. (David):

8 Oh, okay.

9 MS. DURHAM:

10 -- that's where you're the
11 technical person.

12 MR. (David):

13 Yes, okay. I thought you meant
14 the technical aspect.

15 MS. DURHAM:

16 No, no.

17 MS. HOFFPAUIR:

18 So may I ask that question
19 again?

20 MS. DURHAM:

21 Here he is.

22 MS. HOFFPAUIR:

23 What are minor administrative
24 informalities? And it says the state
25 reserves the right as its own

1 discretion to waive minor
2 administrative informalities and do
3 you know what that is and can you
4 give me an example?

5 MR. (David):

6 I don't really have an example
7 of it right offhand. Anything in
8 there that says that you shall do
9 this or you must do this must be
10 filled out. That's not an
11 informality. Anything that's sort of
12 not addressed that we can come back
13 and ask you more information for but
14 there is something there that was
15 addressed that would be an
16 informality that we could do
17 something with.

18 MS. HOFFPAUIR:

19 Thank you.

20 MS. DURHAM:

21 So we've answered all your
22 questions? Do you have exactly what
23 you need to do for your proposal?

24 MS. HOFFPAUIR:

25 Do you require professional

1 liability insurance too?

2 MS. DURHAM:

3 Uh-huh. I think so.

4 MS. HOFFPAUIR:

5 Do you want that for the subs as

6 well?

7 THE COURT REPORTER:

8 Yes?

9 MS. DURHAM:

10 Yes. The answer is yes. Well,

11 thank you all. I know it was raining

12 when you came in but it looks like

13 the rain has stopped so hopefully you

14 won't get wet.

15 MS. HOFFPAUIR:

16 Actually I did have one more

17 question. Helen, again, sorry I'm

18 such a Chatty Cathy today but it's my

19 one chance. The RFP states that

20 there's a certain quarter of the --

21 like the certification statement, the

22 table of contents, abstract, the

23 methodology in a certain order.

24 MS. DURHAM:

25 Uh-huh.

1 MS. HOFFPAUIR:

2 And is it permissible to move
3 those around a little bit so that
4 instead of having -- that's okay?

5 MS. DURHAM:

6 As long as we can find it.

7 MS. HOFFPAUIR:

8 Yes, you'll be able to find it.

9 THE COURT REPORTER:

10 That's a yes?

11 MS. DURHAM:

12 Yes. Anything else? If nothing
13 else then thank you all for coming.
14 Like I said I do appreciate your
15 coming and if you have any questions
16 that need formal answers be sure to
17 get them in writing by Wednesday at
18 three o'clock and the official answer
19 will be posted.

20

21 THE MEETING ENDED AT 3:21 P.M.

22 * * * * *

23

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25

1 R E P O R T E R ' S P A G E

2 I, Mark LaCour, Certified Court
3 Reporter, in and for the State of Louisiana,
4 the officer, as defined in Rule 28 of the
5 Federal Rules of Civil Procedure and/or
6 Article 1434(b) of the Louisiana Code of Civil
7 Procedure, before whom this hearing testimony
8 was taken, do hereby state on the record:

9 That due to the interaction in the
10 spontaneous discourse of this proceeding,
11 dashes (--) have been used to indicate pauses,
12 changes in thought, and/or talk overs; that
13 same is the proper method for a Court
14 Reporter's transcription of proceeding, and
15 that the dashes (--) do not indicate that
16 words or phrases have been left out of this
17 transcript.

18 Also, any words and/or names which could
19 not be verified through reference material
20 have been denoted with the phrase
21 "(inaudible)."

22

23

24

25

Mark LaCour, C.C.R.

89054

1 C E R T I F I C A T I O N

2 I, the undersigned reporter, do hereby
3 certify that the above and foregoing is a true
4 and correct transcription of the stenomask
5 tape of the proceedings had herein, taken down
6 by me and transcribed under my supervision, to
7 the best of my ability and understanding, at
8 the time and place hereinbefore noted, in the
9 above-entitled cause.

10 I further certify that the witness was
11 duly sworn by me in my capacity as a Certified
12 Court Reporter pursuant to the provisions of
13 R.S. 37:2551 et seq. in and for the state of
14 Louisiana; that I am not of counsel nor
15 related to any of the counsel of any of the
16 parties, nor in the employ of any of parties,
17 and that I have no interest in the outcome of
18 this action.

19 I further certify that my license is in
20 good standing as a court reporter in and for
21 the state of Louisiana.

22

23

24

Mark LaCour, C.C.R.

25

89054

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