



## NOTICE OF PUBLIC MEETING

**Pursuant to Louisiana law, Public Notice** is hereby given that the Louisiana Stadium and Exposition District ("LSED") has scheduled a meeting to be held at the date and time shown below with the Agenda as set forth herein below:

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Regular Meeting of the

**LOUISIANA STADIUM AND EXPOSITION DISTRICT (LSED)**

To Be Held at:

**Club XLIV/ Encore**

Champions Square Building, LaSalle Street, New Orleans, LA

Parking: <http://www.champions-square.com/plan-your-visit/directions-parking>

Virtual Access Registration: [LSED Board Meeting - July 27, 2023](#)

**Thursday, July 27, 2023**

**1:00 P.M.**

### **AGENDA**

- I. Call to Order and Opening Remarks.**
- II. Public Comment:** Pursuant to the provisions of Louisiana Revised Statutes Title 42, Section 23(A), "...any non-elected board or commission that has the authority to levy a tax shall video or audio record, film or broadcast live all proceedings in a public meeting...." Accordingly, the LSED will provide the public with the option to attend this meeting virtually (via the virtual access link above) and provide input to the LSED via e-mail. **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, July 27, 2023.** This e-mail 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). All individuals who are in attendance in-person and wish to address the Commission may speak now or during course of the meeting between Agenda items.
- III. Approval of Minutes of the June 22, 2023 LSED Board Meeting-Tab 1**

#### IV. Reports by SMG:

- General Matters – *Doug Thornton (or his designee)*
- LSED Services Report – *Evan Holmes*
- Tab 2 Facility Operations Report – *Evan Holmes*
- Tab 3 Finance Report – *David Weidler*
- Tab 4 LSED Capital Projects – *Eileen Long*

#### V. Board Reports

- Tab 5 Legal Report – *Shawn M. Bridgewater*

#### VI. 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 the LSED Budget for the Fiscal Year of July 1, 2023 through June 30, 2024, inclusive of the Summary; Consolidated Cash Flow Statement; Facility Statement of Income for the Caesars Superdome; Facility Statement of Income for the Smoothie King Center; and the Administrative Services Budget, copies of which are attached to the Resolution.

**(Tab 7)** Pursuant to Resolution 23-36, dated June 22, 2023, the Louisiana Stadium and Exposition District (“LSED”) authorized and approved the selection and engagement of a certified investment advisor to provide professional services and advise the LSED and the State of Louisiana with respect to various matters that relate to the investment of the LSED Bond proceeds (“Investment Advisory Services”). On or about June 30, 2023, the LSED and its bond counsel reviewed three (3) proposals that had been submitted in connection with the solicitation and selected Causey Demgen & Moore P.C. to perform the Investment Advisory Services.

Resolved that the LSED hereby ratifies the engagement of Causey Demgen & Moore P.C. and authorizes the negotiation and execution of an Investment Advisory Agreement with Causey Demgen & Moore P.C. on terms and conditions that are acceptable to Chairman Kyle M. France and LSED legal counsel. The source of funds for the Investment Advisory Agreement is the LSED Capital Reserve account and there are sufficient funds to support the Resolution.

**(Tab 8)** On or about October 12, 2011, an agreement was entered into by and between SMG (in its capacity as Manager of the Superdome and the Smoothie King Center) and New Cingular Wireless PCS, LLC (“New Cingular”), pursuant to which New Cingular designed, installed and operated a neutral host distributed antenna system (the “Existing DAS”) throughout the Superdome, Smoothie King Center and Champions Square (“Neutral Host Agreement”). The term of the Neutral Host Agreement has expired and SMG and New Cingular have agreed to extend the term of the Neutral Host Agreement for an additional ten (10) years.

Resolved, the Louisiana Stadium & Exposition District (“LSED”) hereby consents to the ten-year (10) extension of the Neutral Host Agreement. This Resolution has the Staff Analysis Support and Recommendation of ASM Global (a copy of which is attached to the Resolution).

**(Tab 9)** Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes, approves and ratifies the execution of the Master Plan Phase 3b Guaranteed Maximum Price Adjustment No. 10 (“Phase 3b GMP Adjustment No. 10”) to the Guaranteed Maximum Price

Amendment for the Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC with respect to Phase 3b of the 2019 Superdome Capital Improvements Project (“Project”). Phase 3b GMP Adjustment No.10 provides for an increase of \$513,244.20 to the Phase 3b Guaranteed Maximum Price that consists of the following:

- (i) An increase in the amount of \$133,841.67 for additional costs that are associated with rebuilding the Level 100 plenum walls that were demolished in connection with the ramp demolition at the Project site;
- (ii) An increase in the amount of \$13,469.57 for additional costs that are associated with infill of a gap between the atrium screen and adjacent walls on Levels 300, 400 and 500 of the Project site;
- (iii) An increase in the amount of \$4,425.04 for additional costs associated with tile and paint changes at the Project site.
- (iv) An increase in the amount of \$6,961.25 for additional costs associated with the sprinklers at the Project site;
- (v) An increase in the amount of \$36,279.11 for additional costs that are associated with correcting the existing slab elevations on Level 200 at the Project site;
- (vi) An increase in the amount of \$46,046.65 for additional costs associated with the addition of a terrazzo base in the Level 200 and Level 300 East and West Sideline Restrooms at the Project site;
- (vii) An increase in the amount of \$95,812.52 for additional costs associated with the replacement of hot water heaters and electrical requirements at the Project site;
- (viii) An increase in the amount of \$42,382.21 for additional costs associated with mechanical changes at the Project site;
- (ix) An increase in the amount of \$86,385.53 for additional costs associated with the duct-work at Level 650 of the Project site;
- (x) An increase in the amount of \$28,742.90 for additional costs that are associated with the additional slab topping at the Project site; and
- (xi) An increase in the amount of \$18,897.75 for costs associated with additional demolition and blocking at the Project site.

This Resolution has been recommended by Legends Hospitality (the Project Manager) and Trahan Architects (Project Architect) and has been approved by the Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funds for the Phase 3b GMP Adjustment No. 10 is the Master Plan Project Budget and there are sufficient funds to support this Resolution. The execution of the Phase 3b GMP Adjustment No. 10 by Commissioner Hilary H. Landry is hereby authorized, approved and ratified.

**(Tab 10)** Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes, approves and ratifies the execution of the Master Plan Phase 3b Guaranteed Maximum Price Adjustment No. 11 (“Phase 3b GMP Adjustment No. 11”) to the Guaranteed Maximum Price Amendment for the Construction Manager at Risk Contract by and between the LSED and Broadmoor, LLC with respect to Phase 3b of the 2019 Superdome Capital Improvements Project (“Project”). Phase 3b GMP Adjustment No.11 provides for a net increase of \$2,045,038.96 to the Phase 3b Guaranteed Maximum Price that consists of the following:

- (i) A decrease in the amount of \$5,061.11 for a credit associated with removal of certain Project scope;

- (ii) An increase in the amount of \$2,227.51 for cost that is associated with the addition of tile to the Level 200 East Sideline Pantry walls the Project site;
- (iii) A decrease in the amount of \$4,528.18 for a credit associated with the removal of the tile behind the ventless hoods at the Project site;
- (iv) An increase in the amount of \$2,831.85 for additional costs associated with framing at the L300 East Sideline Suite Kitchen and pantry at the Project site;
- (v) An increase in the amount of \$482,464.91 for additional costs associated with running temporary power and changes to the permanent power location at the Project site;
- (vi) An increase in the amount of \$10,176.84 for additional cost associated with changing from standard carriers to compact carriers at the Project site;
- (vii) An increase in the amount of \$842,224.90 for additional cost related to certain work and Project scope modifications at the Project site;
- (viii) An increase in the amount of \$378,835.79 for additional costs associated with the additional linear feet of beverage conduit needed to complete Project scope due to unforeseen conditions at the Project site;
- (ix) An increase in the amount of \$62,424.64 for additional costs associated with flooring changes at the Project site;
- (x) An increase in the amount of \$22,538.82 for additional air freight costs that are associated with the delivery of certain materials needed to meet the Project schedule due to design changes;
- (xi) An increase in the amount of \$6,494.15 for increase cost that is associated with the addition of carpet at the Level 700 elevator landings;
- (xii) An increase in the amount of \$ 125,770.46 for costs associated with demolition and pourback at the Project site;
- (xiii) An increase in the amount of \$21,710.53 for additional costs associated with having a Kone operator on the Project site for the Essence Fest and Monster Jam events;
- (xiv) A decrease in the amount of \$53,215.00 for a credit associated with removal of IPTV content creation from the Project scope;
- (xv) A decrease in the amount of \$30,080.40 for credit for cost associated with a Project work related error;
- (xvi) An increase in the amount of \$139,057.39 for costs associated with the addition of plumbing at the Project site;
- (xvii) An increase in the amount of \$28,562.17 for costs associated with the addition of plumbing, mechanical, and sprinklers at the Project site; and
- (xviii) An increase in the amount of \$12,603.69 for additional costs that are associated with changes to the smoke detectors in East and West Sideline Atrium at the Project site.

This Resolution has been recommended by Legends Hospitality (the Project Manager) and Trahan Architects (Project Architect) and has been approved by the Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funds for the Phase 3b GMP Adjustment No. 11 is the Project Budget and there are sufficient funds to support this Resolution. The execution of the Phase 3b GMP Adjustment No. 11 by Commissioner Hilary H. Landry is hereby authorized, approved and ratified.

**(Tab 11)** Pursuant to LSED Resolution 22-52, dated July 28, 2022, the Louisiana Stadium and Exposition District (“LSED”), authorized the negotiation and execution of a contract with Trimark USA (“Master Plan Phase 3b Trimark Contract”) for the acquisition of certain food service equipment that is required in connection with Phase 3b of the Superdome Capital Improvements Project (“Project”).

Resolved that the LSED hereby authorizes and approves the execution of Change Order No. 004R2 to the Master Plan Phase 3b Trimark Contract (“Phase 3b Trimark Change Order No. 004R2”), which provides for an increase of \$44,636.00 to the Master Plan Phase 3b Trimark Contract amount that consists of additional costs associated with Project-related food service equipment, all as more fully described on the Master Plan Phase 3b Trimark Change Order No. 004R2 (a copy of which is attached to the Resolution).

Master Plan Phase 3b Trimark Change Order No. 004R2 has been recommended by Legends Hospitality (Project Manager) and Trahan Architects (Project Architect) and has been approved by the Project Team, consisting of the ASM Project Representative, the LSED Project Representative, and the New Orleans Saints Project Representative. The source of funds for the Master Plan Phase 3b Trimark Change Order No. 004R2 is the Project Budget and there are sufficient funds to support the Resolution. The execution of the Master Plan Phase 3b Trimark Change Order No. 004R2 by Chairman Kyle M. France is hereby authorized, approved, and ratified.

**(Tab 12)** Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes and approves Trahan Architects, APAC to provide additional architectural services with respect to certain elements of Phase 3b of the 2019 Superdome Capital Improvements Project (the “Project”), in accordance with and as outlined in further detail on Trahan Additional Services Request No. 33 (“Trahan ASR #33”), a copy of which is attached to the Resolution. The additional services that are to be performed pursuant to Trahan ASR #33 shall be for a not to exceed fee of \$60,000.00 and shall consist of services related to the implementation of the New Orleans Saints Sponsorship and Branding; the costs associated with Trahan ASR #33 will be reimbursed by the New Orleans Saints to the Project budget.

This Resolution has been recommended by Legends Hospitality (Master Plan Project Manager) and has been approved by the Project Team, consisting of the LSED Project Representative, the ASM Project Representative, and the New Orleans Saints Project Representative. The source of funds for Trahan ASR #33 is the Project Budget, and there are sufficient funds to support this Resolution. The execution of Trahan ASR #33 by Chairman Kyle M. France and/or Commissioner Hilary H. Landry is hereby authorized, approved and ratified.

**(Tab 13)** Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes, approves, and takes the following actions with respect to the 2023 Smoothie King Center LED Fascia Video Displays Project (“Project”):

- (i) On June 22, 2023, four (4) bid responses were received with respect to the Project and all four bids were found to be in compliance with Louisiana Public Bid Law;
- (ii) Following review of the submitted bids by ASM Global, the LSED Construction Committee accepts the recommendation of ASM Global and recognizes the Base Bid and Alternates Nos. 1 and 2, that was submitted by ANC Sports Enterprises, LLC in the amount of \$2,331,662.00 as the lowest responsive bid; and
- (iii) The LSED further hereby authorizes the negotiation and execution of a contract with ANC Sports Enterprises, LLC by Chairman Kyle M. France (“Project Contract”).

This Resolution has the Staff Analysis Support and Recommendation of ASM Global (a copy of which is attached to the Resolution) and has been approved by the LSED Construction Committee. The source of funds for the Project Contract is the Smoothie King Center Reserve and Replacement Fund and there are sufficient funds to support this Resolution.

**(Tab 14)** Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes and approves the execution of a Contract with Jessica Becker Architecture, a Professional Architectural Corporation for a not to exceed fee of \$10,000.00 (“Jessica Becker Contract”), to perform architectural and related services with respect the development of plans for concession stand renovations at the Smoothie King Center.

This Resolution has the Staff Analysis Support and Recommendation of ASM Global (a copy of which is attached to the Resolution) and has been approved by the LSED Construction Committee. The source of funds for the Jessica Becker Contract will be the Smoothie King Center Repair & Replacement Fund, and sufficient funds exist to support this Resolution. Chairman Kyle M. France is hereby authorized to sign the Jessica Becker Contract on behalf of the LSED.

**(Tab 15)** Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes and approves the execution of a Certificate of Substantial Completion (“Certificate of Substantial Completion”) with respect to the Contract between the LSED and Roofing Solutions, LLC, dated March 16, 2023 (“Contract”), for the 2023 Alario Center Hall B Roof Repair Project (the “Project”). The Certificate of Substantial Completion provides that the work performed under the Contract is, subject to the completion of the items on the Project Punchlist, sufficiently complete in accordance with the Contract documents to allow the owner to occupy and/or utilize the work for its intended use.

This Resolution has the Staff Analysis Support and Recommendation of ASM Global (a copy of which is attached to the Resolution) and has been approved by the LSED Construction Committee. The execution of the Certificate of Substantial Completion by Chairman Kyle M. France is hereby authorized.

**(Tab 16)** Pursuant to LSED Resolution Nos. 15-86 and 17-31, dated August 26, 2015 and April 20, 2017, respectively, and Jefferson Parish Resolution Nos. 127758 and 128897, the LSED and the Parish of Jefferson approved and ratified the negotiation and execution of: (i) a Cooperative Endeavor Agreement between the Parish of Jefferson and the LSED for the proposed Jefferson Parish Sports and Recreation Complex in Westwego, aka the John A. Alario, Jr. Sports Complex (the “Facility”), and (ii) the First Amendment to the Cooperative Endeavor Agreement between the Parish of Jefferson and the LSED, copies of which are attached to the Resolution (collectively, the “CEA”).

Resolved that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes and approves the negotiation, execution and finalization of a Second Amendment to the Cooperative Endeavor Agreement with Jefferson Parish for the purpose of the authorizing the LSED to conduct a Request for Proposals/Qualifications for the selection by the LSED of a qualified manager for the Facility (“Second Amendment”). The Second Amendment will be on terms and conditions that are approved by Chairman Kyle M. France and LSED legal counsel. This Resolution has the support and approval of the LSED Construction Committee and the Westwego Sports and Recreation Complex Project Committee. The execution of the Second Amendment by Chairman Kyle M. France is hereby authorized and approved.

**(Tab 17) Resolved** that the Louisiana Stadium & Exposition District (“LSED”) hereby authorizes and approves the following actions with respect to the Alario Center Hall “C” HVAC Repair Project, Jefferson Parish Project Bid #50-001142258 (“Project”):

- (i) In accordance with Jefferson Parish Department Award Recommendation Letter dated July 7, 2023, the LSED acknowledges the Jefferson Parish Department of Purchasing’s recommendation that the Base Bid of ARC Mechanical Contractors, Inc. in the amount of \$329,900.00 and Alternate Nos. 1, 2 and 3 in the amount of \$53,400.00 (for a total bid amount of \$383,300.00) be recognized as the lowest responsive bid with respect to the Project;
- (ii) The LSED agrees to contribute the sum of \$83,300.00 towards the Project cost utilizing the proceeds of the Settlement Agreement dated February, 2016 with respect to the lawsuit entitled “Parish of Jefferson, et al vs. Mickey O’Connor General Contractor, Inc. et al.”, 24th Judicial District Court, Proceeding No. 710-598; and
- (iii) The LSED authorizes the negotiation and execution a Cooperative Endeavor Agreement with Jefferson Parish (“Project CEA”) that sets forth the terms and conditions with respect to the completion of the Project by the Parish of Jefferson and the LSED’s contribution of \$83,800.00 towards the completion of the Project. The Project CEA will be on terms and conditions that are approved by Chairman Kyle M. France and LSED legal counsel.

This Resolution has the support and recommendation of ASM Global (a copy of which is attached to the Resolution) and has been approved by the LSED Construction Committee. The execution of the Project CEA by Chairman Kyle M. France is hereby authorized and approved.

**VII. Other Business**

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

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

**IX. Adjournment**