**American Council of Engineering Companies
of Louisiana
Board of Governors’ Meeting
July 24, 2020
The Engineering Center/ZOOM**

**BOG present:** David Dupre, Andy Craig (Zoom), Nathan Junius (Zoom), Colby Guidry (Zoom), Brett Bayard (Zoom), Bob Boagni (Zoom), Micha Duffy, Chad Bacas, Kent Poyser (Zoom), Andree Cortez (Zoom), Chad Poche, Michael Thomassie, Lisa Cookmeyer (Zoom), Michael Songy (Zoom), and Sherri LeBas

**BOG with prior engagements:** Don Arrington and Butch Babineaux

**STAFF:** Doreen Brasseaux and Janet Tomeny

**Additional Guest(s):** John Basilica, Kenneth Smith (Zoom), Durk Krone (Zoom), Steven Loeb (Zoom) and Keith Bergeron (Zoom)

Mr. Craig called the meeting to order. Mr. Craig expressed his appreciation to the 2019-2020 board members.

ACEC Vice-Chair, Kenneth Smith, installed the 2020-2021 Board of Governors. (Official passing of the gavel to Chairman David Dupre). Mr. Dupre extended his thanks and gratitude to past Chairman Andy Craig noting his leadership and presented him with the 2019-2020 ACECL Chairman award.

Chairman Dupre asked Mr. Junius for roll call. Quorum established.

Chairman Dupre called for approval of the agenda noting item XII(c), Transportation Committee report, will be moved to top of the agenda. A motion was made by Mr. Bayard and seconded by Mr. Duffy. Motion passed unanimously.

Chairman Dupre called for approval of the June 19, 2020 minutes. A motion was made by Mr. Bacas and seconded by Mr. Duffy. Motion passed unanimously.

**SECRETARY/TREASURER’S REPORT:** (Financials Attached)

Mr. Thomassie presented the June 2020 financials noting dues and revenue are stable and $63,221 in reserves (savings). Ms. Brasseaux reported ACECL ended the fiscal year with $7,700 in net earnings due to adjustment of expenditures including the addition of a $3,000 ELI grant and a $4,000 savings due to the cut in salary of the President & CEO for the remainder of the fiscal year. After review and discussion of financials submitted, a motion was made by Mr. Duffy and seconded by Mr. Bacas to accept. Motion passed unanimously.

**CHAIRMAN’S REPORT:** (D. Dupre)

* Chairman Dupre introduced and welcomed new board members, Chad Poche and Butch Babineaux and welcomed Mr. Nathan Junius to the Executive Committee as Secretary-Treasurer.
* Chairman Dupre presented his 2020-2021 goals: remain financially secure during the pandemic; continue to push for infrastructure funding including a gas tax; continue to work with AIA/LAPELS on State Fire Marshal issues; maintain relationship with DOTD and continue to monitor CCS and open dialogue on traffic issues; continue to engage with FP&C; engage with CPRA on contract selection process; continue to be the strong voice of QBS; encourage CMAR and Design Bid Build as project delivery methods; 100% participation from the 2020-2021 Board of Governors to donate to the ACEC national PAC; encourage firms to participate in the newly created ACECL PAC; all Board members to actively recruit one (1) new member firm and one (1) new affiliate; and to review the current ACECL Bylaws.
* Chairman Dupre noted a need to review the ACECL Bylaws and will form a Bylaws Committee. Bylaws to review, but not be limited to: can more than one (1) member of a firm serve on the Board of Governors? Is Executive Committee too large? Who votes on Chapter elections; principals or members? Should there be committee chairman term limits? Chairman Dupre asked Ms. Cortez to chair the newly formed Bylaws Committee. Ms. Cortez accepted and Mr. Craig and Chairman Dupre volunteered for the Committee. Ms. Cortez will reach out for additional members.
* Chairman Dupre presented the 2020-2021 Committee Chairs & Board Liaison assignments and asked that Committee Chairs present their goals at the next Board meeting. Chairman Dupre also encouraged regular committee meetings and to continue to submit committee reports one week prior to each Board meeting.
* Chairman Dupre advised Chapter Presidents, pursuant to the Bylaws, that each sits on the Membership Committee, chaired by Mr. Thomassie, and is expected to actively recruit and retain members. He also encouraged members to communicate any local issues to the Board.

**National Directors Report:** (A. Craig)

* Mr. Craig reported that the ACEC Fall Conference will be held in October either live (San Diego) or virtual. Mr. Craig advised ACECL has submitted Mr. Kurt Evans’ application/resume to sit on the 2021-2022 ACEC Board as Vice-Chair and interviews should begin at the ACEC Fall Conference in San Diego. Mr. Craig asked ACEC Vice-Chair Kenneth Smith to give a full report on national issues.
* Mr. Smith reported: full implementation of new strategic plan shall commence soon; ACEC staff still working remotely; Gary Raba, Texas, has been assigned as ACECL’s Vice-Chair liaison; ACEC continuing to advocate infrastructure agenda including the FAST Act reauthorization and relief to states due to the pandemic; expects Fall conference to be virtual format along with Board meeting; ACEC anticipates ending the FY with a surplus and will place surplus monies in reserves and the ACEC Research Institute; ACEC PAC is 15% below its normal contributions at this time of the year and is hosting a virtual golf tourney to raise money virtually; all COVID resources are online; and Mr. Smith encouraged all members to sign up for a national committee and get involved.

**President & CEO Report**: (Brasseaux)

* ACECL PAC has currently collected $3,700 from 29 firms in Q1
* ACECL has reached 50% of its ACEC PAC goal. An LSU Football Sweepstakes drawing is planned for the LSU vs. Ole Miss game on September 26.
* EEA’s August 1st submission deadline has been extended to August 20th and electronic signatures will be accepted on client letter(s) and/or submission forms.
* ACECL Lafayette Chapter and AIA-Lafayette Chapter will work with the Lafayette School Board to guide the process of QBS.
* ACECL has been prequalified for a 2.75% interest SBA loan with no early repayment penalty fees. After discussion, a motion was made by Mr. Thomassie and seconded by Mr. Duffy authorizing Ms. Brasseaux to apply for the SBA loan, up to $50,000. Motion passed unanimously.
* A motion was made by Mr. Thomassie and seconded by Mr. Bacas authorizing Ms. Brasseaux to apply for the Refundable Employee Retention Tax Credit. Motion passed unanimously.

**Chapter/Area Committee Reports:**

**Baton Rouge:** Mr. Bacas reported the next meeting is scheduled for August 10th and will work on getting a speaker for a virtual meeting.

**New Orleans:** Mr. Poyser reported the next meeting is scheduled for August 13th and will work on getting a speaker for a virtual meeting.

**Lafayette:**  Mr. Guidry reported he will work on scheduling a virtual meeting.

**Shreveport:** Mr. Duffy reported he will schedule a virtual meeting with the Chapter. Ms. Brasseaux advised she would like to coordinate a meet and greet event with Congressman Mike Johnson when possible.

**Monroe:** No report.

**Lake Charles:** Ms. Tomeny reported she will contact Mr. Babineaux and advise of Chapter’s moving forward with virtual meetings.

**COMMITTEE REPORTS**

**Membership:** Report attached. Mr. Thomassie reported he will submit the Membership Committee goals at next meeting.

**Legislative Committee:**  No report. Ms. Brasseaux indicated a Special Session may be called in October.

**CLIENT LIAISON COMMITTEES**

**Transportation:**  Committee reports attached. Mr. Basilica reported on new business items including DOTD’s revised consultant selection procedures were officially announced and are effective July 1, 2020. DOTD published the announcement on the CCS website and all should review in detail noting all subsequent advertisements are now governed by the new procedures. Also, DOTD has added increased ethics requirements for PET members and consultants. Next committee meeting is scheduled for September 10, 2020.

Chairman Dupre advised that ACECL members appointed to the Consultant Outreach Group are J. Basilica, D. Dupre, R. Reaux and Brin Ferlito. DOTD will add two (2) additional non-ACEC member consultants to the group.

Mr. Krone presented the Compensation Working Group’s position paper identifying areas of concern and/or items to be considered for change or inclusion within the CCS compensation process. Mr. Krone reviewed in detail the five contract compensation types: negotiated lump sum; non-negotiated lump sum; cost plus fixed fee; specific rate of compensation and cost per unit work. A motion was made by Ms. Lebas and seconded by Mr. Bacas approving the position paper as presented and to submit to DOTD, Ed Wedge, in the form of a memo. Motion passed unanimously.

**Water Resources:** No report.

**Facilities:** Ms. Brasseaux advised the latest draft FP&C rule changes were circulated to membership. Mr. Poche will connect with Mr. Campbell, Committee Chair.

**LES/Lapels:** Nothing to report.

**AGC/AIA:**  Mr. Songy reported that regularly scheduled meetings with LAGC have been postponed due to COVID. Ms. Brasseaux noted that a meeting/discussion was held between LAGC, ACECL & FP&C on how CMAR works.

**Unfinished Business:** N/A

**New Business:** (A motion was made by Mr. Poche and seconded by Mr. Thomassie to move agenda item XIV. New Business after IX. National Director’s report. Motion passed unanimously)

(Ms. Lebas and Mr. Bacas recused themselves and left the board meeting while hearing agenda item XIV(a). New Business, Request to file Amicus brief in the matter of City of Walker, et al vs. La DOTD, et al).

Mr. Steven Loeb gave an overview of the City of Walker, et al vs. La DOTD, et al. case noting that the district court ruled against defendants Motion for Summary Judgment to dismiss the engineering firms involved in the case. The motion was filed stating the engineering firms performed to the 50-year flood standard of care and hydrology study by LDOTD. Further LDOTD approved all drawings, and the project was successfully completed. The case is currently before the First Circuit Court of appeal. Mr. Loeb introduced Mr. Keith Bergeron with Deutsch Kerrigan to review his firm’s proposal to represent ACECL’s members interests in connection with drafting and filing of an amicus brief with the Louisiana First Circuit Court of Appreal (Proposal distributed). Said representation fees would be capped at $10,000. Ms. Brasseaux advised that membership could be asked to voluntarily make monetary contributions and a request for up to $5,000 from ACEC’s Minuteman Fund can be submitted. After a lengthy discussion, Mr. Loeb was requested to provide the amicus brief and Writ filed by LAGC and DOTD to the Board for review. A motion was made by Mr. Junius and seconded by Mr. Poche to grant authorization to the ACECL Executive Committee, after review of the briefs filed by LAGC and LDOTD, to decide if ACECL should file an amicus brief on behalf of its members and engage with Mr. Bergeron to draft such amicus brief and authorizing solicitation of funds from membership to cover the cost of the filing. Motion passed unanimously. Ms. Brasseaux will set up a conference call with the Executive Committee to discuss and vote and will invite all Board Members to participate in said call.

**Next Meeting:** The next Board meeting is scheduled for Friday, September 18, 2020. A motion was made by Mr. Poche and seconded by Mr. Bayard to adjourn the meeting.