

COASTAL PROTECTION AND RESTORATION AUTHORITY BOARD
STATE OF LOUISIANA
June 20, 2018

RESOLUTION NO. 2018-____-____

A Resolution Supporting and Authorizing the Coastal Protection and Restoration Authority to Proceed with Outcome Based Performance Contracting

WHEREAS, pursuant to La. R.S. 49:214.5.2(A)(I), the Coastal Protection and Restoration Authority Board (“BOARD”) represents the State of Louisiana’s position relative to the protection, conservation, enhancement, and restoration of the coastal area of the state through oversight of integrated coastal protection projects and programs; and

WHEREAS, pursuant to La. R.S. 49:214.6.2, the Coastal Protection and Restoration Authority (“CPRA”) shall implement projects relative to the protection, conservation, enhancement, and restoration of the coastal area of the state through oversight of integrated coastal protection projects and programs consistent with the legislative intent as expressed in La. R.S. 49:214.1; and

WHEREAS, pursuant to La. R.S. 49:214.6.2 (A) and La. R.S. 49:214.7, CPRA is authorized to use the outcome based performance contracting project delivery method for integrated coastal protection projects consistent with the legislative intent as expressed in La. R.S. 49:214.1 *et seq.*; and

WHEREAS, outcome based performance contracting is a project delivery method that consists of a public owner contracting with a party for full-delivery of a results-based and agreed-upon specific outcome or goal, with the owner providing payment only upon the contractor successfully meeting the specified and contracted outcome, goal, or output, and payment may be structured over a longer period of time than traditional delivery methods. Outcome based performance contracts must include a requirement that payment be conditioned upon achievement of a measurable, specified outcome; a clearly defined process by which performance and outcomes may be assessed; and a schedule of payment, performance milestones, and other consequence of performance; and

WHEREAS, CPRA desires to utilize outcome based performance contracting to deliver an initial marsh creation and/or ridge restoration project in areas identified in the Louisiana Trustee Implementation Group (“LA TIG”) Strategic Restoration Plan. This project would be eligible for funding through the *Deepwater Horizon* Natural Resource Damages (“NRD”) Fund contingent upon meeting all requirements, including completing restoration planning and attaining all required approvals from the LA TIG; and

WHEREAS, CPRA could realize significant advantages by using an outcome based performance contract for this project, including the opportunity to utilize up-front private investment and funding to get projects on the ground faster with CPRA repaying that up-front investment over a specified period of time based on project performance; the potential to obtain better overall value, performance, innovation, and efficiency since the contractor will be proposing and delivering all aspects of the project, including performance; and the ability to better leverage *Deepwater Horizon* funding sources to deliver projects since some of those funding sources flow to CPRA in tranches over a 15-year time period; and

WHEREAS, pursuant to La. R.S. 49:214.7, the solicitation and selection process for awarding an outcome consists of an initial Request for Statement of Interest and Qualifications (“RSIQ”), followed by a separate Request for a Proposal (“RFP”) issued to qualified proposers. Accordingly, CPRA intends to issue an initial RSIQ for this project in order to proceed with the solicitation and selection process for an outcome based performance contract; and

WHEREAS, in accordance with La. R.S. 49:214.7 (C), CPRA has presented to the Board, the proposed project referenced herein, along with the reasons and advantages for utilizing the outcome based performance contracting delivery method for the proposed project before initiating the solicitation and selection process set forth in La. R.S. 49:214.7; and

NOW THEREFORE BE IT RESOLVED THAT the Board hereby supports and authorizes CPRA to proceed with utilizing outcome based performance contracting, in accordance with the processes and requirements set forth in La. R.S. 49:214.7, for the project presented to the Board on this date and described herein; and

THEREFORE BE IT FURTHER RESOLVED THAT CPRA transmit this Resolution along with any other information deemed necessary to the Senate and House committees as set forth in the reporting requirements pursuant to La. R.S. 49:214.7 (C).

This Resolution was declared adopted this ___ day of June 20, 2018.



I hereby certify that the above is a true and correct copy of a resolution duly adopted by the Coastal Protection and Restoration Authority at its meeting of June ___ 2018, Baton Rouge, Louisiana, at which a quorum was present.

(Signature)

(Printed name)

(Title)

This _____ day of June, 2018 at Baton Rouge, Louisiana.