SUMMARY STATEMENT As Amended on September 16, 2015

ITEM NO.: DRPA-15-071 SUBJECT: Right of Entry Permit and Related Agreements with 4th Coast Productions

COMMITTEE: Operations and Maintenance

COMMITTEE MEETING DATE: June 3, 2015

BOARD ACTION DATE: June 17, 2015

PROPOSAL: That the Board authorizes staff to negotiate and enter into appropriate property access agreements permitting 4th Coast Productions to enter DRPA property locations located on and adjacent to the Commodore Barry Bridge and the Walt Whitman Bridge.

PURPOSE: To provide property access to 4th Coast Productions at the Commodore Barry Bridge and the Walt Whitman Bridge to enter upon and use the facility and adjacent locations to photograph, film, reproduce and replicate the real and personal property (including the name, trademark, signs and identifying features thereof) and to bring limited personnel and equipment onto the premises for the purpose of filming a documentary motion picture.

BACKGROUND: The Commodore Barry Bridge was last painted in 1996. The suspension span and towers of the Walt Whitman Bridge was last painted in 1992. Biennial Inspections and coating condition assessment of the Bridges recommended that the Bridges be de-leaded and painted. On December 10, 2014, the Board approved Resolution DRPA-14-149 authorizing staff to negotiate a contract with Corcon, Inc. to perform Phase 1 of the Bridge painting project, which is scheduled to commence in 2015 (the “Project”). On July 15, 2015, the Board approved Resolution DRPA-15-081 authorizing staff to negotiate a contract with Corcon, Inc. to perform the Walt Whitman Bridge painting project, which is scheduled to commence in 2015.

In March 2015, filmmaker Matthew White, owner of 4th Coast Productions, and Louis Lyras, President and CEO of Corcon, Inc., contacted the Authority seeking permission to enter the Authority’s property located on and adjacent to the Commodore Barry Bridge for the purpose of recording footage of the bridge painting work, bridge
rehabilitation and steel repair to be performed during the Project for a documentary film production. They now wish to also include the Walt Whitman Bridge in the documentary.

Specifically, 4th Coast Productions plans to produce a documentary television show or film highlighting bridge painting and rehabilitation work and the contractors that paint and restore large bridges. According to the filmmaker, the production will highlight and celebrate the dedication, professionalism, hard-work and history of the bridge painting and restoration industry, as well as the importance of maintaining and keeping safe our highway infrastructure.

Staff has engaged in preliminary discussions with 4th Coast Productions as to its intentions and believes that the production will not adversely impact operations or safety due, in part, to the limited amount of personnel and equipment planned for the production.

Staff recommends that an appropriate property access agreements be negotiated with 4th Coast Productions permitting access to Authority property located on or adjacent to the Commodore Barry Bridge and the Walt Whitman Bridge for the purpose of obtaining video footage for a documentary motion picture. Insurance and Indemnification provisions will be included as part of such an agreement. The agreement will also include a reservation of the Authority’s rights to review and edit any footage for SSI and/or other operational purposes, as well as a limitation on Corcon’s use of the footage for its own commercial advertising purposes.

**SUMMARY:**

<table>
<thead>
<tr>
<th>Amount:</th>
<th>N/A</th>
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<tbody>
<tr>
<td>Source of Funds:</td>
<td>N/A</td>
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<tr>
<td>Operating Budget:</td>
<td>N/A</td>
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<td>Capital Project #:</td>
<td>N/A</td>
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<td>Master Plan Status:</td>
<td>N/A</td>
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<td>Other Fund Sources:</td>
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<td>Duration of Contract:</td>
<td>Two (2) years</td>
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<td>Other Parties Involved:</td>
<td>N/A</td>
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RESOLUTION

RESOLVED: That the Board authorizes staff to negotiate and enter into appropriate property access agreements permitting 4th Coast Productions to enter upon Authority property located on and adjacent to the Commodore Barry Bridge and the Walt Whitman Bridge to photograph, film, reproduce and replicate the real and personal property (including the name, trademark, signs and identifying features thereof) and to bring limited personnel and equipment onto the premises for the purpose of filming a documentary motion picture; and be it further

RESOLVED: The Chair, Vice Chair and the Chief Executive Officer must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of the DRPA. If such agreements, contracts, or other documents have been approved by the Chair, Vice Chair and Chief Executive Officer and if thereafter, either the Chair or Vice Chair is absent or unavailable, the remaining Officer may execute the said document(s) on behalf of DRPA along with the Chief Executive Officer. If both the Chair and Vice Chair are absent or unavailable and if it is necessary to execute the said document(s) while they are absent or unavailable, then the Chief Executive Officer shall execute such documents on behalf of DRPA.

SUMMARY:

- Amount: N/A
- Source of Funds: N/A
- Operating Budget: N/A
- Capital Project #: N/A
- Master Plan Status: N/A
- Other Fund Sources: N/A
- Duration of Contract: Two (2) years
- Other Parties Involved: N/A