

RESOLUTION NO. 06-495

**A RESOLUTION AS IT PERTAINS TO \$132,522.17 IN
INVOICES OF MC-O CONSTRUCTION AS PER THE
INCENTIVE AGREEMENT BETWEEN MC-O
CONSTRUCTION AND THE CITY OF PORT ARTHUR
SECTION 4A ECONOMIC DEVELOPMENT
CORPORATION**

WHEREAS, the City Council approved Resolution No. 06-376, an economic incentive agreement between Mc-O Construction and the City of Port Arthur Section 4A Economic Development Corporation; and

WHEREAS, the invoices as denoted in Exhibit "A" were approved by the EDC Board at its November 29, 2006 regular meeting in the amount of \$132,522.17; and

WHEREAS, the invoices denoted in Exhibit "A" are being submitted for approval by the City of Port Arthur Section 4A Economic Development Corporation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ARTHUR:

Section 1. That the facts and opinions in the preamble are true and correct.

Section 2. That the invoices denoted in Exhibit "A" are hereby approved for payment, except for \$15,085.46 as it pertains to the payroll week ending October 8, 2006, as this pre-dated the effective date of the agreement (October 12, 2006).

Section 3. That prior to the delivery of the payment of \$117,436.71 to Mc-O Construction, Mc-O Construction shall provide documentation acceptable to the CEO of the EDC that the labor, equipment, and materials were provided for the project, as described in Exhibit "B" and that such labor, equipment, and material were provided after October 12, 2006.

Section 4. That a copy of the caption be spread upon the minutes of the City Council.

READ, ADOPTED AND APPROVED on this 4th day of Dec., A.D. 2006, at a Special Meeting of the City Council of the City of Port Arthur, Texas by the following vote:

AYES: Mayor Mayor Pro Tem Prince;
City Council Lewis, Henderson, Flood
and Beard.

NOES: None.

Oscar N. Ortiz
OSCAR ORTIZ, MAYOR

ATTEST:
Evangeline Green
EVANGELINE GREEN, CITY SECRETARY

APPROVED AS TO FORM:
Mark Sokolow
MARK T. SOKOLOW, CITY ATTORNEY

APPROVED FOR ADMINISTRATION:
H. L. Robinson
FOL STEPHEN FITZGIBBONS, CITY MANAGER

APPROVED AS TO THE AVAILABILITY OF FUNDS:

REBECCA UNDERHILL, DIRECTOR OF FINANCE

APPROVED FOR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION:
Floyd Batiste
FLOYD BATISTE, CEO EDC

EXHIBIT "A"

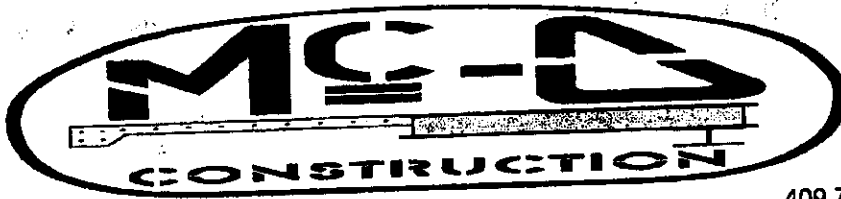
MC-O CONSTRUCTION - AMOUNT DUE

Payroll Week Ending:

	10/8/2006	10/15/2006	10/22/2006	10/29/2006	TOTAL	
LABOR	9,263.96	9,514.84	9,371.68	10,597.02	38,747.50	
EQUIPMENT	750.00	1,517.98	3,931.87	1,214.30	7,414.15	
MATERIALS	5,071.50	8,092.80	3,252.50	0.00	16,416.80	
EDC TOTAL	15,085.46	19,125.62	16,556.05	11,811.32	62,578.45	AMOUNT DUE TO MC-O
MC-O TOTAL	15,099.76	21,383.59	18,077.50	11,855.52	66,416.37	
DIFFERENCE	(14.30)	(2,257.97)	(1,521.45)	(44.20)	(3,837.92)	

EDC TOTAL AMOUNT DUE	62,578.45
MC-O TOTAL AMOUNT DUE	66,416.37
DIFFERENCE	(3,837.92)

Prepared By: Carmella Staley
 Date Prepared: 11/21/06
 Reviewed By:
 Date Reviewed:



409.736.0900 off.

409.736.0903 fax

Invoice No: 2561

Sold To: Port Arthur EDC
 PO Box 3934
 Port Arthur, TX. 77642

Date: 10/31/2006

Remit To: Mc-O Construction
 P O Box 5306
 Port Arthur, TX 77640

Mc-O Project Number	Location	Terms	Purchase Order Number
100-06	2801 Hwy. 365 Port Arthur, TX.	Net 15 Days	
Client Contact	Project Name		Contract Number
Floyd Batiste	New Fab Shop		

ORIGINAL CONTRACT AMOUNT

\$ 300,000.00

EXTRA WORK AUTHORIZATION _____ **THRU** _____

\$ -

NEW CONTRACT AMOUNT

\$ 300,000.00

TOTAL THIS INVOICE Thru 10/29/06

\$ 66,416.37

RETAINAGE @ _____ **0%**

\$ -

APPLIED

AMOUNT DUE

\$ 66,416.37

THANK YOU FOR YOUR BUSINESS!

MC-O CONSTRUCTION - AMOUNT DUE

Payroll Week Ending:

	11/5/2006	11/12/2006	11/19/2006	11/26/2006	TOTAL	
LABOR	8,030.58	9,706.16	11,867.76	7,604.44	37,208.94	
EQUIPMENT	1,885.58	300.00	4,654.33	1,075.76	7,915.67	
MATERIALS	2,658.65	780.00	7,157.50	14,222.96	24,819.11	
EDC TOTAL	12,574.81	10,786.16	23,679.59	22,903.16	69,943.72	AMOUNT DUE TO MC-O
MC-O TOTAL	13,474.05	10,942.16	25,111.09	25,891.19	75,418.49	
DIFFERENCE	(899.24)	(156.00)	(1,431.50)	(2,988.03)	(5,474.77)	

EDC TOTAL AMOUNT DUE	69,943.72
MC-O TOTAL AMOUNT DUE	75,418.49
DIFFERENCE	(5,474.77)

Prepared By: Carmelia Staley
 Date Prepared: 11/28/06
 Reviewed By:
 Date Reviewed:



409.736.0900 off.

409.736.0903 fax

Invoice No: 2597

Sold To: Port Arthur EDC
 PO Box 3934
 Port Arthur, TX. 77642

Date: 11.20.06

Remit To: Mc-O Construction
 P O Box 5306
 Port Arthur, TX 77640

Mc-O Project Number	Location	Terms	Purchase Order Number
100-06	2801 Hwy. 365 Port Arthur, TX.	Net 15 Days	
Client Contact	Project Name		Contract Number
Floyd Batiste	New Fab Shop		

ORIGINAL CONTRACT AMOUNT	<u>\$ 300,000.00</u>
EXTRA WORK AUTHORIZATION _____ THRU _____	<u>\$ -</u>
NEW CONTRACT AMOUNT	<u>\$ 300,000.00</u>
TOTAL THIS INVOICE Thru 11/05/06	<u>\$ 13,474.05</u>
RETAINAGE @ _____ 0%	<u>\$ -</u>
APPLIED	<u>\$ 66,416.37</u>
AMOUNT DUE	<u>\$ 13,474.05</u>

THANK YOU FOR YOUR BUSINESS!



409.736.0900 off.

409.736.0903 fax

Invoice No: 2598

Sold To: Port Arthur EDC
 PO Box 3934
 Port Arthur, TX. 77642

Date: 11.20.06

Remit To: Mc-O Construction
 P O Box 5306
 Port Arthur, TX 77640

Mc-O Project Number	Location	Terms	Purchase Order Number
100-06	2801 Hwy. 365 Port Arthur, TX.	Net 15 Days	
Client Contact	Project Name		Contract Number
Floyd Batiste	New Fab Shop		

ORIGINAL CONTRACT AMOUNT	<u>\$ 300,000.00</u>
EXTRA WORK AUTHORIZATION _____ THRU _____	<u>\$ -</u>
NEW CONTRACT AMOUNT	<u>\$ 300,000.00</u>
TOTAL THIS INVOICE Thru 11/12/06	<u>\$ 10,942.16</u>
RETAINAGE @ _____ 0%	<u>\$ -</u>
APPLIED	<u>\$ 79,890.42</u>
AMOUNT DUE	<u>\$ 10,942.16</u>

THANK YOU FOR YOUR BUSINESS!



409.736.0900 off.

409.736.0903 fax

Invoice No: 2599

Sold To: Port Arthur EDC
 PO Box 3934
 Port Arthur, TX. 77642

Date: 11.20.06

Remit To: Mc-O Construction
 P O Box 5306
 Port Arthur, TX 77640

Mc-O Project Number	Location	Terms	Purchase Order Number
100-06	2801 Hwy. 365 Port Arthur, TX.	Net 15 Days	
Client Contact	Project Name		Contract Number
Floyd Batiste	New Fab Shop		

ORIGINAL CONTRACT AMOUNT	<u>\$ 300,000.00</u>
EXTRA WORK AUTHORIZATION _____ THRU _____	<u>\$ -</u>
NEW CONTRACT AMOUNT	<u>\$ 300,000.00</u>
TOTAL THIS INVOICE Thru 11/19/06	<u>\$ 25,111.09</u>
RETAINAGE @ _____ 0%	<u>\$ -</u>
APPLIED	<u>\$ 90,832.58</u>
AMOUNT DUE	<u>\$ 25,111.09</u>

TOTAL THRU

THANK YOU FOR YOUR BUSINESS!

11-19-06

\$ 115,943.67



409.736.0900 off.

409.736.0903 fax

Invoice No: 2600

Sold To: Port Arthur EDC
 PO Box 3934
 Port Arthur, TX. 77642

Date: 11/27/2006

Remit To: Mc-O Construction
 P O Box 5306
 Port Arthur, TX 77640

Mc-O Project Number	Location	Terms	Purchase Order Number
100-06	2801 Hwy. 365 Port Arthur, TX.	Net 15 Days	
Client Contact	Project Name		Contract Number
Floyd Batiste	New Fab Shop		

ORIGINAL CONTRACT AMOUNT	<u>\$ 300,000.00</u>
EXTRA WORK AUTHORIZATION _____ THRU _____	<u>\$ -</u>
NEW CONTRACT AMOUNT	<u>\$ 300,000.00</u>
TOTAL THIS INVOICE Thru 11/26/06	<u>\$ 25,891.19</u>
RETAINAGE @ _____ 0%	<u>\$ -</u>
APPLIED	<u>\$ 115,943.67</u>
AMOUNT DUE	<u>\$ 25,891.19</u>

THANK YOU FOR YOUR BUSINESS!

JANA, NOW
 THRU 11-26-06
 \$ 141,834.86

EXCLUDING A FEW
 INVOICE TICKETS NOT
 RECEIVED YET.

EXHIBIT “B”

**MC-00, INC. D/B/A MC-O CONSTRUCTION'S
REAL PROPERTY IMPROVEMENTS AND FIXTURES**

Building Slab	\$68,578.00
Area Paving 200' X 200'	\$67,291.00
Building Estimated	\$58,755.00
Erect Building	\$48,576.00
Electrical	\$17,000.00
Land Behind Shop	\$21,000.00
Rest Room	\$2,500.00
Fence	\$7,996.00
Security System	\$3,988.00
Overhead Crane	\$19,500.00
TOTAL	\$315,184.00

OTHER EXPANSION PLANS-NOT FUNDED BY PAEDC GRANT

Six Pack Welder	\$32,000.00
4 Diesel Welder @ 5995.00	\$23,980.00
All Terrain Fork Lift	\$22,500.00
3 Rod Boxes	\$1,165.00
1-15 Ton Picker	\$180,000.00
Excavator 120	\$98,989.00
1 1/2 Ton Truck	\$29,000.00
40 Dove Tail	\$15,595.00
3 Generators	\$2,855.00
3 - 1/2 Ton Trucks	\$28,500.00
3" Water Pump	\$2,180.00
3 Air Compressors 185 CFM	\$19,500.00
TOTAL	\$456,264.00