

RESOLUTION NO. 07-287

**A RESOLUTION APPROVING THE PAYMENT OF AN INVOICE TO EXCAVATORS & CONSTRUCTORS, LTD. IN THE AMOUNT OF \$96,384.10 AND A TIME EXTENSION OF FOUR DAYS FOR THE JADE AVENUE EXTENSION CONSTRUCTION PROJECT AT THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION SPUR 93 BUSINESS PARK**

**WHEREAS**, the City Council approved Ordinance No. 04-61 and Resolution No. 05-163 pertaining to the approval and payment process of the City of Port Arthur Section 4A Economic Development Corporation; and

**WHEREAS**, On March 4, 2007 the Board of Directors of the City Port Arthur Section 4A Economic Development Corporation approved the contract for the construction of Jade Avenue Extension within the Business Park located at 9555 W. Port Arthur Road to Excavators & Constructors, Ltd. in the amount of \$245,459.85; and

**WHEREAS**, On March 20, 2007 the City Council approved Resolution 07-130 for the construction of Jade Avenue Extension within the Business Park located at 9555 W. Port Arthur road by Excavators & Constructors, Ltd. in the amount of \$245,459.85; and

**WHEREAS**, the invoice of \$96,384.10 and time extension denoted in Exhibit "A" was approved by the Economic Development Corporation Board of Directors at its June 13, 2007 regular meeting.

**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 invoice attached as Exhibit "A" (\$96,384.10) is hereby approved to be paid by the City of Port Arthur Section 4A Economic Development Corporation and the time extension of four days is approved.

**Section 3.** That a copy of the caption of the Resolution be spread upon the Minutes of the City Council.

**READ, ADOPTED AND APPROVED ON THE** 19<sup>th</sup> day of June  
A.D. 2007, at a Regular Meeting of the City Council of the City of Port Arthur, Texas by

the following vote: AYES:

Mayor Ortiz; 4 Mayor Pro Tem Sinegal;  
City Council Chatman, Jones, Henderson,  
Williamson and Price.

NOES:

None.

Oscar S. Ortiz  
OSCAR ORTIZ, MAYOR

Attest:

Evangelina Green  
EVANGELINE GREEN, CITY SECRETARY

APPROVED:

Floyd Batiste  
FLOYD BATISTE, EDC CEO

APPROVED AS TO FORM:

Val Sokołow  
MARK T. SOKOLOW, CITY ATTORNEY

(ON BEHALF OF)

# **EXHIBIT “A”**



**CONTRACT FOR CONSTRUCTION OF  
JADE AVENUE EXTENSION  
TO SERVE  
PORT ARTHUR ECONOMIC DEVELOPMENT CORPORATION**

RECEIVED JUN 05 2007

<b>OWNER:</b> Port Arthur EDC 4173 39th Street P.O. Box 3934 Port Arthur, Texas 77641	<b>CONTRACTOR:</b> Excavators & Constructors, Ltd. 8869 S. Hwy 69 Port Arthur, Texas 77640
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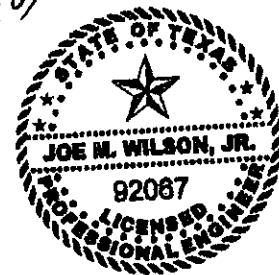
A&G Job No.	EDC-030
A&G Construction Phase No.	EDC-031
Monthly Estimate No.	1
Contract Amount	\$ 245,459.85
Total Contract Amount to Date:	\$ 245,459.85
Amount Placed to Date:	\$ 101,456.95
Material on Hand Not in Place:	\$ -
Subtotal:	\$ 101,456.95
Less 5% Retainage:	\$ 5,072.85
Balance:	\$ 96,384.10
Less Amounts on Previous Estimates:	\$ -
<b>TOTAL AMOUNT DUE THIS ESTIMATE</b>	<b>\$ 96,384.10</b>

Date:	June 5, 2007
Estimate Period:	5/1/2007 - 5/31/2007
Contract Date:	April 5, 2007
Notice to Proceed:	April 30, 2007
Contract Time:	60 Calendar Days
Approved Time Extensions:	4 Days
Revised Contract Time:	64 Calendar Days
Days to Date:	31 Days
Original Completion Date:	June 28, 2007
* Revised Completion Date:	July 2, 2007
Percent Time Used:	48%
Percent Complete:	41%

\* Includes requested time extension not yet approved by EDC.

Recommended for Approval:

*Flayel*  
*6/6/07*



*[Signature]*  
JOE M. WILSON, JR., P.E.

6-5-07

[SEAL]



RECEIVED JUN 05 2007

# Memo

**To:** Floyd Batiste  
**From:** Joe M. Wilson, Jr., PE  
**CC:** Project File  
**Date:** 6-5-07  
**Email:**  
**Fax:**  
**Re:** JADE AVENUE EXTENSION  
**Job:** EDC-030

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Floyd,

Attached is the Monthly Estimate No.1 for the Jade Avenue Extension Project. Also included is the Contractors request for contract extension due to weather delays. I recommend approval of the additional time due to the weather delays. I have included this time extension in monthly estimate. Please contact me if you have any questions or require further information.