

RESOLUTION NO. 08-075

A RESOLUTION APPROVING AWARDING A BID BY THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR CONSTRUCTION OF JADE AVENUE EXTENSION OUTSIDE THE PORT ARTHUR BUSINESS PARK LOCATED AT 9555 W. PORT ARTHUR ROAD TO HWY 365

WHEREAS, on January 6, 2008 and January 13, 2008, the City of Port Arthur Section 4A Economic Development Corporation advertised for bids for the construction of Jade Avenue; and

WHEREAS, bids were opened on January 30, 2008; and

WHEREAS, bids were received from Triple B Services, L.P., APAC-Texas, Inc., Excavators and Constructors, Allco, Ltd., and Simco Ent. Ltd.; and

WHEREAS, the bid tabulation is attached hereto, as Exhibit "A"; and

WHEREAS, the bid of Triple B Services is attached hereto Exhibit "B"; and

WHEREAS, Triple B Services submitted a letter, attached as Exhibit "C", as to their discrepancy in their bid as to Line Item #37; and

WHEREAS, due to Triple B Services using the words "fifty four hundred dollars and no/cents" on Item #37 as to the unit cost of relocating the sanitary sewer force main, their total bid was readjusted from \$2,229,206.75 to \$3,260,984.75; and

WHEREAS, this adjustment is due to the requirements as listed in the bid documents that "In case of a discrepancy, the amount shown in words shall govern"; and

WHEREAS, APAC submitted a bid for \$2,508,682.55, a copy of which is attached hereto as Exhibit "D"; and

WHEREAS, Excavators submitted a bid for \$2,509,381.78, a copy of which is attached hereto as Exhibit "E", and is within 5% of the bid amount of APAC; and

WHEREAS, Arceneaux & Gates made a recommendation to the EDC Board of Directors as denoted in Exhibit "F"; and

WHEREAS, on February 13, 2008, the Board of Directors of the City Port Arthur Section 4A Economic Development Corporation approved the bid for the construction of Jade Avenue Extension outside the Port Arthur Business Park located at 9555 W. Port Arthur road to Hwy 365 to APAC-Texas, Inc., by a vote of 6 to 1 vote, in the amount of \$2,508,682.55; and

WHEREAS, Excavators, a Port Arthur contractor, has requested reconsideration as per their letter attached hereto as Exhibit "G"; and

WHEREAS, pursuant to Section 271.9051 of the Local Government Code, the City and its affiliated entities can award a contract to a local bidder if the bid is within 5% of the lowest bid price, and whose principle place of business is within the City of Port Arthur if the City Council determines in writing that the local bidder offers the City of Port Arthur or its affiliates the best combination of contract price and additional economic development opportunities for the City of Port Arthur created by the contract award, including the employment of Port Arthur residents and increased tax revenues to the City; and.

WHEREAS, pursuant to Section 8.19 of the bylaws, the City Port Arthur Section 4A Economic Development Corporation has to submit projects to the City Council for review and approval; and

WHEREAS, Arceneaux & Gates has submitted a letter attached as Exhibit "H" that (1) he has reviewed the planned route of the proposed road and the project is within easements that either the City or the EDC has possession of, (2) that he has consulted with the Mamie McFaddin Ward Heritage Foundation as to the design of the project and has placed the culverts and fire hydrants as they requested and (3) that he is satisfied that the existing designs meet City specifications.

**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 City Council authorized the City Port Arthur Section 4A Economic Development Corporation to award a bid to _____ for the construction of Jade Avenue Extension outside the Business Park located at 9555 W. Port Arthur road to Hwy 365 in the amount of up to \$_____.

Section 3. That the award is based on a finding that _____ offers the City and its affiliated entities the best combination of contract price and additional economic development opportunities for the City created by the contract award, including the employment of Port Arthur residents and increased tax revenues to the City.

Section 4. That the President and Secretary of the EDC, after obtaining approval from the EDC Board of Directors, is herein authorized to sign the contract documents, attached hereto in substantially the same form as Exhibit "I", with _____ as the contractor with the bid as submitted by said contractor.

Section 5. That a copy of the caption of this Resolution be spread upon the Minutes of the City Council.

READ, ADOPTED AND APPROVED on the 26th day of February

A.D. 2008, at a Regular Meeting of the City Council of the City of Port Arthur, Texas by

the following vote: AYES: Mayor: Prince;

City Council: Mayor Pro Tem Vinegar; Chairman Jones, Henderson, Flood, Williamson and Lewis.

NOES: None.

Deloris Prince
DELORIS PRINCE, MAYOR

~~ATTEST:~~
Levi Fanks
ACTING CITY SECRETARY

~~APPROVED:~~
Floyd Batiste
FLOYD BATISTE, EDC CEO

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

Guy Goodson
GUY GOODSON, EDC ATTORNEY

EXHIBIT "A"



ARCENEAUX
&
GATES
CONSULTING
ENGINEERS, INC.

BID TABULATION

For The

Jade Avenue Extension Phase II

Port Arthur Economic Development Corporation

Job No. EDC-070

BIDS OPENED: January 30, 2006 at 3:15 P.M.

W

Triple B Services, LLP			APAC-Texas Inc.			Excavators & Constructors			ALLCO, LTD.			SIMCO Ent., Ltd.		
Base Bid Items Phase I			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1.	Mobilization	1	\$ 20,000.00	\$ 20,000.00	\$ 179,000.00	\$ 179,000.00	\$ 111,940.00	\$ 111,940.00	\$ 263,900.00	\$ 263,900.00	\$ 45,000.00	\$ 45,000.00		
2.	Cleaning and Grubbing	32.53	\$ 875.00	\$ 28,463.75	\$ 1,535.00	\$ 49,933.55	\$ 1,066.00	\$ 34,676.98	\$ 6,000.00	\$ 195,180.00	\$ 307.41	\$ 10,000.00		
3.	Silt Control Fencing	6435	\$ 1.20	\$ 7,722.00	\$ 3.00	\$ 19,305.00	\$ 3.50	\$ 22,522.50	\$ 3.00	\$ 19,305.00	\$ 2.60	\$ 16,731.00		
4.	Roadway Excav/Sta Grade 100' ROW	25.09	\$ 3,800.00	\$ 95,342.00	\$ 5,500.00	\$ 137,995.00	\$ 6,742.00	\$ 169,156.78	\$ 3,000.00	\$ 75,270.00	\$ 3,854.00	\$ 96,696.84		
5.	Roadway Excav/Sta Grade 70' ROW	7.44	\$ 8,800.00	\$ 65,472.00	\$ 3,900.00	\$ 29,016.00	\$ 18,788.00	\$ 139,782.72	\$ 11,000.00	\$ 81,840.00	\$ 3,854.00	\$ 96,696.84		
6.	8" Compacted Subgrade	14648	\$ 0.20	\$ 2,929.60	\$ 1.00	\$ 14,648.00	\$ 1.10	\$ 16,112.80	\$ 1.25	\$ 18,310.00	\$ 5.50	\$ 80,564.00		
7.	Lime for Subgrade Stabilization	316	\$ 150.00	\$ 47,400.00	\$ 150.00	\$ 47,400.00	\$ 154.00	\$ 48,664.00	\$ 160.00	\$ 50,560.00	\$ 145.00	\$ 45,820.00		
8.	Manipulation of Lime	14648	\$ 1.90	\$ 27,831.20	\$ 2.00	\$ 29,296.00	\$ 4.30	\$ 62,986.40	\$ 2.75	\$ 40,282.00	\$ 7.00	\$ 102,536.00		
9.	Channel Excavation	13.76	\$ 1,900.00	\$ 26,144.00	\$ 1,200.00	\$ 16,512.00	\$ 1,171.00	\$ 16,112.96	\$ 2,350.00	\$ 32,336.00	\$ 1,180.00	\$ 16,236.80		
10.	Protective Slabs	504	\$ 45.00	\$ 22,680.00	\$ 95.00	\$ 47,880.00	\$ 111.50	\$ 56,196.00	\$ 140.00	\$ 70,560.00	\$ 71.50	\$ 36,036.00		
11.	8" Class "P" Concrete Pavement	13142	\$ 43.90	\$ 576,933.80	\$ 43.00	\$ 566,106.00	\$ 45.70	\$ 600,589.40	\$ 42.60	\$ 559,849.20	\$ 40.00	\$ 525,680.00		
12.	13" Class "P" Concrete Pavement	86	\$ 82.50	\$ 7,095.00	\$ 350.00	\$ 30,100.00	\$ 134.15	\$ 11,536.90	\$ 265.00	\$ 22,790.00	\$ 80.00	\$ 6,880.00		
13.	6" Upright Curb	6292	\$ 2.60	\$ 16,359.20	\$ 3.00	\$ 18,876.00	\$ 3.65	\$ 22,965.80	\$ 3.35	\$ 21,078.20	\$ 6.00	\$ 37,752.00		
14.	Pavement Markings	32.53	\$ 900.00	\$ 29,277.00	\$ 900.00	\$ 29,277.00	\$ 913.00	\$ 29,699.89	\$ 1,000.00	\$ 32,530.00	\$ 985.00	\$ 32,042.05		
15.	Signage	1	\$ 5,250.00	\$ 5,250.00	\$ 6,600.00	\$ 6,600.00	\$ 6,630.00	\$ 6,630.00	\$ 7,325.00	\$ 7,325.00	\$ 10,000.00	\$ 10,000.00		
16.	Design of Trench Safety	1	\$ 2,500.00	\$ 2,500.00	\$ 1,200.00	\$ 1,200.00	\$ 720.00	\$ 720.00	\$ 1,125.00	\$ 1,125.00	\$ 1,500.00	\$ 1,500.00		
17.	Trench Safety System	2901	\$ 0.20	\$ 580.20	\$ 2.00	\$ 5,802.00	\$ 0.10	\$ 290.10	\$ 1.15	\$ 3,336.15	\$ 1.00	\$ 2,901.00		
18.	Type "C" Storm Sewer Manhole	2	\$ 10,250.00	\$ 20,500.00	\$ 15,500.00	\$ 31,000.00	\$ 3,575.00	\$ 7,150.00	\$ 10,400.00	\$ 20,800.00	\$ 4,500.00	\$ 9,000.00		
19.	Type "C" Storm Sewer Inlet (Offset)	14	\$ 3,450.00	\$ 48,300.00	\$ 2,700.00	\$ 37,800.00	\$ 2,600.00	\$ 36,400.00	\$ 5,575.00	\$ 78,050.00	\$ 4,500.00	\$ 9,000.00		
20.	Type "C" Storm Sewer Inlet (Mod Offset)	10	\$ 4,100.00	\$ 41,000.00	\$ 2,700.00	\$ 27,000.00	\$ 2,120.00	\$ 21,200.00	\$ 3,900.00	\$ 39,000.00	\$ 5,000.00	\$ 50,000.00		


		Triple B Services, LLP		APAC-Texas Inc.		Excavators & Constructors		ALLCO, LTD.		SIMCO Ent., Ltd.		
21.	7'X2' RCB Culvert	192	\$ 295.00	\$ 56,640.00	\$ 370.00	\$ 71,040.00	\$ 308.00	\$ 59,136.00	\$ 325.00	\$ 62,400.00	\$ 550.00	\$ 105,600.00
22.	6'X2' RCB Culvert	463	\$ 210.00	\$ 97,230.00	\$ 310.00	\$ 143,530.00	\$ 245.65	\$ 113,735.95	\$ 265.00	\$ 122,695.00	\$ 381.00	\$ 176,403.00
23.	5'X3' RCB Culvert	437	\$ 245.00	\$ 107,065.00	\$ 275.00	\$ 120,175.00	\$ 239.50	\$ 104,661.50	\$ 300.00	\$ 131,100.00	\$ 395.00	\$ 172,615.00
24.	5'X2' RCB Culvert	238	\$ 190.00	\$ 45,220.00	\$ 235.00	\$ 55,930.00	\$ 228.40	\$ 54,359.20	\$ 250.00	\$ 59,500.00	\$ 380.00	\$ 90,440.00
25.	4'X2' RCB Culvert	450	\$ 160.00	\$ 72,000.00	\$ 200.00	\$ 90,000.00	\$ 185.15	\$ 83,317.50	\$ 230.00	\$ 103,500.00	\$ 375.00	\$ 168,750.00
26.	3'X3' RCB Culvert	282	\$ 165.00	\$ 46,530.00	\$ 190.00	\$ 53,580.00	\$ 188.90	\$ 53,269.80	\$ 230.00	\$ 64,860.00	\$ 350.00	\$ 98,700.00
27.	3'X2' RCB Culvert	212	\$ 150.00	\$ 31,800.00	\$ 195.00	\$ 41,340.00	\$ 180.45	\$ 38,255.40	\$ 170.00	\$ 36,040.00	\$ 360.00	\$ 76,320.00
28.	48" RCP C-76	43	\$ 380.00	\$ 16,340.00	\$ 460.00	\$ 19,780.00	\$ 367.20	\$ 15,789.60	\$ 270.00	\$ 11,610.00	\$ 232.00	\$ 9,976.00
29.	36" RCP C-76	159	\$ 125.00	\$ 19,875.00	\$ 145.00	\$ 23,055.00	\$ 121.10	\$ 19,254.90	\$ 168.00	\$ 26,712.00	\$ 200.00	\$ 31,800.00
30.	24" RCP C-76	875	\$ 66.00	\$ 57,750.00	\$ 68.00	\$ 59,500.00	\$ 83.00	\$ 72,625.00	\$ 100.00	\$ 87,500.00	\$ 150.00	\$ 131,250.00
31.	24" RCP C-76 with S.E.T.	74	\$ 145.00	\$ 10,730.00	\$ 165.00	\$ 12,210.00	\$ 115.85	\$ 8,572.90	\$ 116.00	\$ 8,584.00	\$ 185.00	\$ 13,690.00
32.	6'X2' to 4'X2' RCB Culvert Transition	1	\$ 1,700.00	\$ 1,700.00	\$ 3,600.00	\$ 3,600.00	\$ 80.00	\$ 80.00	\$ 250.00	\$ 250.00	\$ 7,000.00	\$ 7,000.00
33.	5'X3' to 5'X2' RCB Culvert Transition	1	\$ 1,900.00	\$ 1,900.00	\$ 3,600.00	\$ 3,600.00	\$ 75.00	\$ 75.00	\$ 250.00	\$ 250.00	\$ 7,000.00	\$ 7,000.00
34.	5'X2' to 4'X2' RCB Culvert Transition	1	\$ 1,300.00	\$ 1,300.00	\$ 3,600.00	\$ 3,600.00	\$ 100.00	\$ 100.00	\$ 250.00	\$ 250.00	\$ 7,000.00	\$ 7,000.00
35.	4'X2' to 3'X2' RCB Culvert Transition	1	\$ 1,800.00	\$ 1,800.00	\$ 3,600.00	\$ 3,600.00	\$ 80.00	\$ 80.00	\$ 250.00	\$ 250.00	\$ 6,000.00	\$ 6,000.00
36.	5'X3' 25 Degree Bend	1	\$ 2,500.00	\$ 2,500.00	\$ 3,600.00	\$ 3,600.00	\$ 75.00	\$ 75.00	\$ 1,950.00	\$ 1,950.00	\$ 10,000.00	\$ 10,000.00
37.	Relocate Sanitary Sewer Force Main	193	\$ 5,400.00	\$ 1,042,200.00	\$ 72.00	\$ 13,896.00	\$ 36.60	\$ 7,063.80	\$ 24.00	\$ 4,632.00	\$ 55.00	\$ 10,615.00
38.	Adjust Sanitary Sewer Manhole	1	\$ 500.00	\$ 500.00	\$ 1,600.00	\$ 1,600.00	\$ 2,800.00	\$ 2,800.00	\$ 365.00	\$ 365.00	\$ 1,000.00	\$ 1,000.00
39.	Seeding	6	\$ 1,400.00	\$ 8,400.00	\$ 400.00	\$ 2,400.00	\$ 1,122.00	\$ 6,732.00	\$ 420.00	\$ 2,520.00	\$ 500.00	\$ 3,000.00
40.	Bridge Structure	1	\$ 510,000.00	\$ 510,000.00	\$ 410,000.00	\$ 410,000.00	\$ 428,200.00	\$ 428,200.00	\$ 348,000.00	\$ 348,000.00	\$ 504,000.00	\$ 504,000.00
Total Base Bid Items			\$ 3,223,259.75	\$ 510,000.00	\$ 410,000.00	\$ 2,459,782.55	\$ 428,200.00	\$ 2,483,516.78	\$ 348,000.00	\$ 2,706,394.55	\$ 504,000.00	\$ 2,848,208.52

		Triple B Services, LLP				APAC-Texas Inc.				Excavators & Constructors				ALLCO, LTD.				SIMCO Ent., Ltd.			
Supplemental Items		QTY.	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount					
41.	Extra Reinforcing Steel	500	\$ 0.75	\$ 375.00	\$ 0.80	\$ 400.00	\$ 0.75	\$ 375.00	\$ 0.75	\$ 375.00	\$ 0.75	\$ 375.00	\$ 0.75	\$ 375.00	\$ 0.75	\$ 375.00					
42.	Extra Class "A" Concrete	5	\$ 200.00	\$ 1,000.00	\$ 450.00	\$ 2,250.00	\$ 150.00	\$ 750.00	\$ 150.00	\$ 750.00	\$ 150.00	\$ 750.00	\$ 150.00	\$ 750.00	\$ 150.00	\$ 750.00					
43.	Extra Cement Stabilized Sand	10	\$ 35.00	\$ 350.00	\$ 105.00	\$ 1,050.00	\$ 38.00	\$ 380.00	\$ 35.00	\$ 350.00	\$ 30.00	\$ 300.00	\$ 30.00	\$ 300.00	\$ 30.00	\$ 300.00					
Total Supplemental Items			\$	1,725.00	\$	3,700.00	\$	1,505.00	\$	1,475.00	\$	1,425.00	\$	1,425.00	\$	1,425.00					

Alternate Items	QTY.	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
44. Concrete Curbed Driveways	4	\$ 3,500.00	\$ 14,000.00	\$ 4,000.00	\$ 16,000.00	\$ 2,574.00	\$ 10,296.00	\$ 2,500.00	\$ 10,000.00	\$ 7,800.00	\$ 31,200.00
45. Test Pile 16"X16"X44'	1	\$ 5,000.00	\$ 5,000.00	\$ 18,000.00	\$ 18,000.00	\$ 4,488.00	\$ 4,488.00	\$ 14,000.00	\$ 14,000.00	\$ 6,000.00	\$ 6,000.00
46. Fir Hydrant Assembly with Lead	2	\$ 8,500.00	\$ 17,000.00	\$ 5,600.00	\$ 11,200.00	\$ 4,788.00	\$ 9,576.00	\$ 5,000.00	\$ 10,000.00	\$ 3,500.00	\$ 7,000.00
Total Alternate Items			\$ 36,000.00		\$ 45,200.00		\$ 24,360.00		\$ 34,000.00		\$ 44,200.00

Total Amount Bid	\$ 3,260,984.75	\$ 2,508,682.55	\$ 2,509,381.78	\$ 2,741,869.55	\$ 2,893,833.52
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INDICATES MATHEMATICAL ERROR IN BID



 Ronald J. Arceneaux, PE
 ARCENEAUX & SATES CONSULTING ENGINEERS, INC.
 2-5-08

EXHIBIT "B"

BID

TO: Port Arthur Economic Development Corporation
4173 39th Street
P.O. Box 3934
City of Port Arthur, Texas 77642

Proposal of Triple B Services, L.L.P. (hereinafter called "BIDDER"), organized and existing under the laws of the State of Texas, doing business as * a Partnership, and acting by and through Arceneaux & Gates to the Port Arthur Economic Development Corporation, (hereinafter called "OWNER").

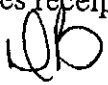
In compliance with your Advertisement for Bids, BIDDER hereby proposes to perform all work for the construction of JADE AVENUE EXTENSION, PHASE II in strict accordance with the Contract Documents, within the time set forth in the Notice to Proceed and at the prices stated below, and Bidder shall enter into Contract for same within the time specified in Contract Documents.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID, each party thereto certifies as to his own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this Contract on or before a date to be specified in the Notice to Proceed and to fully complete the PROJECT within 365 consecutive calendar days specified in the Notice to Proceed, including, but not limited to, all Saturdays, Sundays, and Federal, State, and City holidays thereafter. BIDDER further agrees to pay as liquidated damages, the sum of \$ 500.00 for each consecutive calendar day thereafter including, but not limited to, all Saturdays, Sundays, and Federal, State and City holidays as provided in Section 51 of the General Conditions.

Enclosed is bid security as required.

BIDDER acknowledges receipt of the following ADDENDUM:

#1 rec'd 1/25/08 

BIDDER agrees to perform all the work described in the Contract Documents for the following unit prices or lump sum:

**Insert "a corporation," "a partnership," or "an individual" as applicable.*

Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
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6.	14648	S.Y.	8-Inch Compacted Subgrade, Complete in Place. @ <u>no dollars & twenty cents</u> Per Square Yard	\$ <u>0.20</u>	\$ <u>2929.60</u>
7.	316	TON	Lime for Subgrade Stabilization, Complete in Place. @ <u>One hundred fifty dollars & no cents</u> Per Ton	\$ <u>150.⁰⁰</u>	\$ <u>47400.⁰⁰</u>
8.	14648	S.Y.	Manipulation of Lime, When Approved by Engineer, Complete in Place. @ <u>One dollar & ninety cents</u> Per Square Yard	\$ <u>1.90</u>	\$ <u>27831.20</u>
9.	13.76	STA.	Channel Excavation (Station Grading), Complete in Place. @ <u>Nineteen hundred dollars & no cents</u> Per Station	\$ <u>1900.⁰⁰</u>	\$ <u>26144.⁰⁰</u>
10.	504	SY	Protective Slabs at Pipeline Crossings (Stations 11+12 and 24+59), Class A Concrete, Complete in Place. @ <u>Forty five dollars & no cents</u> Per Square Yard	\$ <u>45.⁰⁰</u>	\$ <u>22680.⁰⁰</u>
11.	13142	S.Y.	8-Inch Class "P" Reinforced Concrete Pavement, Complete in Place. @ <u>Forty three dollars & ninety cents</u> Per Square Yard	\$ <u>43.90</u>	\$ <u>576933.80</u>

Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
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18.	2	EA.	Type "C" Storm Sewer Manhole, Complete in Place. @ <u>Ten thousand two hundred fifty dollars & no cents</u> Per Each	\$ <u>10250.⁰⁰</u>	\$ <u>20500.⁰⁰</u>
19.	14	EA.	Type "C" Storm Sewer Inlet (Offset), Complete in Place. @ <u>Thirty four hundred fifty dollars & no cents</u> Per Each	\$ <u>3450.⁰⁰</u>	\$ <u>48300.⁰⁰</u>
20.	10	EA.	Type "C" Storm Sewer Inlet (Modified Offset), Complete in Place. @ <u>Forty one hundred dollars & no cents</u> Per Each	\$ <u>4100.⁰⁰</u>	\$ <u>41000.⁰⁰</u>
21.	192	L.F.	7' X 2' Reinforced Concrete Box Culvert, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Two hundred ninety five dollars & no cents</u> Per Linear Foot	\$ <u>295.⁰⁰</u>	\$ <u>56640.⁰⁰</u>
22.	463	L.F.	6' X 2' Reinforced Concrete Box Culvert, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Two hundred ten dollars & no cents</u> Per Linear Foot	\$ <u>210.⁰⁰</u>	\$ <u>97230.⁰⁰</u>
23.	437	L.F.	5' X 3' Reinforced Concrete Box Culvert, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Two hundred forty five dollars & no cents</u> Per Linear Foot	\$ <u>245.⁰⁰</u>	\$ <u>107065.⁰⁰</u>

Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
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29.	159	L.F.	36-Inch Reinforced Concrete Pipe, C-76, with Required Bedding and Backfill, Complete in Place. @ <u>One hundred twenty five dollars & no cents</u> Per Linear Foot	\$ <u>125.⁰⁰</u>	\$ <u>19875.⁰⁰</u>
30.	875	L.F.	24-Inch Reinforced Concrete Pipe, C-76, Class III with Required Bedding and Backfill, Complete in Place. @ <u>Sixty six dollars & no cents</u> Per Linear Foot	\$ <u>66.⁰⁰</u>	\$ <u>57750.⁰⁰</u>
31.	74	L.F.	24-Inch Reinforced Concrete Pipe with Safety End Treatments (under Driveway Turnouts), C-76, Class III with Required Bedding and Backfill, Complete in Place. @ <u>One hundred forty five dollars & no cents</u> Per Linear Foot	\$ <u>145.⁰⁰</u>	\$ <u>10730.⁰⁰</u>
32.	1	EA.	6' X 2' to 4' X 2' Reinforced Concrete Box Culvert Transition, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Seventeen hundred dollars & no cents</u> Per Each	\$ <u>1700.⁰⁰</u>	\$ <u>1700.⁰⁰</u>
33.	1	EA.	5' X 3' to 5' X 2' Reinforced Concrete Box Culvert Transition, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Nineteen hundred dollars & no cents</u> Per Each	\$ <u>1900.⁰⁰</u>	\$ <u>1900.⁰⁰</u>

Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
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39.	6	AC.	Seeding, Complete in Place. @ <u>Fourteen hundred</u> <u>dollars & no cents</u> Per Acre	\$ <u>1400.⁰⁰</u>	\$ <u>8400.⁰⁰</u>
40.	1	L.S.	Bridge Structure from Station 23 + 79.59 to Station 24 + 48.59, including but not limited to Piling, Drill Shafts, Box Beams, Bents, Abutments, T502 Guard Rail, Armor Joint, Keyways, Concrete Rip-Rap, Concrete, Concrete Surface Treatment, Metal Beam Grade Fence, Complete in Place. @ <u>Five hundred ten</u> <u>thousand dollars & no</u> Per Lump Sum <u>Cents</u>	\$ <u>510000.⁰⁰</u>	\$ <u>510000.⁰⁰</u>

TOTAL BASE BID ITEMS

\$ 2,191,481.75

SUPPLEMENTAL ITEMS

41.	500	LB.	Extra Reinforcing Steel, Complete in Place. @ <u>no dollars & seventy</u> <u>five cents</u> Per Pound	\$ <u>0.75</u>	(\$0.75)* \$ <u>375.⁰⁰</u>
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Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
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45.	1	EA.	Test Pile, 16"x 16" by 44' Long, as per TxDOT Standards and Procedures, Complete in Place. @ <u>Five thousand dollars</u> <u>\$ no cents</u> Per Each	\$ <u>5000.⁰⁰</u>	\$ <u>5000.⁰⁰</u>
46.	2	EA.	Fire Hydrant Assemblies with lead including all fittings, valves, piping and appurtenances, (Centerline Stations 9+00 and 17+00) Complete in Place. @ <u>Eighty five hundred</u> <u>dollars \$ no cents</u> Per Each	\$ <u>8500.⁰⁰</u>	\$ <u>17000.⁰⁰</u>

TOTAL ALTERNATE ITEMS \$ 36,000.⁰⁰

TOTAL SUPPLEMENTAL ITEMS \$ 1725.⁰⁰

TOTAL BASE BID ITEMS \$ 2191,481.75

TOTAL AMOUNT BID \$ 2,229,206.75

**Figures in parentheses represent minimum unit prices for Supplemental Items described in Section H, Page H-1A, Paragraph H.*

**PORT ARTHUR ECONOMIC DEVELOPMENT CORPORATION
EXCEPTION / APPROVED EQUAL REQUEST**

[Please submit this form for each exception/approved equal]

VENDOR: _____ TELEFAX: _____

PROJECT: _____

PAGE: _____ of _____ PARAGRAPH: _____

SUBJECT: _____

REQUEST:

Signature

.....
PORT ARTHUR ECONOMIC DEVELOPMENT CORPORATION

APPROVED: _____ DISAPPROVED: _____ CLARIFICATION: _____

REMARKS:

Signature

PORT ARTHUR ECONOMIC DEVELOPMENT CORPORATION

AFFIDAVIT

[RETURN THIS AFFIDAVIT AS PART OF THE BID PROPOSAL]

All pages in offer's bid proposal containing statements, letters, etc., shall be signed by a duly authorized Officer of the company, whose signature is binding on the Bid Proposal.

The Undersigned offers and agrees to one of the following:

 X I hereby certify that I do not have outstanding debts with the City of Port Arthur. Further, I agree to pay succeeding debts as they become due during this agreement.

 I hereby certify that I do have outstanding debts with the City of Port Arthur and agree to pay said debts prior to execution of this Agreement.

 I hereby certify that I do have outstanding debts with the City of Port Arthur and agree to enter into an agreement for the payment of said debts. I further agree to pay succeeding debts as they become due.

NAME OF OFFERER: Triple B Services, L.L.P.

TITLE: Sr. Project Administrator

ADDRESS: 820 Old Atascocita Rd.

CITY/STATE/ZIP: Huffman, TX 77336

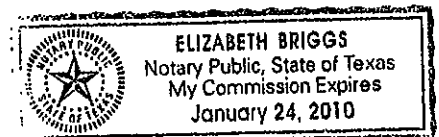
TELEPHONE NUMBER: 281-324-3264

SIGNATURE: Donna Burke

SUBSCRIBED AND SWORN to before me by the above named Donna Burke
on this the 30th day of January, 2008.

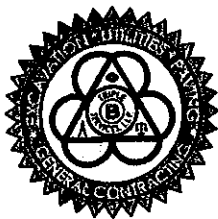
Notary Public in and for the State of Texas

Elizabeth Briggs
Signature



1/24/10
My Commission Expires:

EXHIBIT "C"



TRIPLE B SERVICES, L.L.P.

Since 1996

SITE PREP

..

EXCAVATION

..

PAVING

..

UTILITIES

February 5th, 2008

Arceneaux & Gates Consulting Engineers, Inc.
Mr. Ron Arceneaux, P.E.
3501 Turtle Creek Drive, Suite 102
Port Arthur, Texas 77642

Ref: Jade Avenue Extension – Phase II – Project# EDC-070 – Contract 1

Dear Mr. Arceneaux and PAEDC Board,

Triple B Services, LLP submitted a responsive bid proposal for the referenced project and were deemed apparent low bidder by an amount exceeding \$268,000.00. As you are aware, during the bid tabulation a discrepancy was discovered in bid ITEM#37 in that the written words conflict with the written numeral.

Please allow this letter to serve as Triple B Services, LLP sworn affidavit that our intent was that ITEM#37 be FIFTY-FOUR DOLLARS & NO CENTS per lineal foot with a total for this bid item of TEN-THOUSAND FOUR HUNDRED TWENTY TWO DOLLARS & NO CENTS.

Triple B Services, LLP is prepared to supply the required bonds and to dutifully, expediently and professionally complete the project per the contract specifications. Please accept our bid as the most responsive and advantageous for the Port Arthur Economic Development Corporation.

Best Regards,

Keith Burke

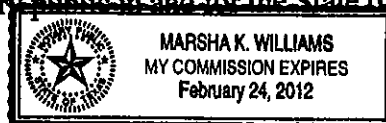
Keith Burke
President / Managing Partner

SWORN TO AND SUBSCRIBED BEFORE ME, on this 5th day of February, 2008, to certify which witness my hand and seal of office.

Marsha K. Williams
Notary public in and for the State of Texas

My Commission Expires:

Feb. 24, 2012



Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
34.	1	EA.	5' X 2' to 4' X 2' Reinforced Concrete Box Culvert Transition, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Thirteen hundred dollars & no cents</u> Per Each	\$ <u>1300.⁰⁰</u>	\$ <u>1300.⁰⁰</u>
35.	1	EA.	4' X 2' to 3' X 2' Reinforced Concrete Box Culvert Transition, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Eighteen hundred dollars & no cents</u> Per Each	\$ <u>1800.⁰⁰</u>	\$ <u>1800.⁰⁰</u>
36.	1	EA.	5' X 3' Reinforced Concrete Box Culvert 25 Degree Turn, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Twenty five hundred dollars & no cents</u> Per Each	\$ <u>2500.⁰⁰</u>	\$ <u>2500.⁰⁰</u>
37.	193	L.F.	Relocate 8" SDR-26 PVC Sanitary Sewer Force Main, Complete in Place. @ <u>Fifty four hundred dollars & no cents</u> Per Linear Foot	<i>Kevin Burke</i> 2/5/08 \$ <u>54.⁰⁰</u>	\$ <u>10422.⁰⁰</u>
38.	1	L.S.	Adjust Sanitary Sewer Manhole Rim Elevation (or Replace) at Centerline Station 31 + 76.64, Complete in Place. @ <u>Five hundred dollars & no cents</u> Per Lump Sum	\$ <u>500.⁰⁰</u>	\$ <u>500.⁰⁰</u>



Marsha K. Williams

EXHIBIT "D"

BID

TO: Port Arthur Economic Development Corporation
4173 39th Street
P.O. Box 3934
City of Port Arthur, Texas 77642

Proposal of APAC-Texas, Inc. (hereinafter called "BIDDER"), organized and existing under the laws of the State of Delaware, doing business as * Corporation, and acting by and through _____ to the Port Arthur Economic Development Corporation, (hereinafter called "OWNER").

In compliance with your Advertisement for Bids, BIDDER hereby proposes to perform all work for the construction of JADE AVENUE EXTENSION, PHASE II in strict accordance with the Contract Documents, within the time set forth in the Notice to Proceed and at the prices stated below, and Bidder shall enter into Contract for same within the time specified in Contract Documents.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID, each party thereto certifies as to his own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this Contract on or before a date to be specified in the Notice to Proceed and to fully complete the PROJECT within 365 consecutive calendar days specified in the Notice to Proceed, including, but not limited to, all Saturdays, Sundays, and Federal, State, and City holidays thereafter. BIDDER further agrees to pay as liquidated damages, the sum of \$ 500.00 for each consecutive calendar day thereafter including, but not limited to, all Saturdays, Sundays, and Federal, State and City holidays as provided in Section 51 of the General Conditions.

Enclosed is bid security as required.

BIDDER acknowledges receipt of the following ADDENDUM:

#1 Dated 1-23-2008

BIDDER agrees to perform all the work described in the Contract Documents for the following unit prices or lump sum:

**Insert "a corporation," "a partnership," or "an individual" as applicable.*

Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
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BASE BID ITEMS

1.	1	L.S.	Mobilization, Bonds, Insurance, Onsite Facilities, Complete in Place. @ <u>One Hundred Seventy Nine Thousand + 00/100</u> Per Lump Sum	\$ <u>179,000.00</u>	\$ <u>179,000.00</u>
2.	32.53	STA.	Clearing and Grubbing, Station 0+00 to 32+53, Complete in Place. @ <u>One Thousand Five Hundred Thirty Five</u> Per Station + 00/100	\$ <u>1,535.00</u>	\$ <u>49,933.55</u>
3.	6435	L.F.	Silt Control Fencing, Complete in Place. @ <u>Three + 00/100</u> Per Linear Foot	\$ <u>3.00</u>	\$ <u>19,305.00</u>
4.	25.09	STA.	Roadway Excavation and/or Embankment (Station Grading), 100 Foot Wide Right-of-way, Complete in Place. @ <u>Five Thousand Five Hundred + 00/100</u> Per Station	\$ <u>5,500.00</u>	\$ <u>137,995.00</u>
5.	7.44	STA.	Roadway Excavation and/or Embankment (Station Grading), 70 Foot Wide Right-of-way, Complete in Place. @ <u>Three Thousand Nine Hundred + 00/100</u> Per Station	\$ <u>3,900.00</u>	\$ <u>29,016.00</u>

Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
12.	86	S.Y.	13-Inch Class "P" Reinforced Concrete Pavement Bridge Approach Slab, Complete in Place. @ <u>Three Hundred Fifty</u> <u>+ 00/100</u> Per Square Yard	\$ <u>350.00</u>	\$ <u>30,100.00</u>
13.	6292	L.F.	6-Inch Upright Concrete Curb, Complete in Place. @ <u>Three</u> + <u>00/100</u> Per Linear Foot	\$ <u>3.00</u>	\$ <u>18,876.00</u>
14.	32.53	STA.	Pavement Markings, Including but not limited to Markings in the Transition Zones, Bridge Zone, Turning Lanes and Stop and Left Turn Only Areas (4" Yellow, 4" White, 12-24" White), Complete in Place. @ <u>Nine Hundred</u> <u>+ 00/100</u> Per Station	\$ <u>900.00</u>	\$ <u>29,277.00</u>
15.	1	L.S.	Signage per PLANS, Complete in Place. @ <u>Six Thousand Six Hundred</u> <u>+ 00/100</u> Per Lump Sum	\$ <u>6,600.00</u>	\$ <u>6,600.00</u>
16.	1	L.S.	Design and Submittal of Trench Excavation and Shoring Safety Plan, Complete in Place. @ <u>One Thousand Two Hundred</u> + <u>00/100</u> Per Lump Sum	\$ <u>1,200.00</u>	\$ <u>1,200.00</u>
17.	2901	L.F.	Trench Safety System for Trench greater than 4 feet in depth, Complete in Place. @ <u>Two</u> + <u>00/100</u> Per Linear Foot	\$ <u>2.00</u>	\$ <u>5,802.00</u>

Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
24.	238	L.F.	5' X 2' Reinforced Concrete Box Culvert, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Two Hundred Thirty Five & 00/100</u> Per Linear Foot	\$ <u>235.00</u>	\$ <u>55,930.00</u>
25.	450	L.F.	4' X 2' Reinforced Concrete Box Culvert, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Two Hundred & 00/100</u> Per Linear Foot	\$ <u>200.00</u>	\$ <u>90,000.00</u>
26.	282	L.F.	3' X 3' Reinforced Concrete Box Culvert, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>One Hundred Ninety & 00/100</u> Per Linear Foot	\$ <u>190.00</u>	\$ <u>53,580.00</u>
27.	212	L.F.	3' X 2' Reinforced Concrete Box Culvert, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>One Hundred Ninety Five & 00/100</u> Per Linear Foot	\$ <u>195.00</u>	\$ <u>41,340.00</u>
28.	43	L.F.	48-Inch Reinforced Concrete Pipe, C-76, with Safety End Treatments, Required Bedding and Backfill, Complete in Place. @ <u>Four Hundred Sixty & 00/100</u> Per Linear Foot	\$ <u>460.00</u>	\$ <u>19,780.00</u>

Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
34.	1	EA.	5' X 2' to 4' X 2' Reinforced Concrete Box Culvert Transition, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Three thousand Six Hundred and 00/100</u> Per Each	\$ <u>3,600.00</u>	\$ <u>3,600.00</u>
35.	1	EA.	4' X 2' to 3' X 2' Reinforced Concrete Box Culvert Transition, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Three thousand Six Hundred and 00/100</u> Per Each	\$ <u>3,600.00</u>	\$ <u>3,600.00</u>
36.	1	EA.	5' X 3' Reinforced Concrete Box Culvert 25 Degree Turn, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Three thousand Six Hundred and 00/100</u> Per Each	\$ <u>3,600.00</u>	\$ <u>3,600.00</u>
37.	193	L.F.	Relocate 8" SDR-26 PVC Sanitary Sewer Force Main, Complete in Place. @ <u>Seventy Two and 00/100</u> Per Linear Foot	\$ <u>72.00</u>	\$ <u>13,896.00</u>
38.	1	L.S.	Adjust Sanitary Sewer Manhole Rim Elevation (or Replace) at Centerline Station 31 + 76.64, Complete in Place. @ <u>One thousand Six Hundred and 00/100</u> Per Lump Sum	\$ <u>1,600.00</u>	\$ <u>1,600.00</u>

Item No.	Approx. Qty.	Unit	Description of Item with Unit Price Written in Words	Unit Price	Amount
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42.	5	C.Y.	Extra Class "A" Concrete, Complete in Place. @ <u>Four Hundred Fifty and 00/100</u> Per Cubic Yard	\$ <u>450.00</u>	(\$150.00)* \$ <u>2250.00</u>
43.	10	C.Y.	Extra-Cement Stabilized Sand, Complete in Place. @ <u>One Hundred and Five and 00/100</u> Per Cubic Yard	\$ <u>105.00</u>	(\$30.00)* \$ <u>1050.00</u>

TOTAL SUPPLEMENTAL ITEMS \$ 3,700.⁰⁰

ALTERNATE ITEMS

44.	4	EA.	Concrete Curbed Driveway, Twenty-Seven Feet Back to Back of Curb (Centerline Stations 4+76 Left, 5+12 Right, 15+50 Left and 15+50 Right) Complete in Place. @ <u>Four thousand and 00/100</u> Per Each	\$ <u>4000.00</u>	\$ <u>16,000.00</u>
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Unit prices are to be expressed in both words and figures. In case of a discrepancy, the amount shown in words shall govern. The above unit prices shall include all labor, materials, equipment, bailing, shoring, removal, overhead, profit, insurance, etc. to cover the finished work of the several kinds called for.

BIDDER understands that the OWNER reserves the right to reject any or all bids and to waive any informalities in the bidding. In addition, the OWNER reserves the right to award the Contract on the basis of TOTAL AMOUNT BID or TOTAL AMOUNT BID with Substitution(s) and/or Alternates and TOTAL AMOUNT BID plus any Alternate(s) described above which is most advantageous to the OWNER.

The BIDDER agrees that this bid shall be good and may not be withdrawn for a period of sixty (60) calendar days after the scheduled closing time for receiving bids.

The undersigned BIDDER hereby declares that he agrees to do the work, and that no representations made by the Owner are in any sense a warranty, but are mere estimates for the guidance of the Contractor.

Upon receipt of the notice of acceptance of the bid, the BIDDER will execute the formal Contract attached within ten (10) working days and will deliver a Performance and a Payment Bond to insure payment for all labor and materials. The bid security attached, without endorsement, in the sum of no less than five percent (5%) of the amount bid, is to become the property of Port Arthur Economic Development Corporation, in the event the contract and bonds are not executed within the time above set forth, as liquidated damages without limitation.

Respectfully submitted:

APAC-Texas, Inc.
(NAME OF CONTRACTOR)

12907 Us Hwy 90 West

Beaumont, TX 77713
(ADDRESS)

BY:


(SIGNATURE)

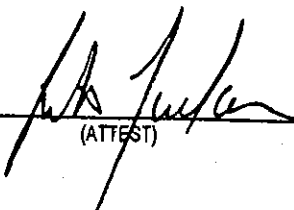
409-866-1444
(TELEPHONE NUMBER)

TITLE: Attorney-In-Fact

4820606
(LICENSE NUMBER IF APPLICABLE)

DATE: 1-30-2008

(SEAL, IF BIDDER IS A CORPORATION)


(ATTEST)

BID OPENING DATE: January 30, 2008

PORT ARTHUR ECONOMIC DEVELOPMENT CORPORATION
INSTRUCTIONS TO BIDDER

Bidders are requested to furnish their complete REMIT TO ADDRESS and TAX IDENTIFICATION NUMBER as indicated below:

REMIT PAYMENT TO:

COMPANY APAC-Texas, Inc.
ADDRESS P.O. Box 20779
CITY/STATE/ZIP Beaumont, TX 77720-0779

SEND PURCHASE ORDER TO:

COMPANY APAC-Texas, Inc.
ADDRESS P. O. Box 20779
CITY/STATE/ZIP Beaumont, TX 77720-0779

TAX IDENTIFICATION NUMBER: 58-1401466

EXHIBIT "E"

BID

TO: Port Arthur Economic Development Corporation
4173 39th Street
P.O. Box 3934
City of Port Arthur, Texas 77642

Proposal of EXCAVATORS & CONSTRUCTORS, LTD (hereinafter called "BIDDER"), organized and existing under the laws of the State of TEXAS, doing business as * PARTNERSHIP, and acting by and through EXCAVATORS & CONSTRUCTORS, LTD to the Port Arthur Economic Development Corporation, (hereinafter called "OWNER").

In compliance with your Advertisement for Bids, BIDDER hereby proposes to perform all work for the construction of JADE AVENUE EXTENSION, PHASE II in strict accordance with the Contract Documents, within the time set forth in the Notice to Proceed and at the prices stated below, and Bidder shall enter into Contract for same within the time specified in Contract Documents.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID, each party thereto certifies as to his own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this Contract on or before a date to be specified in the Notice to Proceed and to fully complete the PROJECT within 365 consecutive calendar days specified in the Notice to Proceed, including, but not limited to, all Saturdays, Sundays, and Federal, State, and City holidays thereafter. BIDDER further agrees to pay as liquidated damages, the sum of \$ 500.00 for each consecutive calendar day thereafter including, but not limited to, all Saturdays, Sundays, and Federal, State and City holidays as provided in Section 51 of the General Conditions.

Enclosed is bid security as required.

BIDDER acknowledges receipt of the following ADDENDUM:

ADDENDUM 1 - dtd JANUARY 23, 2008

BIDDER agrees to perform all the work described in the Contract Documents for the following unit prices or lump sum:

*Insert "a corporation," "a partnership," or "an individual" as applicable.

6.	14648	S.Y.	8-Inch Compacted Subgrade, Complete in Place. @ <u>ONE DOLLAR</u> <u>TEN CENTS</u> Per Square Yard	\$ <u>1.10</u>	\$ <u>16,112.00</u>
7.	316	TON	Lime for Subgrade Stabilization, Complete in Place. @ <u>ONE HUNDRED FIFTY</u> <u>FOUR DOLLARS</u> Per Ton	\$ <u>154.00</u>	\$ <u>48,664.00</u>
8.	14648	S.Y.	Manipulation of Lime, When Approved by Engineer, Complete in Place. @ <u>FOUR DOLLARS</u> <u>THIRTY CENTS</u> Per Square Yard	\$ <u>4.30</u>	\$ <u>62,986.40</u>
9.	13.76	STA.	Channel Excavation (Station Grading), Complete in Place. @ <u>ONE THOUSAND ONE</u> <u>HUNDRED SEVENTY ONE</u> Per Station <u>DOLLARS</u>	\$ <u>4171.00</u>	\$ <u>16,112.96</u>
10.	504	SY	Protective Slabs at Pipeline Crossings (Stations 11+12 and 24+59), Class A Concrete, Complete in Place. @ <u>ONE HUNDRED ELEVEN</u> <u>DOLLARS FIFTY CENTS</u> Per Square Yard	\$ <u>111.50</u>	\$ <u>56,196.00</u>
11.	13142	S.Y.	8-Inch Class "P" Reinforced Concrete Pavement, Complete in Place. @ <u>FORTY FIVE DOLLARS</u> <u>SEVENTY CENTS</u> Per Square Yard	\$ <u>45.70</u>	\$ <u>600,589.40</u>

			Unit Price in Words	Price	Amount
18.	2	EA.	Type "C" Storm Sewer Manhole, Complete in Place. @ <u>THIRTY FIVE HUNDRED</u> <u>SEVENTY FIVE DOLLARS</u> Per Each	\$ <u>3,575⁰⁰</u>	\$ <u>7,150⁰⁰</u>
19.	14	EA.	Type "C" Storm Sewer Inlet (Offset), Complete in Place. @ <u>TWENTY SIX</u> <u>HUNDRED DOLLARS</u> Per Each	\$ <u>2,600⁰⁰</u>	\$ <u>36,400⁰⁰</u>
20.	10	EA.	Type "C" Storm Sewer Inlet (Modified Offset), Complete in Place. @ <u>TWENTY ONE HUNDRED</u> <u>TWENTY DOLLARS</u> Per Each	\$ <u>2,120⁰⁰</u>	\$ <u>21,200⁰⁰</u>
21.	192	L.F.	7' X 2' Reinforced Concrete Box Culvert, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>THREE HUNDRED</u> <u>EIGHT DOLLARS</u> Per Linear Foot	\$ <u>308⁰⁰</u>	\$ <u>59,136⁰⁰</u>
22.	463	L.F.	6' X 2' Reinforced Concrete Box Culvert, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>TWO HUNDRED FORTY FIVE</u> <u>DOLLARS SIXTY FIVE CENTS</u> Per Linear Foot	\$ <u>245⁶⁵</u>	\$ <u>113,735⁹⁵</u>
23.	437	L.F.	5' X 3' Reinforced Concrete Box Culvert, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>TWO HUNDRED THIRTY NINE</u> <u>DOLLARS FIFTY CENTS</u> Per Linear Foot	\$ <u>239⁵⁰</u>	\$ <u>104,661⁵⁰</u>

29.	159	L.F.	36-Inch Reinforced Concrete Pipe, C-76, with Required Bedding and Backfill, Complete in Place. @ <u>ONE HUNDRED TWENTY</u> <u>ONE DOLLARS TEN CENTS</u> Per Linear Foot	\$ <u>121¹⁰</u>	\$ <u>19,254⁹⁰</u>
30.	875	L.F.	24-Inch Reinforced Concrete Pipe, C-76, Class III with Required Bedding and Backfill, Complete in Place. @ <u>Eighty THREE</u> <u>DOLLARS</u> Per Linear Foot	\$ <u>83⁰⁰</u>	\$ <u>72,625⁰⁰</u>
31.	74	L.F.	24-Inch Reinforced Concrete Pipe with Safety End Treatments (under Driveway Turnouts), C-76, Class III with Required Bedding and Backfill, Complete in Place. @ <u>ONE HUNDRED FIFTEEN</u> <u>DOLLARS EIGHTY FIVE CENTS</u> Per Linear Foot.	\$ <u>115⁸⁵</u>	\$ <u>8,572⁹⁰</u>
32.	1	EA.	6' X 2' to 4' X 2' Reinforced Concrete Box Culvert Transition, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>Eighty DOLLARS</u> Per Each	\$ <u>80⁰⁰</u>	\$ <u>80⁰⁰</u>
33.	1	EA.	5' X 3' to 5' X 2' Reinforced Concrete Box Culvert Transition, C-1433, with Required Bedding and Backfill, Complete in Place. @ <u>SEVENTY FIVE</u> <u>DOLLARS</u> Per Each	\$ <u>75⁰⁰</u>	\$ <u>75⁰⁰</u>

39.	6	AC.	Seeding, Complete in Place. @ <u>Eleven Hundred</u> <u>Twenty Two Dollars</u> Per Acre	\$ <u>1,122⁰⁰</u>	\$ <u>6,732⁰⁰</u>
40.	1	L.S.	Bridge Structure from Station 23 + 79.59 to Station 24 + 48.59, including but not limited to Piling, Drill Shafts, Box Beams, Bents, Abutments, T502 Guard Rail, Armor Joint, Keyways, Concrete Rip- Rap, Concrete, Concrete Surface Treatment, Metal Beam Grade Fence, Complete in Place. @ <u>Four Hundred Twenty Eight</u> <u>Thousand Two Hundred</u> Per Lump Sum <u>Dollars</u>	\$ <u>428,200⁰⁰</u>	\$ <u>428,200⁰⁰</u>

TOTAL BASE BID ITEMS

\$ 2,483,516.78

SUPPLEMENTAL ITEMS

41.	500	LB.	Extra Reinforcing Steel, Complete in Place. @ <u>SEVENTY FIVE</u> <u>CENTS</u> Per Pound	\$ <u>0⁷⁵</u>	(\$0.75)* \$ <u>375⁰⁰</u>
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45.	1	EA.	Test Pile, 16"x 16" by 44' Long, as per TxDOT Standards and Procedures, Complete in Place. @ <u>Forty Four Hundred Eighty Eight Dollars</u> Per Each	\$ <u>4,488⁰⁰</u>	\$ <u>4,488⁰⁰</u>
46.	2	EA.	Fire Hydrant Assemblies with lead including all fittings, valves, piping and appurtenances, (Centerline Stations 9+00 and 17+00) Complete in Place. @ <u>Forty Seven Hundred Eighty Eight Dollars</u> Per Each	\$ <u>4,788⁰⁰</u>	\$ <u>9,576⁰⁰</u>

TOTAL ALTERNATE ITEMS \$ 24,360.00

TOTAL SUPPLEMENTAL ITEMS \$ 1,505.00

TOTAL BASE BID ITEMS \$ 2,483,516.78

TOTAL AMOUNT BID \$ 2,509,381.78

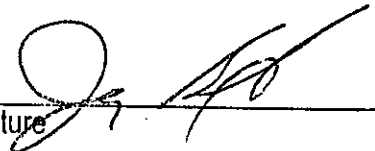
*Figures in parentheses represent minimum unit prices for Supplemental Items described in Section H, Page H-1A, Paragraph H.

PORT ARTHUR ECONOMIC DEVELOPMENT CORPORATION
EXCEPTION / APPROVED EQUAL REQUEST

[Please submit this form for each exception/approved equal]

VENDOR: N/A TELEFAX: _____
PROJECT: _____
PAGE: _____ of _____ PARAGRAPH: _____
SUBJECT: _____

REQUEST:

Signature 

PORT ARTHUR ECONOMIC DEVELOPMENT CORPORATION
APPROVED: _____ DISAPPROVED: _____ CLARIFICATION: _____

REMARKS:

Signature _____

PORT ARTHUR ECONOMIC DEVELOPMENT CORPORATION

AFFIDAVIT

[RETURN THIS AFFIDAVIT AS PART OF THE BID PROPOSAL]

All pages in offer's bid proposal containing statements, letters, etc., shall be signed by a duly authorized Officer of the company, whose signature is binding on the Bid Proposal.

The Undersigned offers and agrees to one of the following:

- ☒ I hereby certify that I do not have outstanding debts with the City of Port Arthur. Further, I agree to pay succeeding debts as they become due during this agreement.
- ☐ I hereby certify that I do have outstanding debts with the City of Port Arthur and agree to pay said debts prior to execution of this Agreement.
- ☐ I hereby certify that I do have outstanding debts with the City of Port Arthur and agree to enter into an agreement for the payment of said debts. I further agree to pay succeeding debts as they become due.

NAME OF OFFERER: M.J. BRAXTON JR

TITLE: OWNER

ADDRESS: 2260 SULLIVAN WAY 69

CITY/STATE/ZIP: PORT ARTHUR, TX 77640

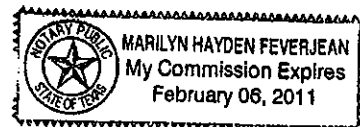
TELEPHONE NUMBER: (409) 721-6030

SIGNATURE: [Signature]

SUBSCRIBED AND SWORN to before me by the above named M.J. "JAY" BRAXTON JR on this the 30th day of JANUARY, 2008.

Notary Public in and for the State of TEXAS

[Signature]
Signature



My Commission Expires:

EXHIBIT "F"



ARCENEUX & GATES
Consulting Engineers, Inc.

Engineers • Surveyors • Planners

February 7, 2008

Mr. Floyd Batiste, CEO
**PORT ARTHUR ECONOMIC
DEVELOPMENT CORPORATION**
4173 39th Street
Port Arthur, TX 77642

**RE: RECOMMENDATION OF AWARD OF CONTRACT FOR
CONSTRUCTION OF JADE AVENUE EXTENSION PHASE II
PROJECT NO. EDC-070**

Dear Mr. Batiste:

On January 30, 2008, the City of Port Arthur Purchasing Department received five (5) sealed bids for the above referenced project. The legal notices for this project were advertised in the *Port Arthur News* for two consecutive Sundays as required by the City. Additionally, the Plans and Specifications for the project were placed on file locally with the Associated General Contractors, the PAEDC and at our offices. The Engineer conducted a mandatory pre-bid meeting on January 16, 2007 with all contractors in attendance.

The bids were opened in my presence at 3:30 p.m. and the results were read aloud by Joe Wilson, PE of our firm. We have checked the bids submitted and have prepared the attached Bid Tabulation for your review. There was an irregularity in the one of the bids received. On their bid form, the total amount bid (including alternates) indicated by **Triple B Services, LLP** was \$2,229,206.75. However, there is a discrepancy in the unit price expressed for Item No. 37. The amount written in words is "Fifty four hundred dollars & no cents" whereas the amount shown in figures is \$54.00. According to the Contract Documents Section D-Bid, Page D-12, the requirements say, "Unit prices are to be expressed in both words and figures. In case of a discrepancy, the amount shown in words shall govern." On this basis, we used the \$5,400.00 unit price to determine that the corrected bid of Triple B Services, LLP totals \$3,260,984.75.

The lowest, responsive bid was received from the firm of **APAC-Texas, Inc.** of Delaware, operating in Beaumont, TX. Their total amount bid including alternates was \$2,508,682.55. The firm submitted the required bid surety. The next lowest, responsive bid was received from **Excavators & Constructors, Ltd.** of Port Arthur, TX. Their total amount bid including alternates was \$2,509,381.78, for a difference of \$699.23. We are aware of the City of Port Arthur's Resolution No. 99-216 which allows the City to award a competitively bid contract to the lowest, responsive bidder or to the bidder whose principal place of business is in the City of Port Arthur and whose bid is within 3% of the lowest, responsive bid. In this case, the bid of Excavators & Constructors, Ltd. is within 0.028% of the lowest, responsive bid.



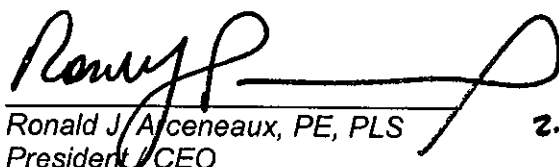
Mr. Floyd Batiste, CEO
February 7, 2008
Page Two

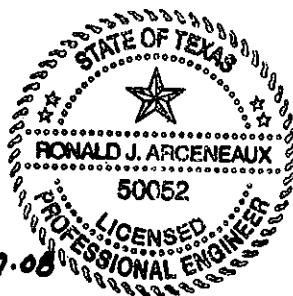
In consideration of all bids received, we recommend that the Port Arthur EDC approve the award of this contract to APAC-Texas, Inc. on the basis their firm submitted the lowest, responsive bid. If the PAEDC and City choose to exercise the option provided under Resolution No. 99-216, then we can recommend that the award of this contract be made to Excavators & Constructors, Ltd. of Port Arthur.

The estimated construction cost for this project prepared by our firm in last August was \$2,256,000 with a recommended contingency of 15%, or \$338,400, for a project total of \$2,594,400. The lowest three bidders were all under our estimate. We recommend that the bid surety from the three lowest bidders be retained until a contract is executed. Bid surety from the other contractors may be returned at this time. We appreciate this opportunity to assist you and look forward to the completion of a successful project for the EDC.

Very truly yours,

ARCENEUX & GATES
CONSULTING ENGINEERS, INC.


Ronald J. Arceneaux, PE, PLS
President / CEO



Enclosure: *Bid Tabulation*
 Bid Forms from Contractors
 Letter from Triple B Services, LLP
 CPA Resolution No. 99-216

EXHIBIT "G"

RECEIVED
CITY SECRETARY'S OFFICE

2008 FEB 18 PM 4:34

Excavators & Constructors, Inc.
8869 S. Highway 69
Port Arthur, TX 77640

Phone: (409) 721-6030

Fax: (409) 721-6037

RECEIVED

FEB 18 2008

February 15, 2008

City of Port Arthur
444 4th Street
Port Arthur, TX 77640

LEGAL DEPARTMENT

Attn: Mayor Deloris "Bobby" Prince

Re: Jade Avenue Extension, Phase II

Dear Ms. Mayor:

Excavators & Constructors, Ltd. asks that the Mayor and City Council, of the City of Port Arthur, review the action taken by the Board of Directors, for the Port Arthur Economic Development Corporation, at their meeting of Feb. 13, 2008.

Bids for the Jade Avenue Extension, Phase II had been received and tabulated. The results had Apac-Texas Inc., an international firm with offices in Beaumont, at \$2,508,682.55 and Excavators & Constructors, Ltd; a business located in Port Arthur, at \$2,509,381.78, a difference of \$699.23. The E.D.C. Board then acted to award the contract to Apac-Texas.

We ask that you not accept this action and award the contract to Excavators & Constructors, Ltd. The very small difference in bids falls within the limits outlined in the City of Port Arthur Resolution No. 99-216, giving local Port Arthur business preference.

Our firm has been in business for 40 years and has the ability and experience to construct this project, as evidenced by the number of projects completed both for, and within, the City of Port Arthur.

For many years our office was in Beaumont. In 1994 we purchased the property, in Port Arthur, where we are now located. We then were able to persuade another Beaumont firm. Waukesha-Pearce, to relocate after 3 years, to a larger facility and we invested an additional \$760,000.00 to build the facility they now occupy, keeping them in Port Arthur. As of our efforts the City of Port Arthur has benefited thru both property and sales taxes in thousands of dollars.

Some of our projects are listed below:

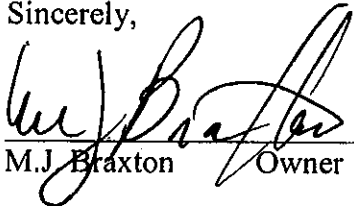
1. Built a project in Groves funded by TXDOT, for \$2,327,809.00 in 1996
2. 9th Avenue Extension from 365 to the YMCA. Mayor Sumberlin proclaimed "Excavators Day" and Jack Brooks held the dedication ceremony. Work began in February 16, 1993. Completed in Dec. 23 and used 47% of contract time. Job value was \$1,690,000.00
3. 9th Avenue Extension from Highway 73 to 35th. This project was funded by TXDOT, of which we are still approved to do business. Martin Flood was at that time a TXDOT employee.
4. Waterline Extension for the City of Port Arthur, which included 16" and 20" waterline. The value of this project of SEVEN miles was \$2,342,344.37 and used 68.6% of allotted time. Dikita Engineers were the project managers. Martin Flood was over this job. This was in the year 2003.
5. E.D.C. Park, which included several different projects, totaled \$3,822,090.34.
6. July 2005, Elizabeth Tran retained Excavators and Constructors to build Royal Meadows. Total bid for this project was \$1,890,300.00. It covered an area from 9th Avenue to Lake Arthur Drive and had 140 Lots.
7. August 2005 – September 2006, Hill/Greene subdivision. This included a new 95th Street with a bridge, and a water main loop from Highway 69 to Highway 365. New paving and drainage on Laura Lane for a total of \$ 832,834.47.
8. We were involved at the New Hospital as a subcontractor for L.S.I. We were installing water, sewer and storm sewer. Contract \$818,144.00.
9. A project for Anchor Drive was completed by Excavators. This project is located near the Waffle House on Jimmy Johnson Drive, and had some E.D.C. Funding.
10. A short extension of Jade Avenue was completed by Excavators and Constructors. Total cost for this extension was funded by E.D.C. for \$246,295.00 and completed in July of 2007.

I honestly believe that the E.D.C. Board was not aware of the accomplishments of our small company and the extent of our achievements. We are in our 41st year of business, having three generations employed by Excavators and Constructors, including one son, two grandsons, and grandson in-law.

Being a local business, we purchase supplies from other Port Arthur businesses whenever possible, and will continue to do so. We also use the services of other local contractors and recommend local firms at every opportunity.

We will appreciate any consideration you may offer and make ourselves available for any questions, or concerns, you may have.

Sincerely,


M.J. Braxton Owner

CC: Michael "Shane" Sinegal – Mayor Pro-Tem
Councilman Jack Chatman, Jr.
Councilman Cal Jones
Councilman Thomas E Henderson
Councilman Martin Flood
Councilman John Beard, Jr.
Councilman Robert E. Williamson
Councilman Willie Lewis
Mark Sokolow – City Attorney

EXHIBIT "H"



ARCENEUX & GATES
Consulting Engineers, Inc.
Engineers • Surveyors • Planners

February 21, 2008

Mr. Mark Sokolow, City Attorney
CITY OF PORT ARTHUR
P.O. Box 1089
Port Arthur, Texas 77641-1089

RE: Port Arthur EDC – Extension of
Jade Avenue, Phase II

Dear Mr. Sokolow:

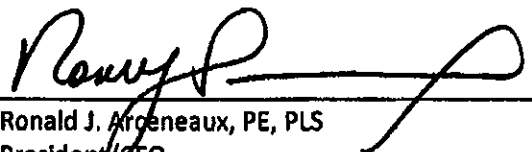
As you requested, we are providing you with a copy of the Contract Documents for this project that can be used for execution once all approvals by the Council and EDC Board are in place. I have enclosed a copy of the Addendum No. 1 which was issued prior to the bidding. Also enclosed is a copy of my recommendation of award along with a tabulation of bids received on January 30, 2008.

In preparing our design for this project, we reviewed the agreement between the City of Port Arthur EDC and the Mamie McFaddin Ward Heritage Foundation and believe that all stipulations relating to the roadway planning have been met. They included providing driveway access at certain points and providing additional fire hydrants on the City's water main. The right-of-way for the road was fenced as stipulated. Also, the planned roadway is within easements that either the City or the EDC owns. The City Engineer has also approved the construction plans on January 2, 2008.

If there is anything further you need to complete your review, please contact me.

Very truly yours,

ARCENEUX & GATES CONSULTING ENGINEERS, INC.


Ronald J. Arceneaux, PE, PLS
President/CEO

cc: PAEDC

\\Agengserver\A&G\A&G ADMINISTRATION\Port Arthur EDC - Letter-M.Sokolow.doc

EXHIBIT "I"

**Original is available for viewing
in the City Secretary's Office**