

RESOLUTION NO. 10-244

**A RESOLUTION APPROVING A CHANGE ORDER IN THE AMOUNT OF \$71,855.00, AS TO RESOLUTION 07-536 FOR A PROFESSIONAL SERVICES CONTRACT AWARDED TO ARCENEUX & GATES CONSULTING ENGINEERS, INC. FOR ENGINEERING, SURVEYING, TECHNICAL AND RELATED SERVICES FOR THE DESIGN AND CONSTRUCTION OF NEW ROADWAYS, UTILITIES AND DRAINAGE, PHASE II AT THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION SPUR 93 BUSINESS PARK**

**WHEREAS**, the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") entered into a professional services contract with Arceneaux & Gates Consulting Engineers, Inc. on December 4, 2007, in the amount of \$433,700 for the design and construction services of Phase II roadways, utilities and drainage for the Spur 93 Business Park (the "Contract"); and

**WHEREAS**, Arceneaux & Gates Consulting Engineers, Inc. has requested and has submitted the Change Order attached hereto as **Exhibit "A"** (the "Change Order") requesting the amount of \$71,855.00 for cost of project management and inspection, control surveying, construction material testing and design for the roadway constructed in the Spur 93 Business Park which were not included within the Contract; and

**WHEREAS**, the Change Order was approved unanimously by the Board of Directors of the PAEDC on June 14, 2010.

**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 Change Order in the amount of \$71,855.00 for cost of project management and inspection, control surveying, construction material testing and design for the roadway constructed in the Spur 93 Business Park is herein approved for payment as denoted in **Exhibit "A"**.

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

**READ, ADOPTED AND APPROVED** on this 29<sup>th</sup> day of June A.D., 2010, at a

Meeting of the City Council of the City of Port Arthur, Texas, by the following vote: AYES:

Mayor Prince; Mayor Pro Tem Albright

Councilmembers Chatman, Segler, Williamson, His and Henderson

NOES: None

Deloris Prince  
DELORIS "BOBBIE" PRINCE, MAYOR

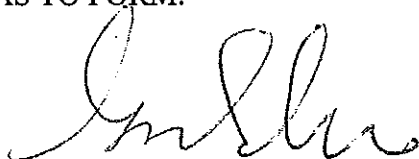
ATTEST:

T. Bellard  
TERRI HANKS, CITY SECRETARY (on behalf of)

APPROVED:

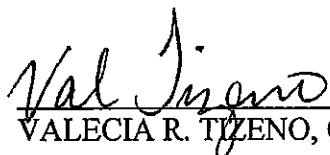
Floyd Batiste  
FLOYD BATISTE, PAEDC CEO

APPROVED AS TO FORM:



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GUY N. GOODSON, PAEDC ATTORNEY

APPROVED AS TO FORM:



\_\_\_\_\_  
VALECIA R. TIZENO, CITY ATTORNEY

# **EXHIBIT "A"**

# Memo

**To:** Floyd Batiste, Executive Director PAEDC  
**From:** Ron Arceneaux, PE, PLS  
**CC:** PAEDC Board Members, Guy N. Goodson, Esq.  
**Date:** June 14, 2010  
**Re:** REQUEST FOR ADDITIONAL AUTHORIZATION -- SPUR 93 BUSINESS PARK  
PHASE II -- PROJECT NO. EDC-090

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Floyd,


As we recently discussed, we are nearing the budget limit on our initial authorization for the design and construction phase services for the Spur 93 Business Park projects funded from the bond issue. When we entered into a contract for the work back in late 2007, we did not include the services of construction control surveying, geotechnical investigations or construction material testing. Those services were included along with others as possible additional services. During the course of the program, we provided those services. Also as the program of improvements began to unfold, we "re-packaged" two additional projects for separate bids, those being the recent detention facility as well as the project creating Morris Carter Drive and Gabby Eldridge Drive adjacent to RSC. The services to administer two additional construction contracts involved prebid and post bid activities, additional printing of plans and specifications, additional inspection and administration services.

We request that our contract be amended to add the surveying control layout and construction material testing services and also seek additional funding to provide these services along with replenishing our overall authorization in order to complete the services required for the current construction contract.

Based on the preceding discussion, we request additional authorization as follows:

Project Management and Inspection for Current Contract	\$60,000.00
Control Surveying for Current Contract	\$ 5,000.00
Construction Material Testing for Current Contract	<u>\$12,000.00</u>
<b>TOTAL</b>	<b>\$77,000.00</b>

Our total authorized budget for the bond work would then be \$510,700.00.

  
RONALD J. ARCENEUX, PE, PLS

**COST STATUS SUMMARY FOR  
PORT ARTHUR EDC BUSINESS PARK  
CONTRACT NO. 3  
June 3, 2010**

Base Bid Contract with Deductive Alternates "A", "D" and "C" (Covers roadway, utilities and drainage for 1 <sup>st</sup> phase of roadway and all of the storm sewer network)		\$1,544,900.20
Reductions through Value Engineering		[\$ 83,869.90]
<b>Net Construction Contract Amount</b>		<b>\$1,461,030.30</b>
Engineering Contract Balance		\$ 9,145.00
Proposed Engineering Contract Change Order <sup>1</sup>		\$ 71,855.00
Engr Admin/Insp	\$63,015.58	
Construction Matl Testing	\$ 8,839.42	
<b>TOTAL FUND REQUIREMENT</b>		<b>\$1,542,030.30</b>
<b>CURRENT FUND BALANCE</b>		<b>\$ 568,261.67</b>
<b>DIFFERENCE</b>		<b>[\$ 973,7689.63]</b>

<sup>1</sup> Additional engineering services were required to administer two (2) additional construction contracts and includes costs for construction material testing services not budgeted in the initial contract authorization.