

RESOLUTION NO. 10-517

**A RESOLUTION APPROVING A CONTRACT FOR GRASS CUTTING MAINTENANCE TO AFFORDABLE LAWN AND TRACTOR SERVICE FOR THE HIGHWAY 73 CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION BUSINESS PARK**

**WHEREAS**, on July 12, 2010, the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") Board of Directors approved awarding a contract for eighteen (18) months of grass cutting maintenance at the Highway 73 Business Park to Grasshopper Lawn Service; and

**WHEREAS**, on July 20, 2010, the City Council of the City of Port Arthur approved Resolution 10-305 authorizing a contract between Grasshopper Lawn Service and PAEDC; and

**WHEREAS**, Grasshopper Lawn Service was unable to perform all the work as described in the specifications and failed to comply with the terms of the contract; and

**WHEREAS**, the PAEDC Board of Directors at its regular Board meeting on October 4, 2010, approved the termination of the contract between PAEDC and Grasshopper Lawn Service; and

**WHEREAS**, on October 19, 2010, the City Council of the City of Port Arthur approved Resolution 10-472 terminating the contract between PAEDC and Grasshopper Lawn Service; and

**WHEREAS**, the City of Port Arthur's Purchasing Department solicited quotes for grass cutting at the Highway 73 PAEDC Business Park; and

**WHEREAS**, two bids were submitted, as delineated in the bid tabulations, attached hereto as Exhibit "A"; and

**WHEREAS**, the lowest bid was submitted by Affordable Lawn and Tractor Service of Port Arthur, Texas; and

**WHEREAS**, PAEDC recommends awarding the contract for grass cutting maintenance to Affordable Lawn and Tractor Service in the amount of \$50.00 per acre two (2) times per month, for a period of twelve (12) months, for a total of \$7,680.00 per year, in substantially the same form as attached hereto as Exhibit "B"; and

**WHEREAS**, on November 15, 2010, the PAEDC Board of Directors approved said award to Affordable Lawn and Tractor Service.

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

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

**Section 2.** That the City Council of the City of Port Arthur approves the contract, in substantially the same form as attached hereto as Exhibit "B", between PAEDC and Affordable Lawn and Tractor Service for grass cutting of the Highway 73 Business Park, for a cost of \$5000 per acre, two (2) times a month, for a period of twelve (12) months, for a total of \$7,680.00 a year.

**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 30<sup>th</sup> day of Nov. 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 Tom Albright

Councilmembers Segler, Hood, Williamson, Hise and Henderson.

NOES: None.

Deloris Prince  
Deloris "Bobbie" Prince, Mayor

**ATTEST:**  
Sherri Bellard  
Sherri Bellard, Acting City Secretary

**APPROVED:**  
Floyd Batiste  
Floyd Batiste, PAEDC CEO

**APPROVED AS TO FORM:**  
Guy N. Goodson  
Guy N. Goodson, PAEDC Attorney

Val Tizeno  
Valecia R. Tizeno, City Attorney

**EXHIBIT "A"**

DEBORIS "BOBBIE" PRINCE, MAYOR  
ELIZABETH "LIZ" SEGLER, MAYOR PRO TEM

COUNCIL MEMBERS:

JACK CHATMAN, JR.  
MORRIS ALBRIGHT, III  
MARTIN FLOOD  
JOHN BEARD, JR.  
ROBERT E. WILLIAMSON  
D. KAY WISE  
THOMAS J. HENDERSON



STEPHEN FITZGIBBONS  
CITY MANAGER

SHERRI BELLARD  
ACTING CITY SECRETARY

VAL TIZENO  
CITY ATTORNEY

November 12, 2010

Floyd Batiste, CEO  
PAEDC

**RE: Quote – Grass Cutting of Hwy 73 Business Park**

On November 5, 2010, we received two (2) quotes for the above referenced service.

The low quote was submitted by Affordable Lawn and Tractor Service of Port Arthur, Texas in the amount of \$50.00 per acre. Our evaluation of the experience and reputation of Affordable Lawn and Tractor Service indicates that they are capable of completing the work required. Therefore, we recommend the award of a contract for Grass Cutting of Hwy 73 Business Park go to Affordable Lawn and Tractor Service of Port Arthur, TX in the amount of \$50.00 per acre for a period of twelve (12) months from the date of execution.

The original quote document, copies of the quotes and bid tabulation are included for your review.

A handwritten signature in cursive script that reads "Shawna Tubbs".

Shawna Tubbs  
Purchasing Manager




**City of Port Arthur Texas  
Bid Tabulation**

**Mowing of Hwy 73 Business Park**

**November 11, 2010**

	<b>Name of Bidder</b>	
	Affordable Lawn and Tractor Service	Sandra's Enterprises, Inc.
<b>Bid Price</b>	\$50.00	\$167.50
<b>Location</b>	Port Arthur, TX	Port Arthur, TX

  
\_\_\_\_\_  
Purchasing Manager

11/12/10  
Date

**EXHIBIT "B"**

**CONTRACT FOR THE GRASS CUTTING MAINTENANCE OF  
CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT  
CORPORATION BUSINESS PARK ON HIGHWAY 73  
IN THE CITY OF PORT ARTHUR, TEXAS**

**THIS CONTRACT**, made the day \_\_\_\_\_ of November 2010, by and between the **City of Port Arthur Section 4A Economic Development Corporation**, organized under the laws of the State of Texas (the "OWNER") and **Lloyd Christian d/b/a Affordable Lawn and Tractor Service**, 2101 Highway 73, Port Arthur, Texas (the "CONTRACTOR").

In consideration of the payment terms, conditions and agreements set forth herein, OWNER and CONTRACTOR agree as follow:

1. The term of this Contract shall be from \_\_\_\_\_ to \_\_\_\_\_.
2. The CONTRACTOR will perform mowing, trimming and removal of litter and debris at the OWNER'S Highway 73 Business Park as stated in the Contract Documents.
3. During the term of this Contract, the CONTRACTOR will furnish at his own expense all of the materials, supplies, tools and equipment, labor and other services necessary to connection therewith, excepting those supplies specifically not required of CONTRACTOR in the Specifications set forth in the Contract Documents.
4. The CONTRACTOR agrees to perform all of the work described in the Specifications of the Contract Documents and to comply with the terms therein for the cost of \$50.00 per acre two times per month for a total of \$7,680.00 per year.
5. The term "Contract Documents" means and includes the following:
  - a. Contract
  - b. General Information
  - c. Specifications
  - d. Bid
  - e. Notice of Award
6. This Contract shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors and assigns.
7. IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, duplicate copies of the Contract each of which shall be deemed an original on the first above written.



Signed on the \_\_\_\_ day of \_\_\_\_\_, 2010.

**City of Port Arthur Section 4A  
Economic Development Corporation**

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

Signed on the \_\_\_\_ day of \_\_\_\_\_, 2010.

**Lloyd Christian d/b/a Affordable Lawn  
and Tractor Service**

By: \_\_\_\_\_  
Lloyd Christian



**CITY OF PORT ARTHUR  
QUOTE SHEET**  
(Specifications are attached)

**Date of Request:** November 1, 2010  
**Department Requesting Quote:** Economic Development Corporation  
**Services Needed:** Mowing of Hwy 73 Business Park  
**Quote Due Date & Time:** Friday, November 5, 2010 by 12:00 P.M.  
**Mandatory Pre-Bid Date:** Tuesday, November 2, 2010 @ 10:00 A.M. @ 3330 Hwy 73, Port Arthur, Texas 77640  
**Delivery:** Quotes are to be faxed to (409) 983-8291,  
E-mailed to [yolanda@portarthur.net](mailto:yolanda@portarthur.net)  
Delivered to the Purchasing Div., 2<sup>nd</sup> floor, City Hall.  
**Questions, Please contact:** Yolanda Scypion, Purchasing Asst., (409) 983-8160  
Floyd Batiste, CEO, (409) 963-0579

MOWING OF HWY 73 BUSINES PARK

\$ 50.00 ~~xx~~ (price per acre)

Affordable Lawn and Tractor Service

Company Name

Lloyd Christian

Printed Name

2301 Highway 73

Address

Port Arthur, Texas, 77640

City, State, Zip

Shawna Tubbs

Shawna Tubbs, Purchasing Manager

Lloyd Christian

Signature

(409) 731-0505 home

Phone

(409) 781-4910 cell

(409) 548-2382 cell

Fax

lloyd.christian@twcable.com

E-mail

November 8, 2010

Date

**SPECIFICATIONS FOR  
THE MOWING OF HWY 73 BUSINESS PARK**

1. The Port Arthur Economic Development Corporation Business Park is located at 3330 Hwy 73.
2. Contractors will be mowing 7.269 acres.
3. All debris must be picked up before mowing.
4. Contractors must apply yard control for insects.
5. No grass clippings shall be placed or blown into the City's Drainage Culverts or in the streets.
6. Entrance roads, approaches, and/or driveways are to be maintained, where applicable.
7. Business park must be cut and trimmed.
8. The Port Arthur EDC will call the contractor to cut the grass on an as needed basis. EDC estimates two cuts per month. It may be more.
9. Work must be completed within seven calendar days of issuance, unless the Port Arthur EDC grants an extension.
10. Acreage of property will decrease as Business Park is developed. Contractors are not responsible for the newly developed property.
11. This Contract will terminate approximately twelve (12) months from date of execution. The City can terminate this contract at its convenience which includes, but is not limited to, funding not being available in any budget cycle with thirty (30) days written notice.



**CITY OF PORT ARTHUR, TEXAS**

**ADDENDUM NO. ONE (I)**

**DATE: NOVEMBER 2, 2010**

**Quote For: Mowing of Hwy 73 Business Park**

The following clarifications, amendments, deletions, additions, revision and/or modifications are made a part of the contract documents and change the original documents only in the manner and to the extent hereinafter stated and shall be incorporated in the contract documents.


Provisions of this addendum shall take precedence over requirements of the original contract documents and all **BIDDERS ARE REQUESTED TO ACKNOWLEDGE SAID PROVISIONS IN THE SUBMISSION OF THEIR BID.**

**Addendum as follows:**

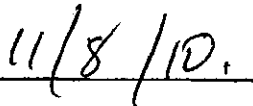
1. Quote due date has changed to Tuesday, November 9, 2010 by 12:00 P.M.
2. Pre-bid date has changed to Thursday, November 4, 2010 @ 10:00 A.M. @ 3330 Hwy 73, Port Arthur, Texas 77640
3. Please replace page 2 of 2 with the attached page 2 of 2 that reflects additional information.

If you have any questions, please contact the Purchasing Division at 409-983-8160.

**NOTE: ALL PAGES OF ADDENDA MUST BE SIGNED AND SUBMITTED WITH YOUR BID DOCUMENTS.**

  
Shawna Tubbs, Purchasing Manager

  
Signature of Proposer

  
Date

**SPECIFICATIONS FOR  
THE MOWING OF HWY 73 BUSINESS PARK**

1. The Port Arthur Economic Development Corporation Business Park is located at 3330 Hwy 73.
2. Contractors will be mowing 6,349 acres.\*
3. All debris must be picked up before mowing.
4. Contractors must apply yard control for insects.
5. No grass clippings shall be placed or blown into the City's Drainage Culverts or in the streets.
6. Entrance roads, approaches, and/or driveways are to be maintained, where applicable.
7. Business park must be cut and trimmed.
8. The Port Arthur EDC will call the contractor to cut the grass on an as needed basis. EDC estimates two cuts per month. It may be more.
9. Work must be completed within seven calendar days of issuance, unless the Port Arthur EDC grants an extension.
10. Acreage of property will decrease as Business Park is developed. Contractors are not responsible for the newly developed property.
11. This Contract will terminate approximately twelve (12) months from date of execution. The City can terminate this contract at its convenience which includes, but is not limited to, funding not being available in any budget cycle with thirty (30) days written notice.

