

RESOLUTION NO. 11-007

A RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE CONTRACT BETWEEN THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION AND EXCAVATORS & CONSTRUCTORS, LTD. FOR WATER, SEWER, PAVING AND DRAINAGE FACILITIES TO SERVE THE PORT ARTHUR SPUR 93 BUSINESS PARK - PHASE II, CONTRACT NO. 3 (JOB NO. EDC-090), REDUCING THE CONTRACT AMOUNT BY \$9,691.12

WHEREAS, on May 18, 2010, Resolution No. 10-181 was approved by the City Council of the City of Port Arthur, awarding the contract for the construction of water, sanitary sewer, paving and drainage to serve the PAEDC Business Park located at 9555 W. Port Arthur Road to Hwy. 365 to Excavators & Contractors, Ltd.; and

WHEREAS, the total contract price was \$ 903,364.35; and

WHEREAS, on June 29, 2010, Resolution No. 10-277 was approved by the City Council of the City of Port Arthur approving Amendment No. 1 bringing the total contract price to \$1,427,708.65; and

WHEREAS, on September 7, 2010, Resolution No. 10-363 was approved by the City Council of the City of Port Arthur approving Amendment No. 2 bringing the total contact price to \$1,462,708.65; and

WHEREAS, at its December 13, 2010 meeting, the PAEDC Board of Directors approved of Amendment No. 3 authorizing the removal of unused items from the contract, such as sidewalks and additional work required in order to cross the existing pipeline corridor as denoted in **Exhibit "A"**. The net effect of this change order is reduced by \$9,691.12 bringing the total contract price to \$1,453,017.53.

**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 approves Amendment No. 3 for the water, sewer, paving and drainage facilities to serve the Port Arthur Business Park – Phase II, Contract 3 reducing the cost by \$9,691.12 with a total contract price of \$1,453,017.53 to Excavators & Contractors, Ltd.

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 this 2nd day of January A.D., 2011, 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, Hood,
Williamson and Henderson.

NOES: None.

ATTEST:

Sherry Bellard
SHERRI BELLARD, ACTING CITY SECRETARY

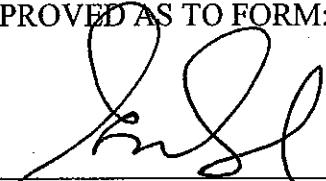
Deloris Prince
DELORIS "BOBBIE" PRINCE, MAYOR

APPROVED:

A handwritten signature in cursive script, appearing to read "Floyd Batiste", written over a horizontal line.

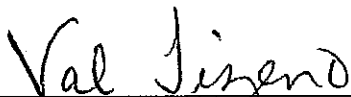
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Guy N. Goodson", written over a horizontal line.

Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Valecia R. Tizeno", written over a horizontal line.

Valecia R. Tizeno, City Attorney

Exhibit “A”



CONTRACT AMENDMENT No. 3

DATE: December 7, 2010 JOB NO. EDC-090, Contract No. 3

AGREEMENT DATE: May 18, 2010

NAME OF PROJECT: Water, Sewer, Paving and Drainage Facilities to serve the Port Arthur Business Park - PHASE II, Contract 3

OWNER: PORT ARTHUR ECONOMIC DEVELOPMENT CORP.

CONTRACTOR: EXCAVATORS & CONSTRUCTORS, LTD.

The following amendments are hereby made to the CONTRACT DOCUMENTS:

1. Modify the following Bid Items:

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|----|--|-----------------------|
| a. | Bid Item No. 3
Delete 635 L.F., Silt Control Inlet Protection | \$ <u>(1,651.00)</u> |
| b. | Bid Item No. 4
Delete 1 EA., Silt Control Inlet Protection | \$ <u>(33.00)</u> |
| c. | Bid Item No. 7
Delete 7.362 Tons, Lime for Subgrade | \$ <u>(1,052.77)</u> |
| d. | Bid Item No. 11
Delete 2,371 L.F., 5-foot Sidewalk | \$ <u>(35,209.35)</u> |
| e. | Bid Item No. 13
Delete 2.00 Ea., Type 7 Handicap Ramp | \$ <u>(1,040.00)</u> |
| f. | Bid Item No. 41
Add 1 Ea., 12" Gate Valve Box | \$ <u>1,520.00</u> |
| g. | Bid Item No. 48
Delete 500 Lb., Extra Reinforcing Steel | \$ <u>(375.00)</u> |



CONTRACT AMENDMENT NO. 3
December 7, 2010
Job No. EDC-090, Contract No. 3

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- h. Bid Item No. 49
Delete 10 C.Y., Extra Class A Concrete \$ (1,500.00)
- i. Bid Item No. 50
Delete 10 C.Y., Extra Cement Stabilized Sand \$ (350.00)

2. Add the following Items:

- a. Additional Work at Pipeline Crossing \$ 30,000.00

TOTAL \$ (9,691.12)