

RESOLUTION NO. 11-110

A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION AND EXCAVATORS & CONSTRUCTORS, LTD. FOR CONSTRUCTION OF WATER, SANITARY SEWER, PAVING AND DRAINAGE PHASE II, CONTRACT NO. 4 (JOB NO. EDC-090-4) TO SERVE THE SPUR 93 BUSINESS PARK

WHEREAS, on November 1, 2010, the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") awarded the bid for the construction of water, sanitary sewer, paving and drainage to serve the PAEDC Spur 93 Business Park (the "Project") to Excavators & Constructors, Ltd. in the amount of \$599,230.68; and

WHEREAS, on November 16, 2010, Resolution No. 10-504 was approved by the City Council of the City of Port Arthur awarding the contract for the Project to Excavators & Constructors, Ltd.; and

WHEREAS, on March 7, 2011, the PAEDC Board approved Change Order No. 1 reducing the contract amount by \$39,865.25 for the deletion of sidewalks, handicap ramp and other items as denoted in **Exhibit "A"**.

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 Change Order No. 1 to the contract between PAEDC and Excavators & Constructors, Ltd. providing for the deletion of sidewalks, handicap ramp and other items and revising the total contract amount to \$559,365.43.

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 5th day of April 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, Beard,
Williamson, Wise 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

APPROVED AS TO FORM:



Valecia R. Tizen, City Attorney

Exhibit “A”



CONTRACT AMENDMENT No. 1

DATE: February 4, 2011 JOB NO. EDC-090, Contract No. 4

AGREEMENT DATE: November 17, 2010

NAME OF PROJECT: Sanitary Sewer, Paying and Drainage Facilities to serve the Port Arthur Business Park - PHASE II, Contract 4

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:

- | | | |
|----|---|-----------------------|
| a. | Bid Item No. 6
Add 2.68 Tons, Lime for Subgrade | \$ <u>388.60</u> |
| b. | Bid Item No. 10
Delete 2,861 LF, 5' Sidewalk | \$ <u>(44,488.55)</u> |
| c. | Bid Item No. 11
Delete 4 EA, Type 1 Handicap Ramp | \$ <u>(2,128.00)</u> |
| d. | Bid Item No. 17
Delete 1 EA, 30" RCP Spillway | \$ <u>(212.30)</u> |
| e. | Bid Item No. 29
Delete 500 Lb., Extra Reinforcing Steel | \$ <u>(375.00)</u> |
| f. | Bid Item No. 30
Delete 5 C.Y., Extra Class A Concrete | \$ <u>(750.00)</u> |
| g. | Bid Item No. 31
Delete 10 C.Y., Extra Cement Stabilized Sand | \$ <u>(300.00)</u> |

2. Add the following Items:

- | | | |
|----|--|--------------------|
| a. | Rip Rap at Concrete Lined Ditch,
Throats at Back of Inlets, Rock at Pipeline Crossing | \$ <u>8,000.00</u> |
|----|--|--------------------|

TOTAL \$ (39,865.25)



CONTRACT AMENDMENT NO. 1
January 4, 2011
Job No. EDC-090, Contract No. 4

AMENDMENTS TO CONTRACT PRICE:

ORIGINAL CONTRACT PRICE: \$599,230.68

CURRENT CONTRACT PRICE adjusted by previous AMENDMENT (S): \$599,230.68

The CONTRACT PRICE due to this AMENDMENT will be [increased] [decreased]
by: \$39,865.25 Dollars

The new CONTRACT PRICE, including this AMENDMENT, will be \$559,365.43

CHANGE TO CONTRACT TIME:

ORIGINAL CONTRACT TIME: 120 Calendar Days

CURRENT CONTRACT TIME adjusted by previous AMENDMENT: 120 Calendar Days

CURRENT DATE OF COMPLETION: March 16, 2011

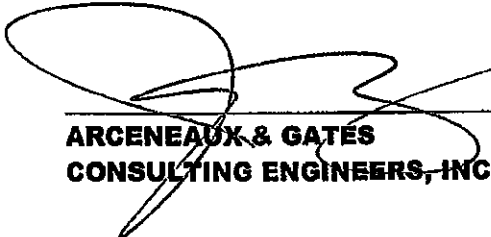
CONTRACT TIME due to this AMENDMENT will be increased by 0 Days


The New DATE OF COMPLETION: March 16, 2011

No other Terms and Conditions of the Contract are changed as a result of this Amendment. Contractor's acceptance of Amendment relieves OWNER of any liability for additional costs incurred by Contractor in his performance of the work covered by the Amendment.

RECOMMENDED BY ENGINEER:

ACCEPTED BY:


ARCENEAUX & GATES
CONSULTING ENGINEERS, INC.


[CONTRACTOR, OFFICER OR OWNER]
Excavators & Constructors, Ltd.

ACCEPTED BY:

PORT ARTHUR ECONOMIC DEVELOPMENT CORP.