

RESOLUTION NO. 11-157

**A RESOLUTION AWARDED A BID AND AUTHORIZING  
THE EXECUTION OF A CONTRACT TO APAC-TEXAS,  
INC. FOR THE CONSTRUCTION OF A UTILITY ACCESS  
ROAD TO SERVE THE PORT ARTHUR BUSINESS PARK,  
CONTRACT NO 1 (JOB NO. EDC-160)**

**WHEREAS**, on April 6, 2011, the City of Port Arthur, Texas (the "City") received three (3) sealed bids for the construction of a utility access road to serve the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") Business Park, Contract No. 1, Job No. EDC-160 (the "Project"), as denoted in the bid tabulation and recommendation of Arceneaux and Gates; attached hereto as Exhibit "A"; and

**WHEREAS**, the lowest, and most responsive bid for the Project was presented by APAC-Texas, Inc. of Beaumont, Texas, in the amount of \$100,191.00; and

**WHEREAS**, on April 18, 2011, the Board of Directors of the PAEDC approved the bid for the construction of a utility access road to serve the PAEDC Business Park located at 9555 W. Port Arthur Road to APAC-Texas, Inc., of Beaumont, Texas, in the amount of \$ 100,191.00; and

**WHEREAS**, pursuant to Section 8.19 of the Bylaws, the PAEDC has to submit projects to the City Council for review and approval; and

**WHEREAS**, the City Council hereby approves the award of the contract for the Project to APAC-Texas, Inc. on the basis of their total amount bid, for the contract price of \$100,191.00, as denoted in the contract attached hereto as Exhibit "B."

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

**Section 2.** That the City Council hereby authorizes the award of the bid to APAC-Texas, Inc., of Beaumont, Texas, for the construction of a utility access road to serve the PAEDC Business Park located at 9555 W. Port Arthur Road in the amount of \$100,191.00, as denoted in Exhibit "A", attached hereto.

**Section 3.** That the contract with APAC-Texas, Inc. for the construction of utility access road in the PAEDC Business Park, Contract No. 1, Job No. EDC-160, is attached hereto as Exhibit "B",

**Section 4.** That a copy of this Resolution be spread upon the Minutes of the City Council.

**READ, ADOPTED AND APPROVED** on this 3<sup>rd</sup> day of May A.D., 2011,  
at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES: Mayor Pro Tem Albright  
Councilmembers Chatman, Segler, Hood, Beaul  
Williamson and Henderson.

NOES: \_\_\_\_\_

**ATTEST:**

Sherri Bellard  
Sherri Bellard, Acting City Secretary

Deloris "Bobbie" Prince, Mayor (on behalf of)

**APPROVED AS TO THE AVAILABILITY OF FUNDS:**

Rebecca Underhill  
Deborah Echols, Director of Finance

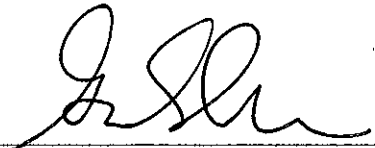
Shawna Tubbs  
Shawna Tubbs, Purchasing Manager

120-1429-582.59-02

APPROVED:

  
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:

  
Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:

  
Valecia R. Tizeno, City Attorney

# **Exhibit “A”**



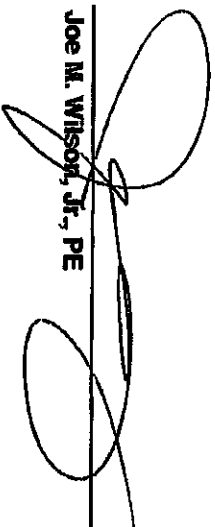
**BID TABULATION**  
**For The**  
**Utility Access Road**  
**To Serve**  
**Port Arthur Economic Development Corporation Business Park**  
**Contract 1**  
**Job No. EDC-160**  
**BIDS OPENED: April 6, 2011 at 3:15 P.M.**

		APAC-TEXAS, INC.		ALCO, INC.		WILLIAMSON CONSTRUCTION & EQUIPMENT, INC.	
Base Bid Items	QTY.	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1. Mobilization	1	\$ 11,000.00	\$ 11,000.00	\$ 7,800.00	\$ 7,800.00	\$ 25,000.00	\$ 25,000.00
2. Clearing and Grubbing	1	\$ 2,150.00	\$ 2,150.00	\$ 12,500.00	\$ 12,500.00	\$ 50,000.00	\$ 50,000.00
3. 8-Inch Grade 3, Type D, Flexible Base	3650	\$ 18.00	\$ 65,700.00	\$ 23.00	\$ 83,950.00	\$ 23.00	\$ 83,950.00
4. Storm Sewer Manhole Riser	1	\$ 450.00	\$ 450.00	\$ 1,960.00	\$ 1,960.00	\$ 1,800.00	\$ 1,800.00
5. Fill at North Detention Area to Expand Access Road	1	\$ 7,500.00	\$ 7,500.00	\$ 6,580.00	\$ 6,580.00	\$ 10,000.00	\$ 10,000.00
6. 3-Inch, Polyvinyl Chloride (PVC) Electrical Conduit	550	\$ 8.90	\$ 4,895.00	\$ 8.00	\$ 4,400.00	\$ 10.00	\$ 5,500.00
7. 2-Inch, Polyvinyl Chloride (PVC) Electrical Conduit	1440	\$ 5.90	\$ 8,496.00	\$ 9.00	\$ 12,960.00	\$ 10.25	\$ 14,760.00
<b>Total Base Bid Items</b>			<b>\$ 100,191.00</b>		<b>\$ 130,150.00</b>		<b>\$ 197,010.00</b>

<b>Total Amount Bid</b>	<b>\$ 100,191.00</b>	<b>\$ 130,150.00</b>	<b>\$ 197,010.00</b>
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**ARCENEAUX & GATES CONSULTING ENGINEERS, INC.**  
**TEXAS REGISTERED ENGINEERING FIRM**

★ F-30 ★

  
 Joe M. Wilson, Jr., PE  
 4-7-11





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

April 7, 2011

Mr. Floyd Batiste, CEO  
*Port Arthur Economic Development Corporation*  
4173 39th Street  
Port Arthur, Texas 77642

**RE: RECOMMENDATION OF AWARD OF CONTRACT**  
**UTILITY ACCESS ROAD to serve**  
**PORT ARTHUR ECONOMIC DEVELOPMENT CORPORATION**  
**BUSINESS PARK, CONTRACT 1**  
**Job No. EDC-160**

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Dear Mr. Batiste:

On April 6, 2011 the City of Port Arthur received three (3) sealed bids for the Port Arthur Economic Development Corporation, Utility Access Road to serve Port Arthur Economic Development Corporation, Contract 1 project. The bids were opened in our presence on April 6, 2011 and the results read aloud in the public bid opening. *APAC-Texas, Inc.* of Beaumont, Texas submitted the lowest, responsive bid for the project. The Total Amount Bid by the Contractor for this project was **One Hundred Thousand One Hundred Ninety One Dollars and No/100 (\$100,191.00)**. There were no alternates proposed for this project. The bids were checked for errors and tabulated and it was found that *APAC-Texas, Inc.* submitted the lowest Total Amount Bid. A copy of the certified Bid Tabulation is attached for your information.

We have worked with APAC-Texas on projects in the past and have always found them to be an excellent contractor, capable of delivering a completed project on time and within budget.



Mr. Floyd Batiste  
Port Arthur EDC  
April 7, 2011  
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Therefore, we recommend that the Port Arthur Economic Development Corporation and the City of Port Arthur award the contract for the Utility Access Road to *APAC-Texas, Inc.* on the basis of the Total Amount Bid in the amount of **\$100,191.00**. Should you have any questions or require additional information, please contact our office.

Very truly yours,

**ARCENEUX & GATES CONSULTING ENGINEERS, INC.**

**TEXAS REGISTERED ENGINEERING FIRM**

★ F-30 ★



  
Joe M. Wilson, Jr., PE  
Vice-President

4-7-11

*Enclosure: Bid Tabulation*

# EXHIBIT "B"



**CONSTRUCTION CONTRACT  
AGREEMENT**

[Non-Federally Funded Projects]

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THIS AGREEMENT, made this 10<sup>th</sup> day of May, 2011, by and between the Port Arthur Economic Development Corporation, a municipal corporation organized under the laws of the State of Texas, hereinafter called "OWNER" or "PAEDC" and **APAC-Texas, Inc.**, herein acting by and through Scott Blanchard hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments, terms, conditions and agreements set forth herein, OWNER and CONTRACTOR agree as follows:

1. The CONTRACTOR will commence and complete the construction of **UTILITY ACCESS ROAD to Serve the PORT ARTHUR BUSINESS PARK, A&G Job No. EDC-160, Contract No. 1.**
2. The CONTRACTOR will furnish at his own expense all of the materials, supplies, tools, equipment, labor and other services necessary for the construction and completion of the Project described herein.
3. The CONTRACTOR will commence the work required by the Contract Documents on or before a date to be specified in the *Notice to Proceed* and will complete the same within **60** consecutive calendar days as specified in the *Notice to Proceed*, including, but not limited to, all Saturdays, Sundays and Federal, State, and City holidays unless the period for completion is extended otherwise by the Contract Documents.
4. The CONTRACTOR agrees to perform all of the Work described in the Contract Documents and comply with the terms therein for the sum of **\$100,191.00**, or as shown in the Bid Schedule.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
  - (A) Agreement
  - (B) Advertisement for BIDS
  - (C) Information for BIDDERS
  - (D) BID
  - (E) BID BOND
  - (F) General Conditions
  - (G) Wage Decision
  - (H) Supplemental General Conditions
  - (I) Payment Bond
  - (J) Performance Bond
  - (K) Notice of Award
  - (L) Notice to Proceed
  - (M) Change Order
  - (N) Drawings prepared by **Arceneaux and Gates Consulting Engineers, Inc.**, numbered **1** through **6** dated **March, 2011.**

(O) Specifications prepared or issued by Arceneaux and Gates Consulting Engineers, Inc., dated March, 2011.

(P) Addenda:

No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_.

No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_.

No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_.

No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_.

No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_.

6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the Contract Documents.
7. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the Parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in two (2) copies, each of which shall be deemed an original on the date first above written.

**APPROVED IN FORM:**

\_\_\_\_\_  
CITY ATTORNEY

**OWNER:**

**Port Arthur Economic Development Corporation**

\_\_\_\_\_  
NAME **Floyd Batiste**

\_\_\_\_\_  
TITLE **Chief Executive Director**

**CONTRACTOR:**

**APAC-Texas, Inc.**

BY: \_\_\_\_\_

NAME: Scott Blanchard

ADDRESS: 12907 U.S. Hwy 90 W.

Beaumont, TX 77713

[SEAL]

**ATTEST:**

NAME \_\_\_\_\_

TITLE \_\_\_\_\_

[CORPORATE SEAL]

**ATTEST:** \_\_\_\_\_

NAME: \_\_\_\_\_