

RESOLUTION NO. 13-225

**A RESOLUTION AUTHORIZING THE CITY OF PORT  
ARTHUR SECTION 4A ECONOMIC DEVELOPMENT  
CORPORATION TO NEGOTIATE A PRE-DEVELOPMENT  
CONSTRUCTION SERVICES AGREEMENT WITH SPAW  
GLASS FOR 501 PROCTER STREET NOT TO EXCEED  
\$15,000.00**

**WHEREAS**, it is deemed in the best interest of the citizens of Port Arthur to enhance the appearance of the downtown area and to create an environment that promotes business and entertainment activities for the community; and

**WHEREAS**, the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") desires to relocate its offices to downtown Port Arthur; and

**WHEREAS**, per Resolution No 12-641, the City Council authorized PAEDC to pursue the building development plan to retrofit the property at 501 Procter; and

**WHEREAS**, PAEDC invited selected general contractors to submit proposals in order to provide design assist services for the redevelopment of the historic Port Arthur Savings Building; and

**WHEREAS**, on May 6, 2013, the PAEDC Board of Directors voted to begin negotiating an agreement with Spaw Glass for the pre-development construction services for 501 Procter Street not to exceed \$15,000 as noted in **Exhibit "A"**.

**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 authorizes the PAEDC to enter into pre-development services with Spaw Glass to provide design assist services for the redevelopment of the historic Port Arthur Savings Building at a cost not to exceed \$15,000.

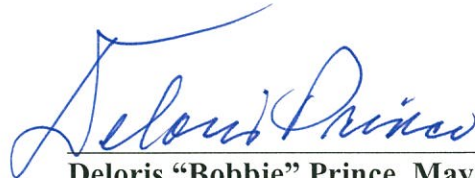
**Section 3.** That a copy of the caption of this Resolution be spread upon the Minutes of the City Council.

**READ, ADOPTED AND APPROVED** on this 14<sup>th</sup> day of May A.D., 2013, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

Mayor Prince; Mayor Bz Lem Lewis,  
Councilmembers Seglar, Freeman and  
Thomas.

NOES: None.

  
Deloris "Bobbie" Prince, Mayor

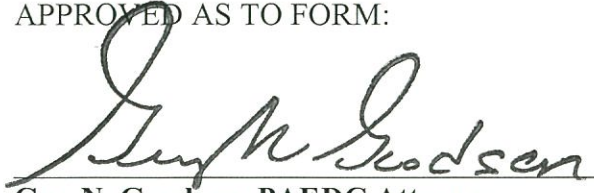
ATTEST:

  
Sherri Bellard, City Secretary

APPROVED:

  
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:



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Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:



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Valecia R. Tizen, City Attorney

# Exhibit “A”

Date: April 29<sup>th</sup>, 2013

To: Floyd Batiste, Executive Director - Port Arthur Economic Development Corporation

From: Murphy D. Cheatham, II, Director - National Development Council

Re: PAEDC Contractor RFP Evaluation Summary

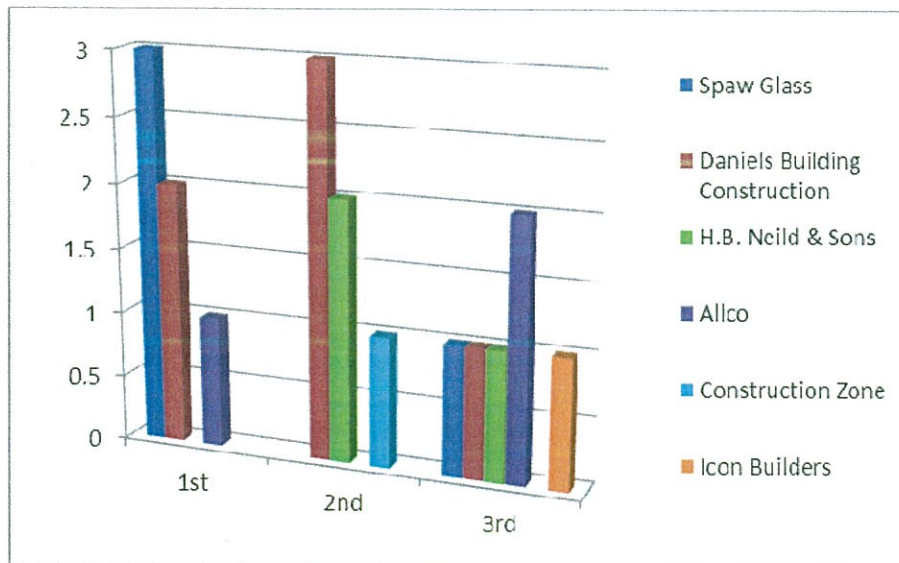
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Mr. Batiste:

Thank you for hosting the interviews for the contractors that responded to the 501 Procter St. Request for Proposal (RFP) at the Port Arthur Economic Development Corporation's (PAEDC) office. The pool of contractors that responded individually brought a different experience, expertise, and ways of managing the construction process. The six respondents received scores from the selection committee as follows:

| <u>Section</u>                | <u>Available Points</u> | <u>Average Evaluator Score</u> |
|-------------------------------|-------------------------|--------------------------------|
| Spaw Glass                    | 100                     | 85                             |
| Daniels Building Construction | 100                     | 84                             |
| H.B. Neild & Sons             | 100                     | 82                             |
| Allco                         | 100                     | 80                             |
| Construction Zone             | 100                     | 74                             |
| Icon Builders                 | 100                     | 62                             |

The qualified pool was very competitive with Spaw Glass and Daniels Building Construction scoring the highest and being separated by one point. Another method used to determine the highest ranking respondent is by which contractor received the most first place votes by evaluator. As shown in the following graph, Spaw Glass and Daniels Building Construction were separated by one first place vote as well:



### Spaw Glass

Spaw Glass' contributing factors were:

#### Qualifications

- Experience renovating historic facilities with flooding basements and installing flooding prevention systems
- Recently opened a regional office in Beaumont, TX by staff that has regional experience with state wide resources
- Currently have three projects in the region
- Possess experience in renovating historic structures to L.E.E.D. guidelines

#### Project Management

- Prefer detailed preconstruction phase with the architecture and engineering team to review the drawings, discuss construction processes, organize flow of information, determine approval process, gain input for subcontractors, and create construction timeline.
- Source M.E.P. locally to ensure future warranty work be addressed as soon as possible
- Require "Mock-Up" drawings from each contractor prior to starting work
- Have a local contractor outreach program

### Daniels Building Construction

Daniels Building Construction's contributing factors were:

#### Qualifications

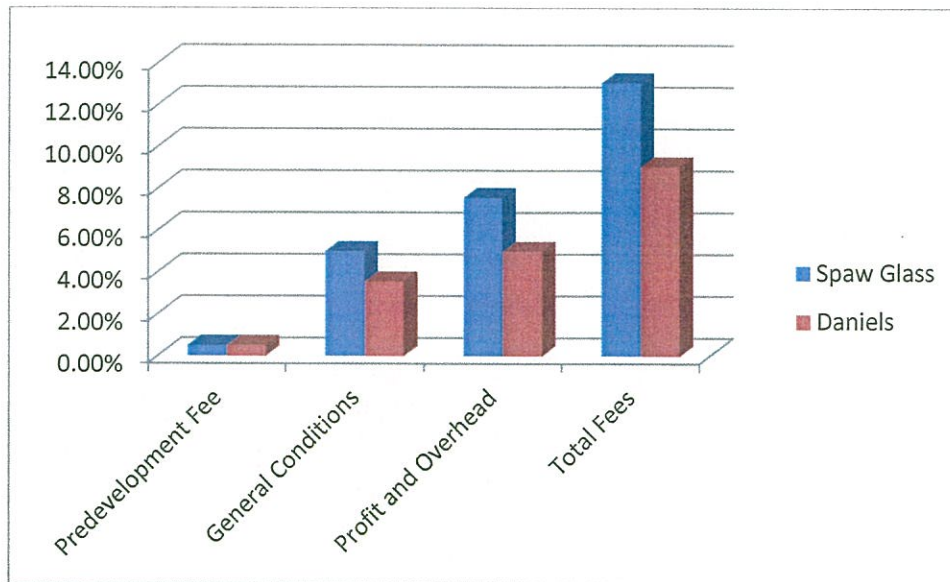
- Experience renovating historic facilities in the region
- Family owned business started in the "Golden Triangle" in 1957
- Have capacity to complete project due to recently finishing larger projects
- Shortest tenure employee has 13 year experience.

#### Project Management

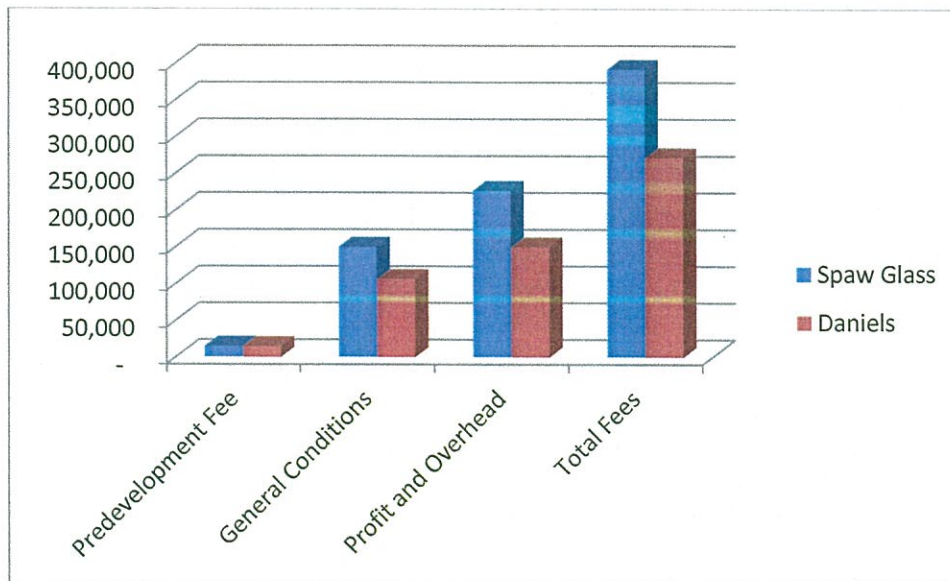
- Prefer detailed preconstruction phase with the architecture and engineering team to review the drawings, discuss construction processes, organize flow of information, determine approval process, gain input for subcontractors, and create construction timeline.
- Strong relationships with local contractors
- Track projects electronically via emails using on site scanners and computers: RFI LOG; Submittal Log

Although Spaw Glass has more direct experience with this project in the term of flooded basements and implementing sustainable design, their fee is considerable higher than Daniels Building Construction as shown in the following graphs:





Fee Comparison by Percentage



Fee Comparison by Dollar

As PAEDC's project manager and representative on this project, citing the aforementioned attributes the National Development Council (NDC) recommends that PAEDC present Spaw Glass and Daniels Building Construction to their board to decide which contract to secure for the preconstruction services of 501 Procter Street. We also recommend securing the general contractor for the renovation as well, should

all parties mutually agree how to move forward, in order to keep continuity between the preparation of preconstruction and the actual renovation of the building. Attached is an excel spreadsheet including a summary tab with additional tabs containing the scoring of each contractor buy judge.

NDC is excited to participate in such a transformational project for the City of Port Arthur and surrounding region. Thank you again for this opportunity.

Regards,

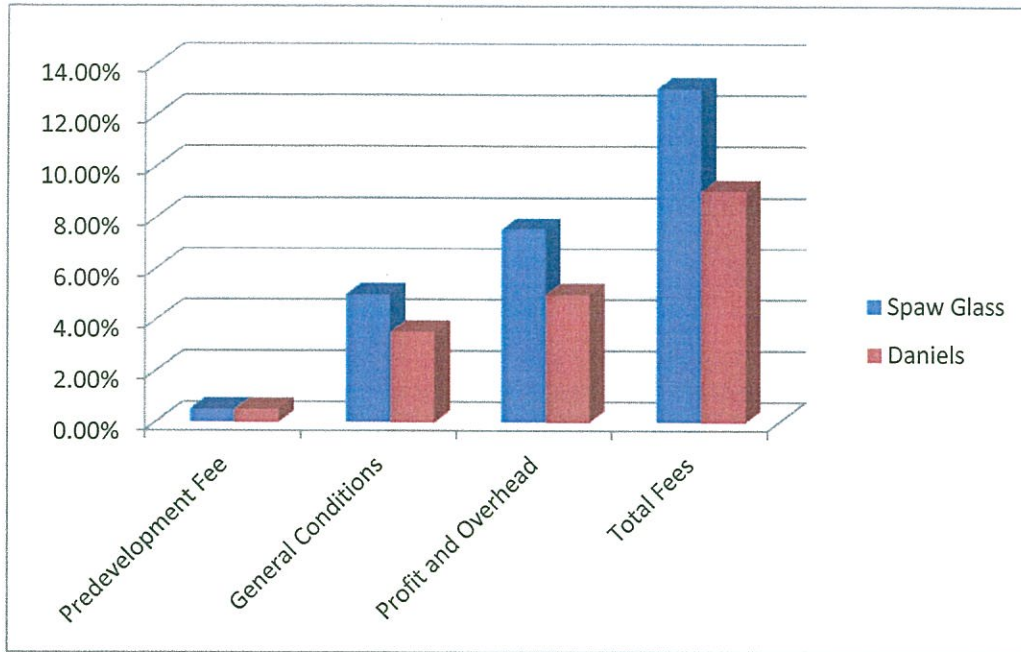
Murphy D. Cheatham, II

Director

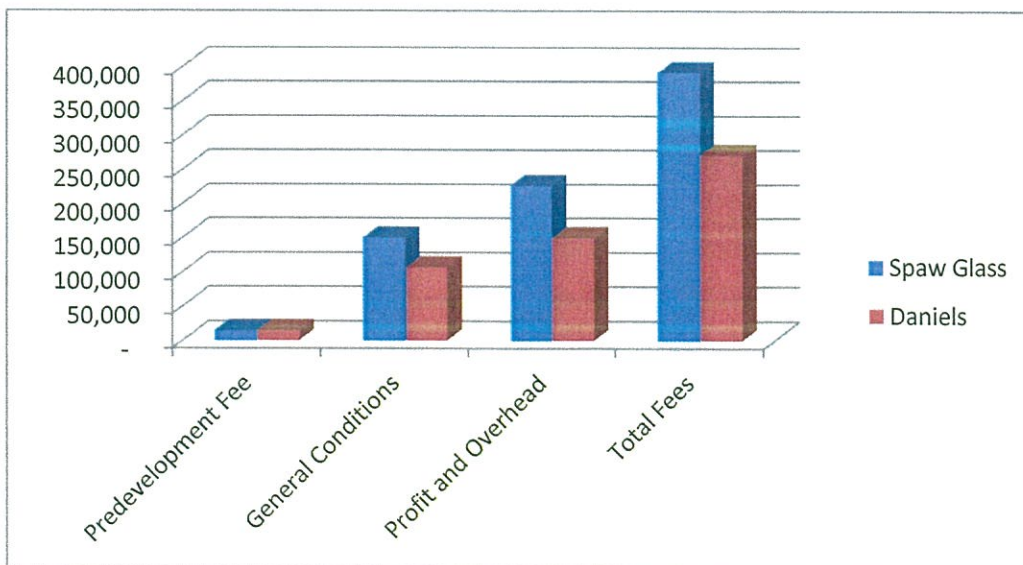
National Development Council



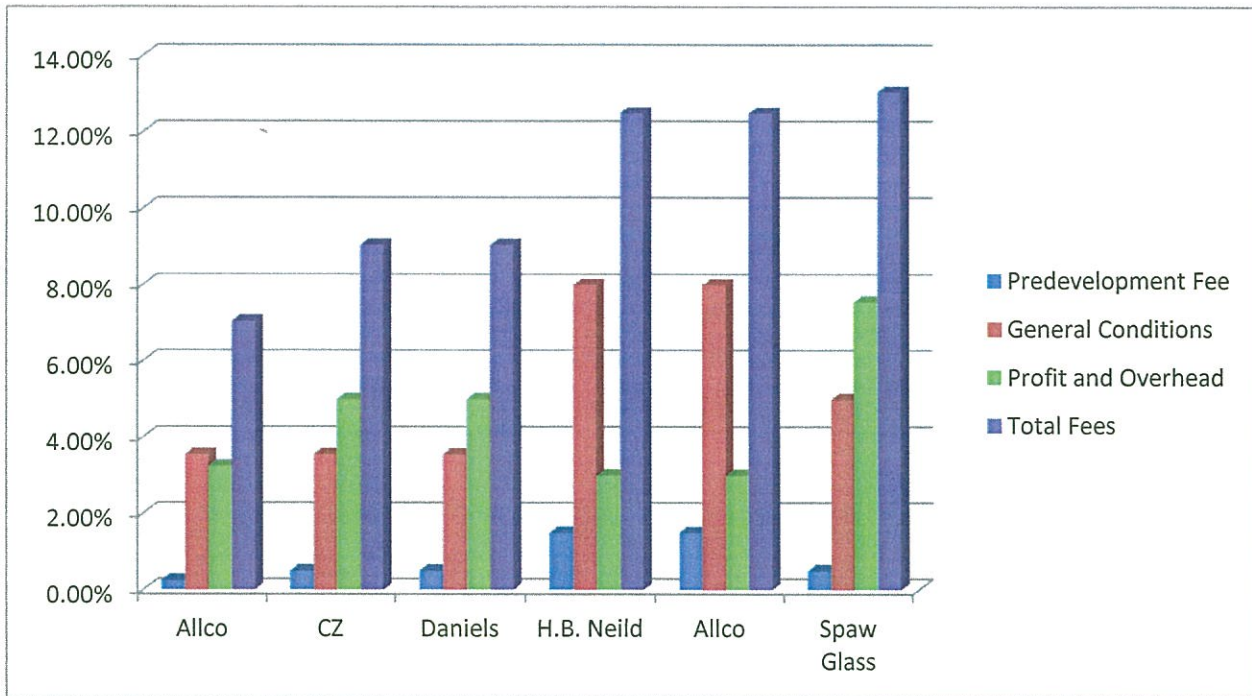
| Percentage          | Spaw Glass    | Daniels      |
|---------------------|---------------|--------------|
| Predevelopment Fee  | 0.50%         | 0.50%        |
| General Conditions  | 5.00%         | 3.55%        |
| Profit and Overhead | 7.55%         | 5.00%        |
| <b>Total Fees</b>   | <b>13.05%</b> | <b>9.05%</b> |



| Fees                | Spaw Glass     | Daniels        |
|---------------------|----------------|----------------|
| Predevelopment Fee  | 15,000         | 15,000         |
| General Conditions  | 150,000        | 106,500        |
| Profit and Overhead | 226,620        | 150,000        |
| <b>Total Fees</b>   | <b>391,620</b> | <b>271,500</b> |



| Percentage          | Allco        | CZ           | Daniels      | H.B. Neild    | Allco         | Spaw Glass    |
|---------------------|--------------|--------------|--------------|---------------|---------------|---------------|
| Predevelopment Fee  | 0.25%        | 0.50%        | 0.50%        | 1.50%         | 1.50%         | 0.50%         |
| General Conditions  | 3.55%        | 3.55%        | 3.55%        | 8.00%         | 8.00%         | 5.00%         |
| Profit and Overhead | 3.25%        | 5.00%        | 5.00%        | 3.00%         | 3.00%         | 7.55%         |
| <b>Total Fees</b>   | <b>7.05%</b> | <b>9.05%</b> | <b>9.05%</b> | <b>12.50%</b> | <b>12.50%</b> | <b>13.05%</b> |



| Fees                | Allco          | CZ             | Daniels        | H.B. Neild     | Allco          | Spaw Glass     |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Predevelopment Fee  | 7,500          | 15,000         | 15,000         | 45,000         | 45,000         | 15,000         |
| General Conditions  | 106,620        | 106,500        | 106,500        | 240,000        | 240,000        | 150,000        |
| Profit and Overhead | 97,500         | 150,000        | 150,000        | 90,000         | 90,000         | 226,620        |
| <b>Total Fees</b>   | <b>211,620</b> | <b>271,500</b> | <b>271,500</b> | <b>375,000</b> | <b>375,000</b> | <b>391,620</b> |

