

RESOLUTION NO. 14-428

**A RESOLUTION AUTHORIZING THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION TO FINANCE NECESSARY IMPROVEMENTS INCLUDING ROUGH-IN BUILD-OUT OF THE SECOND FLOOR AND ADDITIONAL IMPROVEMENTS FOR THE BUILDING LOCATED AT 501 PROCTER IN AN AMOUNT NOT TO EXCEED \$390,386.00 (\$234,791.50 PAEDC FUND, ACCOUNT NUMBER 120-1429-582.59-01 AND THE REMAINING BALANCE TO BE PAID BY THE CHASE NMTC PAEDC INVESTMENT FUND).**

**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**, per Resolution No. 12-641, the City Council authorized the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") to pursue the building development plan to retrofit the building located at 501 Procter Street (the "Building"); and

**WHEREAS**, the City Council authorized PAEDC to make a loan to CHASE NMTC PAEDC Investment Fund, LLC of Three Million Seven Hundred Forty-One Thousand One Hundred Dollars and 00/100 Dollars (\$3,741,100.00) necessary to proceed with the redevelopment, improvement and financing of the Building through New Market Tax Credit Financing (the "CHASE Loan"); and

**WHEREAS**, the CHASE Loan included a construction contingency of \$336,447 which was not a part of the Construction Manager Guaranteed Maximum Price Agreement (the "Agreement") between PAEDC and SpawGlass Construction Corporation ("Spaw"); and

**WHEREAS**, per Resolution No. 13-443, the City Council authorized PAEDC to enter into the Agreement with Spaw for the retrofitting of the Building at a price to complete the work not to exceed \$3,554,000; and

**WHEREAS**, the second floor rough-in build-out in the amount of \$282,886 as specified on **Exhibit “A”** was not included in the Agreement with Spaw; and

**WHEREAS**, the additional improvements in the estimated amount of \$107,500 specified on **Exhibit “B”** also were not included in the Agreement with Spaw; and

**WHEREAS**, at a special Board Meeting on August 28, 2014, the PAEDC Board of Directors approved the second floor rough-in build-out and the additional improvements as shown in **Exhibits “A”** and **“B”** (collectively the “Improvements”) in the amount of \$390,386.00 to be funded through the release of construction contingency with the balance from PAEDC Funds; and

**WHEREAS**, approximately seventy percent (70%) of the construction of the Building is complete, and PAEDC requested a partial release of the construction contingency funds from CHASE from the NMTC PAEDC Investment Fund to be applied to the to the costs of the rough-in build-out of the second floor; and

**WHEREAS**, CHASE has agreed to release \$155,594.50 from the construction contingency for the rough-in of the second floor build-out; and

**WHEREAS**, the City Council of the City of Port Arthur approves PAEDC’s use of PAEDC Funds in an amount not to exceed \$234,791.50 for the remaining costs of the Improvements, subject to the approval of pay requests and change orders for the improvements that are listed in Exhibits “A” and “B” by the PAEDC Board and the City Council of the City of Port Arthur; and

WHEREAS, PAEDC further commits to reimburse the Development Fund from any remaining funds in the construction contingency upon completion of the Building and the authorization by CHASE to release said funds from construction contingency.

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 PAEDC is herein authorized to contract for \$390,386.00 for the Improvements as shown in Exhibits "A" and "B".

**Section 3.** That the PAEDC is herein authorized to use PAEDC Funds in the amount of \$234,791.50 for such Improvements with remaining funds used from CHASE from the NMTC PAEDC Investment Fund in the amount \$155,594.50.

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

READ, ADOPTED AND APPROVED on this 16<sup>th</sup> day of Sept. A.D., 2014, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

Mayor \_\_\_\_\_,

Councilmembers Scott, Hammon, Albright, Mosley  
and Lewis.

NOES: Mayor Prince.

Deloris Prince  
Deloris "Bobbie" Prince, Mayor

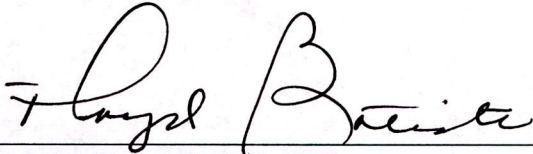


ATTEST:



**Sherri Bellard, City Secretary**

APPROVED:



**Floyd Batiste, PAEDC CEO**

APPROVED AS TO FORM:



**Guy N. Goodson, PAEDC Attorney**

APPROVED AS TO FORM:

see memo

**Valecia R. Tizen, City Attorney**

## EXHIBIT "B"

<u>Improvements</u>	<u>Amount</u>
Movie Screen	\$32,000
Interior Blinds	12,000
Monument Sign	5,000
Dedication Plaque	4,000
Eco-Mesh	5,000
Media Wall	27,000
Atrium Ceiling Fixtures	<u>22,500</u>
	<b>107,500</b>

# Exhibit “A”

**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**CONCEPTUAL BUDGET**

Project: Renovation of the Port Arthur Saving Building  
 Location: 501 Procter Street  
 Architect: Haddon & Cowan Architects Collaborative

Estimate No:  
 Sheet No:  
 Date: 5-Aug-14

**RECAP**

Description	Total Cost	Quantity	Units	Unit Price
DIVISION 01	\$ -	6,200	SF	\$ -
DIVISION 02	\$ -	6,200	SF	\$ -
DIVISION 03	\$ -	6,200	SF	\$ -
DIVISION 04	\$ -	6,200	SF	\$ -
DIVISION 05	\$ -	6,200	SF	\$ -
DIVISION 06	\$ -	6,200	SF	\$ -
DIVISION 07	\$ -	6,200	SF	\$ -
DIVISION 08	\$ 87,550	6,200	SF	\$ 14.12
DIVISION 09	\$ 20,000	6,200	SF	\$ 3.23
DIVISION 10	\$ 2,480	6,200	SF	\$ 0.40
DIVISION 11	\$ -	6,200	SF	\$ -
DIVISION 12	\$ -	6,200	SF	\$ -
DIVISION 14	\$ -	6,200	SF	\$ -
DIVISIONs 21, 22, & 23	\$ 15,250	6,200	SF	\$ 2.46
DIVISION 26	\$ 83,350	6,200	SF	\$ 13.44
DIVISION 31 & 32	\$ -	6,200	SF	\$ -
<b>DIRECT TOTAL COST</b>	<b>\$ 208,630</b>	<b>6,200</b>	<b>SF</b>	<b>\$ 33.65</b>
GENERAL CONDITIONS 9.50%	\$ 26,874	6,200	SF	\$ 4.33
CD COMPLETION CONTINGENCY 8.00%	\$ 22,629	6,200	SF	\$ 3.65
BONDS / INSURANCE / WARRANTY Builders Risk by Owner	\$ 5,658	6,200	SF	\$ 0.91
<b>Cost of Work Subtotal</b>	<b>\$ 263,791</b>			
FEE 6.75%	\$ 19,095	6,200	SF	\$ 3.08
TAX exempt	\$ -			\$ -
PERMITS by owner	\$ -			\$ -
<b>TOTAL ESTIMATED CONSTRUCTION COST</b>	<b>\$ 282,886</b>	<b>6,200</b>	<b>SF</b>	<b>\$ 45.63</b>

**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISION 01**

Description	Total Cost	Quantity	Units	Unit Price
GENERAL REQUIREMENTS				
Not Applicable				

**DIVISION 02**

Existing Conditions/Demolition				
Not Applicable				
Total Division 02	\$ -			



**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISION 03**

Description	Total Cost	Quantity	Units	Unit Price
CONCRETE WORK				
Not Applicable				
Total Division 03	\$ -			\$ -

**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISION 04**

Description	Total Cost	Quantity	Units	Unit Price
MASONRY				
Not Applicable				
Total Division 04	\$ -			

**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISION 05**

Description	Total Cost	Quantity	Units	Unit Price
METALS				
Not Applicable				

**DIVISION 06**

MILLWORK	\$ -			
<b>Total Division 06</b>	<b>\$ -</b>			

**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISION 07**

Description	Total Cost	Quantity	Units	Unit Price
THERMAL AND MOISTURE PROTECTION				
Not Applicable				
Total Division 07	\$ -			

**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISION 08**

Description		Total Cost	Quantity	Units	Unit Price
<b>DOORS AND WINDOWS</b>					
Door-Pro	Doors, Hardware w/ Installation	\$ 3,900			
Tri-Star Glass	Interior Glass Walls	\$ 29,000			
	Glass @ Elevator Lobby	\$ 5,400			
Gulf Coast Railing	Glass Handrails	\$ 49,250			
<b>Total Division 08</b>		<b>\$ 87,550</b>			



**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISION 9**

Description		Total Cost	Quantity	Units	Unit Price
<b>FINISHES</b>					
Southeast Texas Drywall	Frame,Drywall and Paint	\$ -			
Porters Flooring	Flooring -Tile	\$ 7,000			
Custom Flooring	Flooring- Carpet	\$ 13,000			
<b>Total Division 9</b>		<b>\$ 20,000</b>			

**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISION 10**

Description		Total Cost	Quantity	Units	Unit Price
<b>SPECIALTIES</b>					
Griesenbeck	Toilet Partitions and Accessories	\$ 1,980			
Kaiser Graphics	Signage	\$ 500			
<b>Total Division 10</b>		<b>\$ 2,480</b>			

Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas  
DIVISION 11

Description	Total Cost	Quantity	Units	Unit Price
EQUIPMENT				
Not Applicable				
Total Division 11	\$ -			

Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas  
DIVISION 12

Description	Total Cost	Quantity	Units	Unit Price
FURNISHINGS				
Not Applicable				
Total Division 12	\$ -			

Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas  
DIVISION 14

Description	Total Cost	Quantity	Units	Unit Price
Conveying Equipment				
Not Applicable				
Total Division 14	\$ -			

**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISIONS 21, 22, & 23**

Description		Total Cost	Quantity	Units	Unit Price
DIV. 21	<b>FIRE SUPPRESSION</b>				
Coastal Sprinkler	Fire Sprinkler	\$ 1,750			
DIV. 22	<b>PLUMBING</b>				
Hinote Plumbing	Plumbing Fixtures and Piping	\$ 11,000			
DIV. 23	<b>HEATING, VENTILATING, AND AIR CONDITIONING</b>				
Associated Mech.	HVAC Installation	\$ 2,500			
<b>Total Divisions 21, 22, &amp; 23</b>		<b>\$ 15,250</b>			

**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISION 26**

Description		Total Cost	Quantity	Units	Unit Price
	<b>ELECTRICAL</b>				
GulfCoast Electric	Electrical	\$ 75,000			
Maverick Comm.	Data	\$ 8,350			
Texas Fire Alarm	Fire Alarm (Included in Electrical)	\$ -			
<b>Total Division 26</b>		<b>\$ 83,350</b>			

**Renovation of the Port Arthur Savings Building(2nd Floor Buildout) - Port Arthur, Texas**  
**DIVISIONs 31, 32, & 33**

Description		Total Cost	Quantity	Units	Unit Price
DIV. 31	EARTHWORK				
	Not Applicable				
DIV. 32	EXTERIOR IMPROVEMENTS				
	Not Applicable				
DIV. 33	SITE UTILITIES				
	Not Applicable				
Total Divisions 31 & 32		\$ -			



## EXHIBIT "B"

<u>Improvements</u>	<u>Amount</u>
Movie Screen	\$32,000
Interior Blinds	12,000
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Eco-Mesh	5,000
Media Wall	27,000
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