

RESOLUTION NO. 14-615

P.R. No. 18703
11/18/2014

**A RESOLUTION AMENDING RESOLUTION NO. 14-326
BY CHANGING THE CONTRACT AMOUNT FROM
\$476,717.95 TO \$482,767.95 FOR A CONTRACT BETWEEN
THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC
DEVELOPMENT CORPORATION AND EXCAVATORS &
CONSTRUCTORS, LTD. FOR WATER, SANITARY
SEWER, PAVING AND DRAINAGE FACILITIES TO
SERVE PROPOSED "KAPRINA FRANK DRIVE" IN THE
SPUR 93 BUSINESS PARK**

WHEREAS, on July 22nd, 2014, the City Council of the City of Port Arthur approved Resolution No. 14-326, a contract between the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") and Excavators & Constructors, Ltd. in an amount not to exceed \$476,717.95; and

WHEREAS, the amount of the contract awarded to Excavators & Constructors, Ltd. should be \$482,767.95; and

WHEREAS, the City Council of the City of Port Arthur approves the correction to the contract between PAEDC and Excavators & Constructors, Ltd. in an amount not to exceed \$482,767.95.

**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 of the City of Port Arthur approves the correction to Resolution 14-326 which incorrectly stated the contract between PAEDC and Excavators & Constructors, Ltd. was \$476,717.95 for road construction for the proposed "Kaprina Frank Drive".

Section 3. That the City Council authorizes PAEDC to execute a contract with Excavators & Constructors, Ltd. in an amount not to exceed \$482,767.95 for water, sanitary sewer, paving and drainage facilities to serve proposed Kaprina Frank Drive in the Spur 93 Business Park.

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

READ, ADOPTED AND APPROVED on this 9th day of December A.D., 2014, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

Mayor Prince; Mayor Pro Tem Freeman
Councilmembers Scott, Hamilton, Albright, Masley,
Lewis, Williamson

NOES:

None

Deloris Prince
Deloris "Bobbie" Prince, Mayor

ATTEST:

Kelly Moore
Sherri Bellard, City Secretary on behalf of

APPROVED:



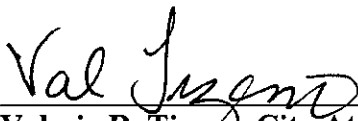
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:



Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:



Valecia R. Tizend, City Attorney

RESOLUTION NO. 14-616

**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 THE WATER, SANITARY
SEWER, PAVING, DRAINAGE FACILITIES AND SITE
GRADING TO SERVE PROPOSED KAPRINA FRANK
DRIVE IN THE SPUR 93 BUSINESS PARK**

WHEREAS, on July 22nd 2014, per Resolution 14-326, the City Council of the City of Port Arthur approved a contract between the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") and Excavators & Constructors, Ltd. for water, sanitary sewer, paving and drainage facilities to serve proposed Kaprina Frank Drive in the Spur 93 Business Park; and

WHEREAS, on October 6, 2014, the PAEDC Board of Directors approved the extension of the proposed 8" sanitary sewer line to the north side of the proposed Kaprina Frank Drive to serve future development; and

WHEREAS, the contractor, Excavators & Constructors, Ltd. is requesting to increase the contract time by 23 days due to weather delays, moving the completion date from February 11, 2015 to March 6, 2015; and

WHEREAS, the cost of this Change Order will increase the contract amount by \$7,290.40, which increases the total contract from \$482,767.95 to \$490,058.35 as shown 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 increase the contract time by 23 days due to weather delays moving the completion date from February 11, 2015 to March 6, 2015, for a total of 173 days, and increases the contract amount by \$7,290.40 which increases the total contract amount from \$482,767.95 to \$490,058.35 as shown in **Exhibit "A"**.

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 9th day of December A.D., 2014,
at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

Mayor Prince, Mayor Pro Tem Freeman
Councilmembers Scott, Hamilton, Albright, Mosley,
Lewis and Williamson

NOES: None

Deloris Prince
Deloris "Bobbie" Prince, Mayor

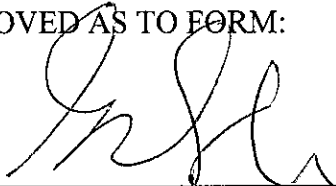
ATTEST:

Kelly Moore
Sherri Bellard, City Secretary on behalf of

APPROVED:


Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:


Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:

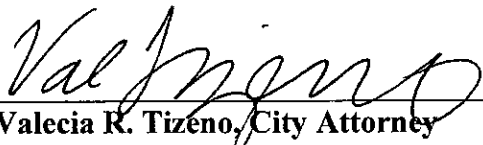
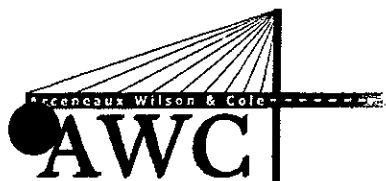

Valecia R. Tizeno, City Attorney

EXHIBIT “A”

EXHIBIT "A"



ARCENEAUX WILSON & COLE LLC

Engineering • Surveying • Planning

November 10, 2014

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

RE: CHANGE ORDER NO. 1

***Water, Sanitary Sewer, Paving, Drainage Facilities and Site Grading to
serve Proposed "Kaprina Frank Drive"***
A&G Job No. EDC-180

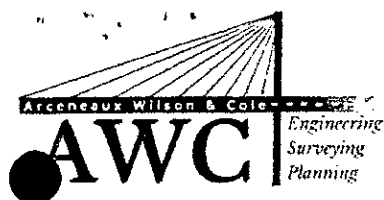
Dear Mr. Batiste:

Attached is Change Order No. 1 for the Water, Sanitary Sewer, Paving, Drainage Facilities and Site Grading to serve Proposed "Kaprina Frank Drive" project. This change order is for the extension of the proposed 8" sanitary sewer line to the north side of the proposed Kaprina Frank Drive to serve future development. The extension of this line will serve future development on the north side of the proposed roadway. Also, this change order is a request to increase the contract time by 23 days. The contractor has requested a time extension of 23 days due to weather delays. The total cost for this change order will increase the contract amount \$ 7,290.40. I recommend that the City of Port Arthur authorize this change to the contract. I have attached Change Order No. 1 which modifies the contract to reflect this change for your consideration and action. Should you have any questions or require additional information, please contact our office.

Very truly yours,

Arceneaux Wilson & Cole LLC
TEXAS REGISTERED ENGINEERING FIRM F-16194

Keestan Cole, PE
Vice-President



CHANGE ORDER No. 1

DATE: November 10, 2014 JOB NO. EDC-180

AGREEMENT DATE: September 15, 2014

NAME OF PROJECT: Water, Sanitary Sewer, Paving, Drainage Facilities and Site Grading

OWNER: CITY of PORT ARTHUR

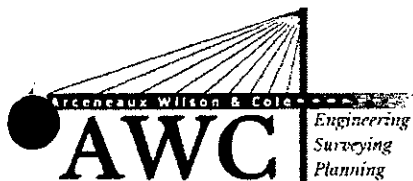
CONTRACTOR: Excavators & Constructors, LTD.

The following changes are hereby made to the CONTRACT DOCUMENTS:

1. Add to Adjust the following Items to the Contract and Scope of Work:

- a. Extend contract time by 23 days
- b. Bid Item No. 29, Increase 8" PVC Sewer
(112 L.F. / \$44.80) \$ 5,017.60
- c. Bid Item No. 30, Increase Trench Safety
(112 L.F. / \$0.65) \$ 72.80
- d. Bid Item No. 41, Extra-Cement Stabilized Sand
(44 C.Y. / \$50.00) \$ 2,200.00

SUBTOTAL **\$ 7,290.40**



CHANGE ORDER NO. 1
November 10, 2014
Job No. EDC-180, Contract No. 1

CHANGE TO CONTRACT PRICE:

ORIGINAL CONTRACT PRICE: \$482,767.95

CURRENT CONTRACT PRICE adjusted by previous CHANGE ORDER(S): \$482,767.95

The CONTRACT PRICE due to this CHANGE ORDER will be [increased] [decreased]
by: \$7,290.40 Dollars

The new CONTRACT PRICE, including this CHANGE ORDER, will be \$490,058.35

CHANGE TO CONTRACT TIME:

ORIGINAL CONTRACT TIME: 150 Calendar Days

CURRENT CONTRACT TIME adjusted by previous CHANGE ORDER: 0 Calendar Days

CURRENT DATE OF COMPLETION: February 11, 2015

CONTRACT TIME due to this CHANGE ORDER will be *increased by* 23 Days

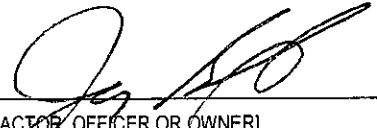
The New DATE OF COMPLETION: March 6, 2015

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

RECOMMENDED BY ENGINEER:

ACCEPTED BY:


ARCENEUX WILSON & COLE LLC


[CONTRACTOR, OFFICER OR OWNER]
EXCAVATORS & CONSTRUCTORS, LTD.

ACCEPTED BY:

CITY of PORT ARTHUR *Economic Development Corporation*