

RESOLUTION NO. 16-031

**A RESOLUTION APPROVING A CHANGE ORDER NO. 1 AS IT PERTAINS TO A SIX MONTH EXTENSION TO THE CONTRACT WITH ALLCO, INC., FOR CONSTRUCTION OF SITE GRADING TO SERVE THE PORT ARTHUR SPUR 93 BUSINESS PARK AS APPROVED BY THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION**

**WHEREAS**, on April 21, 2015, per Resolution No. 15-151, the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC") entered into a contract with ALLCO for site grading services to serve the Spur 93 Business Park (the "Contract"); and

**WHEREAS**, Arceneaux Wilson & Cole LLC, the project engineering consultants, have requested that ALLCO submit a change order request for a six month extension to the Contract to allow for current and all future weather delays as denoted in **Exhibit "A"**; and

**WHEREAS**, the six month extension will not impact the Contract amount; and

**WHEREAS**, this change order was approved by the Board of Directors of PAEDC on January 12, 2016.

**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 Change Order No. 1 the change order extending the contract by six additional months to June 1, 2016, is herein approved by the City Council of the City of Port Arthur.

**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 21<sup>st</sup> day of January A.D., 2016, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

Mayor \_\_\_\_\_

Councilmembers Scott, Albright (Presiding Officer),  
Moseley, Lewis, Swati and Moses  
\_\_\_\_\_;

NOES: None



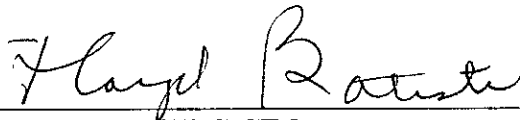
Presiding Officer

ATTEST:



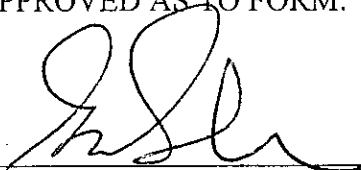
Sherri Bellard, City Secretary *on behalf of*

APPROVED:



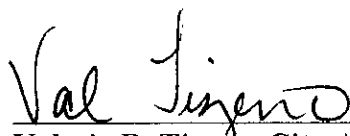
Floyd Batiste, PAEDC CEO

APPROVED AS TO FORM:



Guy N. Goodson, PAEDC Attorney

APPROVED AS TO FORM:



Valecia R. Tizeno, City Attorney

# **EXHIBIT “A”**



**CHANGE ORDER No. 1**

DATE: January 6, 2016 JOB NO. EDC-220

AGREEMENT DATE: April 21, 2015

NAME OF PROJECT: Site Grading to Serve the Port Arthur Business Park

OWNER: CITY of PORT ARTHUR / PORT ARTHUR ECONOMIC  
DEVELOPMENT CORPORATION

CONTRACTOR: ALLCO

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 169 days
- b. Extend original contract time by 31 days



**CHANGE ORDER NO. 1**  
**January 6, 2016**  
**Job No. EDC-220, Contract No. 1**

**CHANGE TO CONTRACT PRICE:**

ORIGINAL CONTRACT PRICE: \$291,615.60

CURRENT CONTRACT PRICE adjusted by previous CHANGE ORDER(S): \$291,615.60

The CONTRACT PRICE due to this CHANGE ORDER will be ~~increased~~ ~~decreased~~  
by: \$0.00 Dollars

The new CONTRACT PRICE, including this CHANGE ORDER, will be \$291,615.60

**CHANGE TO CONTRACT TIME:**

ORIGINAL CONTRACT TIME: 90 Calendar Days

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

CURRENT DATE OF COMPLETION: November 14, 2015

CONTRACT TIME due to this CHANGE ORDER will be *increased* by 200 Days

The New DATE OF COMPLETION: June 1, 2016

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]

**ALLCO**

ACCEPTED BY:

**City of Port Arthur / Port Arthur Economic Development Corporation**

REQUEST FOR EXTENSION OF TIME DUE TO WEATHER OR SUPPLIES

CITY OF PORT ARTHUR SECTION 4A  
ECONOMIC DEVELOPMENT CORPORATION

DATE: 1-6-15 MONTH OF: November 2015.

NAME OF PROJECT: Business Park Site Grading

CONTRACTOR: Allco

TO: CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION  
PUBLIC WORKS DEPARTMENT  
P.O. BOX 1089  
CITY OF PORT ARTHUR, TEXAS 77641-1089

ATTENTION:

Gentlemen:

We request extension of completion time on our Contract due to the days of work lost as specified (circle dates actually lost; do **not** include days not normally worked, such as Saturdays, Sundays, or holidays):

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20  
21 22 23 24 25 26 27 28 29 30 31

DAYS LOST (19) ÷ 5 X 7 = 26.6 CALENDAR DAYS REQUESTED

Reason(s) for Request: Rain Days, too wet to work

ALLCO  
[Name of Contractor]

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

\*\*\*\*\*

\_\_\_\_\_ Approved for extension of \_\_\_\_\_ calendar days.

\_\_\_\_\_ Disapproved.

Date: \_\_\_\_\_, 2016

CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION

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

Distribution:  
Original: Executive Director  
Copy: Engineer  
Contractor

REQUEST FOR EXTENSION OF TIME DUE TO WEATHER OR SUPPLIES

CITY OF PORT ARTHUR SECTION 4A  
ECONOMIC DEVELOPMENT CORPORATION

DATE: 1-6-15 MONTH OF: December 2015.

NAME OF PROJECT: Business Park Site Grading

CONTRACTOR: Allco

TO: CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION  
PUBLIC WORKS DEPARTMENT  
P.O. BOX 1089  
CITY OF PORT ARTHUR, TEXAS 77641-1089

ATTENTION:

Gentlemen:

We request extension of completion time on our Contract due to the days of work lost as specified (circle dates actually lost; do **not** include days not normally worked, such as Saturdays, Sundays, or holidays):

① ② ③ ④ ⑤ ⑥ ⑦ ⑧ ⑨ ⑩ ⑪ ⑫ ⑬ ⑭ ⑮ ⑯ ⑰ ⑱ ⑲ ⑳  
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DAYS LOST ( 31 ) ÷ 5 X 7 = 43.4 CALENDAR DAYS REQUESTED

Reason(s) for Request: Rain Days, too wet to work

ALLCO  
[Name of Contractor]

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

\*\*\*\*\*

\_\_\_\_\_ Approved for extension of \_\_\_\_\_ calendar days.

\_\_\_\_\_ Disapproved.

Date: \_\_\_\_\_, 2016

CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION

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

Distribution:

Original: Executive Director

Copy: Engineer

Contractor

REQUEST FOR EXTENSION OF TIME DUE TO WEATHER OR SUPPLIES

CITY OF PORT ARTHUR SECTION 4A  
ECONOMIC DEVELOPMENT CORPORATION

DATE: 1-6-15 MONTH OF: January 2016.

NAME OF PROJECT: Business Park Site Grading

CONTRACTOR: Allco

TO: CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION  
PUBLIC WORKS DEPARTMENT  
P.O. BOX 1089  
CITY OF PORT ARTHUR, TEXAS 77641-1089

ATTENTION:

Gentlemen:

We request extension of completion time on our Contract due to the days of work lost as specified (circle dates actually lost; do **not** include days not normally worked, such as Saturdays, Sundays, or holidays):

① ② ③ ④ ⑤ ⑥ ⑦ ⑧ ⑨ ⑩ ⑪ 12 13 14 15 16 17 18 19 20  
21 22 23 24 25 26 27 28 29 30 31

DAYS LOST (11) ÷ 5 X 7 = 15.4 CALENDAR DAYS REQUESTED

Reason(s) for Request: Rain Days, too wet to work

ALLCO

[Name of Contractor]

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

\*\*\*\*\*

\_\_\_\_\_ Approved for extension of \_\_\_\_\_ calendar days.

\_\_\_\_\_ Disapproved.

Date: \_\_\_\_\_, 2016

CITY OF PORT ARTHUR SECTION 4A ECONOMIC DEVELOPMENT CORPORATION

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

Distribution:

Original: Executive Director

Copy: Engineer  
Contractor