

**RESOLUTION 2023- \_\_\_\_**

**A RESOLUTION OF THE TOWN OF BARTONVILLE, TEXAS, APPROVING A SECOND AMENDMENT TO THE ANNUAL CONTRACT FOR MISCELLANEOUS PAVEMENT REPAIR AND DRAINAGE IMPROVEMENTS BETWEEN THE TOWN OF BARTONVILLE AND SPI ASPHALT, LLC, TO ADOPT REVISED UNIT PRICES FOR BID ITEMS FOR WORK UNDER THE CONTRACT; AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE CONTRACT AMENDMENT DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** The Town of Bartonville and SPI Asphalt, LLC, entered into that certain 2021 Annual Contract for Miscellaneous Pavement Repair and Drainage Improvements, effective November 19, 2021 (the “Contract”), that was scheduled to expire on November 30, 2022; and

**WHEREAS,** under the terms of the Contract set forth in the Contract Documents, Special Instructions to Bidders, Section 5, Contract Term, the Town renewed the Contract for a one-year term by that certain First Amendment to Contract Between Town of Bartonville and SPI Asphalt, LLC, approved by Bartonville Resolution No. 2022-22, dated November 15, 2022; and

**WHEREAS,** a negotiation of revised unit prices for bid items for work under the Contract have been negotiated recently between the Town and SPI Asphalt, LLC; and

**WHEREAS,** upon full review and consideration of the Contract and all matters related thereto, the Town Council is of the opinion and finds that said Contract shall be amended by the adoption of revised unit prices for bid items as the result of negotiation between the Town and SPI Asphalt, LLC.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:**

**SECTION 1.** The Second Amendment to the Contract to adopt revised unit prices for bid items is hereby approved, and the Town Administrator is hereby authorized to sign the necessary documents amending the Contract, attached hereto as Exhibit “A,” under the same terms and conditions as set forth in the Contract, as was amended by the First Amendment to the Contract, dated November 15, 2022, except for the revised unit prices for bid items adopted hereunder, as shown on the attached Exhibit “A.”

**SECTION 2.** This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

**DULY ADOPTED** by the Bartonville Town Council on this \_\_\_\_ day of February 2023.

**APPROVED:**

\_\_\_\_\_  
Jaclyn Carrington, Mayor

**ATTEST:**

\_\_\_\_\_  
Tammy Dixon, Town Secretary

**SECOND AMENDMENT TO  
CONTRACT BETWEEN TOWN OF BARTONVILLE AND SPI ASPHALT, LLC**

This Second Amendment to the 2021 Annual Contract for Miscellaneous Pavement Repair and Drainage Improvements (this “Second Amendment”) is made and entered into by the Town of Bartonville, Texas, a municipal corporation (hereinafter referred to as “Town”) and SPI Asphalt, LLC, authorized to conduct business in the State of Texas (hereinafter referred to as “SPI”) (collectively, the “Parties”), and constitutes an amendment to the 2021 Annual Contract for Miscellaneous Pavement Repair and Drainage Improvements, effective November 19, 2021, (the “Contract”) executed by the Parties to provide for street pavement repair and drainage improvements in the Town.

**RECITALS:**

WHEREAS, the Parties executed the Contract effective November 19, 2021; and

WHEREAS, the Contract provides certain provisions regarding street pavement repair and drainage improvements in the Town for a period of one (1) year, with provision for two one-year extensions at the option of the Town and as agreed upon by the Parties; and

WHEREAS, the Parties extended the term of the Contract for one (1) year in accordance with the availability of such option set forth in the Contract Documents, Special Instructions to Bidders, Section 5, Contract Term, by that First Amendment to Contract Between Town of Bartonville and SPI Asphalt, LLC, dated November 22, 2022; and

WHEREAS, the Parties have concluded that the Contract, as amended by this Second Amendment, will continue SPI’s provision of street pavement repair and drainage improvements in the Town under the same terms and conditions of the Contract, except for revised unit prices for various bid items, as have been negotiated by the Parties and as are reflected on Exhibit 1 attached to this Second Amendment; and

WHEREAS, this Second Amendment is in the best interest of the Parties.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND CONSIDERATION PROVIDED FOR HEREIN, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY CONFIRMED, THE PARTIES HERETO AGREE TO THE FOLLOWING:

Section 1. All matters stated above in the preamble are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. **Adoption of Revised Unit Prices for Bid Items**: By way of amendment to the Contract Documents, the unit prices for bid items for work under the Contract are hereby modified as set forth on Exhibit 1 attached hereto.

Section 3. **Remainder of Terms of the Contract Remain the Same**: The rest and remainder of the terms and conditions set forth in the Contract, as originally executed and as amended by the First Amendment, dated November 22, 2022,

are unchanged and are not amended or altered by this Second Amendment.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of February, 2023, in duplicate originals.

TOWN OF BARTONVILLE, TEXAS

SPI ASPHALT, LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Thad Chambers

Name: \_\_\_\_\_

Title: Town Administrator

Title: \_\_\_\_\_

ATTEST:

ATTEST:

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Tammy Dixon

Name: \_\_\_\_\_

Title: Town Secretary

Title: \_\_\_\_\_

**Town of Bartonville, Texas  
2021 ANNUAL CONTRACT FOR  
FOR MISCELLANEOUS PAVEMENT REPAIR AND DRAINAGE IMPROVEMENTS**

**PROPOSAL/UNIT PRICE BID SCHEDULE**

THIS BID IS SUBMITTED TO:  
Town of Bartonville  
1941 E. Jeter Road  
Bartonville, Texas 76226

The Undersigned Bidder proposes to complete the work as shown on the Plans and described in the specifications for the following prices:

No.	Bid Item Description	Estimated Quantity	Old Unit Price Bid	New Unit Price Bid	Percentage Increase	Total Amount Bid
<b>Base Bid Items</b>						
1	Mobilization for Crack Sealing	2 LS	\$ 1,500.00 /LS	\$ 1,800.00 /LS	20.00%	\$ 3,600.00
2	Crack Sealing (0 to 4,000 LF)	4,000 LF	\$ 2.75 /LF	\$ 3.20 /LF	16.36%	\$ 12,800.00
3	Crack Sealing (more than 4,000 LF)	15,000 LF	\$ 2.50 /LF	\$ 2.75 /LF	10.00%	\$ 41,250.00
4	Mobilization for Asphalt Spot Repairs	3 LS	\$ 1,500.00 /LS	\$ 1,800.00 /LS	20.00%	\$ 5,400.00
5	4" Asphalt Spot Repair (0 to 50 SY)	50 SY	\$ 68.00 /SY	\$ 76.00 /SY	11.76%	\$ 3,800.00
6	4" Asphalt Spot Repair (51 to 100 SY)	125 SY	\$ 68.00 /SY	\$ 74.00 /SY	8.82%	\$ 9,250.00
7	4" Asphalt Spot Repair (more than 100 SY)	200 SY	\$ 68.00 /SY	\$ 70.00 /SY	2.94%	\$ 14,000.00
8	8" Asphalt Spot Repair (0 to 50 SY)	20 SY	\$ 115.00 /SY	\$ 130.00 /SY	13.04%	\$ 2,600.00
9	8" Asphalt Spot Repair (more than 50 SY)	75 SY	\$ 115.00 /SY	\$ 125.00 /SY	8.70%	\$ 9,375.00
10	Asphalt for Spot Repairs	20 TON	\$ 125.00 /TON	\$ 145.00 /TON	16.00%	\$ 2,900.00
11	Flexbase for Base Repair	100 TON	\$ 55.00 /TON	\$ 60.00 /TON	9.09%	\$ 6,000.00
12	Pothole Patch	15 SF	\$ 5.00 /SF	\$ 50.00 /SF	900.00%	\$ 750.00
13	Mobilization for Asphalt Overlay	2 LS	\$ 1,500.00 /LS	\$ 1,800.00 /LS	20.00%	\$ 3,600.00
14	Type C Asphalt Overlay (0 to 200 Tons)	175 TON	\$ 120.00 /TON	\$ 130.00 /TON	8.33%	\$ 22,750.00
15	Type C Asphalt Overlay (more than 200 Tons)	400 TON	\$ 120.00 /TON	\$ 130.00 /TON	8.33%	\$ 52,000.00

No.	Bid Item Description	Estimated Quantity	Old Unit Price Bid	New Unit Price Bid	Percentage Increase	Total Amount Bid
16	Fog Seal	2,500 SY	\$ 2.00 /SY	\$ 2.15 /SY	7.50%	\$ 5,375.00
<b>Total Base Bid</b>						<b>\$ 195,450.00</b>
<b>Add Alternate Bid Items</b>						
17	Mobilization for Drainage Work	1 LS	\$ 1,000.00 /LS	\$ 1,500.00 /LS	50.00%	\$ 1,500.00
18	Ditch Grading	6 Day	\$ 1,500.00 /Day	\$ 1,500.00 /Day	0.00%	\$ 9,000.00
19	Remove Existing Culvert	2 EA	\$ 500.00 /EA	\$ 500.00 /EA	0.00%	\$ 1,000.00
20	18" RCP Culvert	30 LF	\$ 125.00 /LF	\$ 125.00 /LF	0.00%	\$ 3,750.00
21	24" RCP Culvert	30 LF	\$ 145.00 /LF	\$ 145.00 /LF	0.00%	\$ 4,350.00
22	36" RCP Culvert	30 LF	\$ 350.00 /LF	\$ 350.00 /LF	0.00%	\$ 10,500.00
23	48" RCP Culvert	30 LF	\$ 500.00 /LF	\$ 500.00 /LF	0.00%	\$ 15,000.00
24	Safety End Treatment for 18" Culvert	2 EA	\$ 1,500.00 /EA	\$ 1,500.00 /EA	0.00%	\$ 3,000.00
25	Safety End Treatment for 21" - 27" Culvert	2 EA	\$ 2,000.00 /EA	\$ 2,000.00 /EA	0.00%	\$ 4,000.00
26	Safety End Treatment for 30" - 36" Culvert	2 EA	\$ 3,000.00 /EA	\$ 3,000.00 /EA	0.00%	\$ 6,000.00
27	Safety End Treatment for 42" - 48" Culvert	2 EA	\$ 3,500.00 /EA	\$ 3,500.00 /EA	0.00%	\$ 7,000.00
28	Parallel Wings Headwall for 42" - 48" Culvert	2 EA	\$ 5,000.00 /EA	\$ 5,000.00 /EA	0.00%	\$ 10,000.00
29	12" Rock Riprap	20 SY	\$ 150.00 /SY	\$ 150.00 /SY	0.00%	\$ 3,000.00
30	4" ReflectORIZED Pavement Markings	1,000 LF	\$ 1.50 /LF	\$ 1.90 /LF	26.67%	\$ 1,900.00
31	Solid Sod (Common Bermuda)	500 SY	\$ 9.00 /SY	\$ 12.00 /SY	33.33%	\$ 6,000.00
32	Turf Reinforcing Mat	200 SY	\$ 35.00 /SY	\$ 35.00 /SY	0.00%	\$ 7,000.00
33	8" Full-Depth Concrete Repair	30 SF	\$ 20.00 /SF	\$ 30.00 /SF	50.00%	\$ 900.00
34	Clean Out Culverts (Up to 27")	3 EA	\$ 650.00 /EA	\$ 900.00 /EA	38.46%	\$ 2,700.00

No.	Bid Item Description	Estimated Quantity	Old Unit Price Bid	New Unit Price Bid	Percentage Increase	Total Amount Bid
35	Clean Out Culverts (30" and larger)	2 EA	\$ 950.00 /EA	\$ 1,100.00 /EA	15.79%	\$ 2,200.00
36	Object Markers	6 EA	\$ 200.00 /EA	\$ 200.00 /EA	0.00%	\$ 1,200.00
37	Remove Existing Tree (6" dbh to 18" dbh)	3 EA	\$ 500.00 /EA	\$ 750.00 /EA	50.00%	\$ 2,250.00
38	Remove Existing Tree (greater than 18" dbh)	3 EA	\$ 1,000.00 /EA	\$ 1,000.00 /EA	0.00%	\$ 3,000.00
39	2' Concrete Flume	200 LF	\$ 30.00 /LF	\$ 42.00 /LF	40.00%	\$ 8,400.00
40	Grouted Rock Rip Rap	25 SY	\$ 100.00 /SY	\$ 100.00 /SY	0.00%	\$ 2,500.00
41	Pulvamic and Cement Stabilize Base	500 SY	\$ 12.00 /SY	\$ 15.00 /SY	25.00%	\$ 7,500.00
42	Backfill Shoulder	200 LF	\$ 5.00 /LF	\$ 8.00 /LF	60.00%	\$ 1,600.00
43	Flowable Fill	20 CY	\$ 400.00 /CY	\$ 400.00 /CY	0.00%	\$ 8,000.00
44	Cleaning & Sealing Concrete Joints	5,000 LF	\$ 5.00 /LF	\$ 5.00 /LF	0.00%	\$ 25,000.00

Total Add Alternate Bid: \$ 158,250.00

Total Base Bid: \$ 195,450.00

Total Combined Bid: \$ 353,700.00

The undersigned agrees to execute and file with the Owner a contract within ten (10) days after written notification of award of the contract to him and to begin the work to be performed under the contract within ten (10) days after written authorization to begin the work (Work Order) and to complete the work in full in accordance with the schedule outlined on each Work Order.

Signed: [Signature]

SEAL  
(If Corporation)

Company: S.P.J. Asphalt

Address: P.O. Box 1106

Arroyo, TX 76226

Telephone: 940-230-6575

Email: andy@spiasphalt.com