# Minutes of July 7, 2009
# Mayor and Board of Aldermen

Be it remembered that a regular meeting of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, was begun and held at 6:00 o'clock p.m. it being the first Tuesday in July, 2009, and the same being the time, date and place fixed by Laws of the State of Mississippi and ordinance of the City of Long Beach for holding said meeting.

There were present and in attendance on said Board and at the meeting the following named persons: Mayor William Skellie, Jr., Aldermen Leonard G. Carrubba, Sr., Gary J. Ponthieux, Bernie Parker, Kaye H. Couvillon, Ronnie Hammons, Jr., Mark E. Lishen, Carolyn J. Anderson, City Clerk Rebecca E. Schruff and City Attorney James C. Simpson, Jr.

There being a quorum present sufficient to transact the business of the City, the following proceedings were had and done.

**********

The meeting was called to order and Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to spread the Oaths of Office, Mayor and Board of Aldermen, upon the minutes of this meeting in words and figures; and to elect Alderman-at-Large Leonard G. Carrubba, Sr., to serve as Mayor Pro-Tempore. Said oaths are as follows:

**OATH OF OFFICE**

**I, William Skellie, do solemnly swear that I will faithfully support the Constitution of the United States, the Constitution of the State of Mississippi, the ordinances of the City of Long Beach and to obey the laws thereof; that I am not disqualified from holding the office of Mayor in and for the City of Long Beach, Mississippi; that I will faithfully discharge the duties of the office which I shall enter into on the 6th day of July, 2009. So help me God.**

**William Skellie, Mayor**
**City of Long Beach, Mississippi**

**WITNESS:**

**Sworn to and subscribed before me, this the 6th day of July, 2009.**

**-SEAL-**

**Rebecca E. Schruff, City Clerk**

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 55864
REBECCA E. SCHRUFF
Commission Expires
June 18, 2011
HARRISON COUNTY

Minutes of July 7, 2009
Mayor and Board of Aldermen

**OATH OF OFFICE**

**I, Leonard Carrubba, do solemnly swear that I will faithfully support the Constitution of the United States, the Constitution of the State of Mississippi, the ordinances of the City of Long Beach and to obey the laws thereof; that I am not disqualified from holding the office of Alderman-at-Large in and for the City of Long Beach, Mississippi; that I will faithfully discharge the duties of the office which I shall enter into on the 6th day of July, 2009. So help me God.**

**Leonard Carrubba, Alderman-at-Large**
**City of Long Beach, Mississippi**

**WITNESS:**

**Sworn to and subscribed before me, this the 6th day of July, 2009.**

**-SEAL-**

**Rebecca E. Schruff, City Clerk**

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 55864
REBECCA E. SCHRUFF
Commission Expires
June 18, 2011
HARRISON COUNTY

**OATH OF OFFICE**

**I, Gary Ponthieux, do solemnly swear that I will faithfully support the Constitution of the United States, the Constitution of the State of Mississippi, the ordinances of the City of Long Beach and to obey the laws thereof; that I am not disqualified from holding the office of Alderman, Ward 1, in and for the City of Long Beach, Mississippi; that I will faithfully discharge the duties of the office which I shall enter into on the 6th day of July, 2009. So help me God.**

**Gary Ponthieux, Alderman Ward 1**
**City of Long Beach, Mississippi**

**WITNESS:**

Richard Bennett

**Sworn to and subscribed before me, this the 6th day of July, 2009.**

**-SEAL-**

**Rebecca E. Schruff, City Clerk**

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 55864
REBECCA E. SCHRUFF
Commission Expires
June 18, 2011
HARRISON COUNTY

**OATH OF OFFICE**

**I, Bernie Parker, do solemnly swear that I will faithfully support the Constitution of the United States, the Constitution of the State of Mississippi, the ordinances of the City of Long Beach and to obey the laws thereof; that I am not disqualified from holding the office of Alderman, Ward 2, in and for the City of Long Beach, Mississippi; that I will faithfully discharge the duties of the office which I shall enter into on the 6th day of July, 2009. So help me God.**

Bernie Parker

**Bernie Parker, Alderman Ward 2**
**City of Long Beach, Mississippi**

**WITNESS:**

Bradley W. Rath

**Sworn to and subscribed before me, this the 6th day of July, 2009.**

Rebecca E. Schruff

**-SEAL-** **Rebecca E. Schruff, City Clerk**

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 55864
REBECCA E. SCHRUFF
Commission Expires
June 18, 2011
HARRISON COUNTY

**OATH OF OFFICE**

**I, Kaye Couvillon, do solemnly swear that I will faithfully support the Constitution of the United States, the Constitution of the State of Mississippi, the ordinances of the City of Long Beach and to obey the laws thereof; that I am not disqualified from holding the office of Alderman, Ward 3, in and for the City of Long Beach, Mississippi; that I will faithfully discharge the duties of the office which I shall enter into on the 6th day of July, 2009. So help me God.**

**Kaye Couvillon, Alderman Ward 3**
**City of Long Beach, Mississippi**

**WITNESS:**

**Sworn to and subscribed before me, this the 6th day of July, 2009.**

**-SEAL-**

**Rebecca E. Schruff, City Clerk**

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 55864
REBECCA E. SCHRUFF
Commission Expires
June 18, 2011
HARRISON COUNTY

**OATH OF OFFICE**

**I, Ronnie Hammons, Jr., do solemnly swear that I will faithfully support the Constitution of the United States, the Constitution of the State of Mississippi, the ordinances of the City of Long Beach and to obey the laws thereof; that I am not disqualified from holding the office of Alderman, Ward 4, in and for the City of Long Beach, Mississippi; that I will faithfully discharge the duties of the office which I shall enter into on the 6th day of July, 2009. So help me God.**

Ronnie Hammons, Jr.

**Ronnie Hammons, Jr., Alderman Ward 4**
**City of Long Beach, Mississippi**

**WITNESS:**

Paul H. [illegible]
COUNTY JUDGE HARRISON COUNTY

**Sworn to and subscribed before me, this the 6th day of July, 2009.**

**-SEAL-**

Rebecca E. Schruff

**Rebecca E. Schruff, City Clerk**

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 55864
REBECCA E. SCHRUFF
Commission Expires
June 18, 2011
HARRISON COUNTY

**OATH OF OFFICE**

**I, Mark Lishen, do solemnly swear that I will faithfully support the Constitution of the United States, the Constitution of the State of Mississippi, the ordinances of the City of Long Beach and to obey the laws thereof; that I am not disqualified from holding the office of Alderman, Ward 5, in and for the City of Long Beach, Mississippi; that I will faithfully discharge the duties of the office which I shall enter into on the 6th day of July, 2009. So help me God.**

**Mark Lishen, Alderman Ward 5**
**City of Long Beach, Mississippi**

**WITNESS:**

**Sworn to and subscribed before me, this the 6th day of July, 2009.**

**-SEAL-**

**Rebecca E. Schruff, City Clerk**

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 55864
REBECCA E. SCHRUFF
Commission Expires
June 18, 2011
HARRISON COUNTY

**OATH OF OFFICE**

**I, Carolyn Anderson, do solemnly swear that I will faithfully support the Constitution of the United States, the Constitution of the State of Mississippi, the ordinances of the City of Long Beach and to obey the laws thereof; that I am not disqualified from holding the office of Alderman, Ward 6, in and for the City of Long Beach, Mississippi; that I will faithfully discharge the duties of the office which I shall enter into on the 6th day of July, 2009. So help me God.**

**Carolyn Anderson, Alderman Ward 6**
**City of Long Beach, Mississippi**

**WITNESS:**

**Richard Bennett**

**Sworn to and subscribed before me, this the 6th day of July, 2009.**

**-SEAL-**

**Rebecca E. Schruff, City Clerk**

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 55864 REBECCA E. SCHRUFF Commission Expires June 18, 2011 HARRISON COUNTY

* * * * * * * * * * * * * * * * * * * * * * * * *

The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on May 6, 2009, she did cause to

be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Legal Notice, Advertisement for Bids, "HARBORMASTER BUILDING", as evidenced by the Publisher's Proof of Publication.

Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to spread said Proof of Publication upon the minutes of this meeting in words and figures, as follows:

# PROOF OF PUBLICATION

Advertisement for Bids
The CITY OF LONG BEACH, MISSISSIPPI, has authorized the invitation to bid on the new HARBORMASTER BUILDING.
Bids shall be received, sealed and marked: AHarbormaster Building" on the outside envelope no later than 2:00 PM Local Time on June 16, 2009, by the City Clerk at 645 Klondyke Road, Long Beach, MS 39560 (228-863-1556). The bids shall be opened, read out loud and recorded at 6:00 PM on June 16, 2009, at the Long Beach School Administration Office, 19148 Commission Road, Long Beach, MS 39560. Contractor=s Certificate of Responsibility (COR) number must appear on the outside of the bid envelope and match the COR on the bid form. Additionally, company names on the outside of the bid envelope shall be the same as on the bid form. Any bids received after said date and time shall be rejected. No bids shall have a deductive or additive amount on the exterior of the envelope.
Each bid must be accompanied by cash, a cashier's check, certified check or Bid Bond in the amount of five percent (5%) of the total Bid amount. The power of attorney for the bonding company's agent should be on file with the City of Long Beach or should accompany the bid and the Bid Bond must be furnished by a corporate surety company qualified to do business in Mississippi.
The Bid Bond shall name the City of Long Beach as the obligee, shall be substantially in the form of the Bidder's Bond on file with the City of Long Beach, and shall be payable to the City of Long Beach in the event the Bidder fails to execute, and deliver to the City of Long Beach the Contract within ten (10) days after the Notice of Acceptance of the Bid.
A Pre-Bid Meeting will be held at 11:00 AM Local Time on May 21, 2009, at 645 Klondyke Road, Long Beach, MS 39560.
Contract Documents, including Drawings and Technical Specifications are on file and may be examined at the following locations:
Simpkins & Costelli, Inc.
City of Long Beach City Hall
401 32 2 Street
645 Klondyke Road
Gulfport, MS 39507
Long Beach, MS 39560
AGC Plan Room
ABC Plan Room
12272 Infraplex Parkway
10480 Corporate Drive, Suite 2
Gulfport, MS 39503
Gulfport, MS 39503
Copies may be obtained by Qualified Prime (General) Contractors at the office of Simpkins & Costelli, Inc., 401-322 Street, Gulfport, MS 39507, Monday through Friday (excluding holidays), between the hours of 8:00 AM and 5:00 PM Local Time upon deposit of $100.00 per set, which deposit will be refunded upon return of documents in good condition within 10 days after bid date. Checks should be made payable to Simpkins & Costelli, Inc.
Qualified Prime (General) Contractors, Subcontractors and Material Suppliers may obtain additional sets of plans and specifications upon payment of $100.00 per set, non-refundable.
Partial sets will not be issued.
The City of Long Beach reserves the right to reject all Bids as well as any Bid that does not comply with this invitation to Bid and the City of Long Beach Information for Bidders.
Dated:
City Clerk
adv 7.14.2Thur
1323074

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAUX who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

Vol. 125 No. 217 dated 7 day of May, 2009
Vol. 125 No. 224 dated 14 day of May, 2009
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

MAY 18 2009

Crista Laux
Clerk

Sworn to and subscribed before me this 14 day of May, A.D., 2009

KANDI A. BERKLEY
Notary Public, State of Mississippi
Harrison County
My Commission Expires
April 05, 2010

Kandi Berkley
Notary Public

Printer's Fee ..... $_____
Furnishing proof of publication ..... $_____
TOTAL..... _____

The Clerk further reported that six (6) bids were properly filed, whereupon, said bids were then and there publicly opened and read aloud as follows:

*City of Long Beach, Mississippi*

**BIDS - HARBOR MASTER BUILDING**

**RECEIVE JULY 7, 2009 2:00 PM**
**OPEN JULY 7, 2009 6:00 PM**

| PRELIMINARY BID TABULATION<br>CONTRACTOR NAME | CERT. RESP # | ACKNOWLEDGE ADDENDUMS NO. 1 | NO. 2 | NO. 3 | NO. 4 | BID BOND | BASE BID | ALTERNATE #1 BID | ALTERNATE #2 ADD (DEDUCT) | ALTERNATE #3 ADD (DEDUCT) | OTHER | UNIT PRICE 1 LF | UNIT PRICE 2 LF | UNIT PRICE 3 LF | UNIT PRICE 4 LF |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Flagstar Construction Company, Inc.<br>2006 Aspen Cove<br>Brandon, MS 39042 | 10817 | √ | √ | √ | √ | √ | $1,020,633 | $1,107,615 | $ 6,980 | $ 4,960 | | $ 523 | $ 523 | $ 58 | $ 50 |
| HCC Contracting, Inc. - J/V<br>Hensley R. Lee Contracting, Inc.<br>311 Acorn Lane<br>Picayune, MS 39466 | 13466 | √ | √ | √ | √ | √ | 1,625,800 | 1,612,700 | 53,000 | 36,000 | | 500 | 600 | 60 | 30 |
| H. Gordon Myrick, Inc.<br>P.O. Box 1479<br>Gulfport, MS 39502 | 2127 | √ | √ | √ | √ | √ | 1,095,895<br>deduct<br>(110,000) | 1,202,656<br>deduct<br>110,000 | 6,906 | 3,413 | e. deduct<br>(20,000) | 560 | 560 | 60 | 60 |
| Kenneth R. Thompson, Jr.<br>3201 Old Spanish Trail<br>Gautier, MS 39553 | 05762 | √ | √ | √ | √ | √ | 1,177,860 | 1,196,460 | 7,220 | 4,500 | | 361 | 601 | 80.75 | 25 |
| Tony Parnell Construction Co., Inc.<br>P.O. Box 5128<br>Vancleave, MS 39565 | 07065 | √ | √ | √ | √ | √ | 1,172,790 | 1,244,290 | 7,800 | 242.34 | | 65 | 115 | 85 | 60 |
| Coleman Hammoms Construction Co., Inc.<br>5181 Old Branson Road<br>P.O. Box 703<br>Pearl, MS 39208 | 05182 | √ | √ | √ | √ | √ | 1,194,401 | 1,178,801 | 8,500 | 10,000 | | 600 | 720 | 72 | 32 |

Upon discussion, Alderman Lishen made motion seconded by Alderman Anderson and unanimously carried to take the aforementioned bids under advisement

for review and tabulation by the project engineers/architects with a recommendation at the next regular meeting, July 21, 2009.

**********

The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on May 26, 2009, she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County; The Clarion-Ledger, published in Hinds County, Mississippi; the Press-Register, published in Mobile County, Alabama; Legal Notice, Advertisement for Bids, "SMALLCRAFT HARBOR KATRINA REPAIRS - PHASE VII (DREDGING)", as evidenced by the Publisher's Proof of Publication.

Alderman Parker made motion seconded by Alderman Lishen and unanimously carried to spread said Proofs of Publication upon the minutes of this meeting in words and figures, as follows:

# PROOF OF PUBLICATION

ADVERTISEMENT FOR BIDS
City of Long Beach, Mississippi
The City of Long Beach, Mississippi, will receive bids for: SMALLCRAFT HARBOR KATRINA REPAIRS PHASE VII (DREDGING) at the Office of City Clerk, Temporary City Hall located at 645 Klondyke Road, Long Beach, Mississippi, during normal office hours at any time prior to the designated bid date, or at the temporary meeting place at Long Beach School District Office, located at 19148 Commission Road, at 6:00 P.M. on the designated date for the bid opening. Bids will be publicly opened and read aloud at the regular meeting of the Board of Aldermen at 6:00 P.M., July 7, 2009.
Bids are invited for the furnishing of materials, equipment and labor to remove approximately 5,300 cubic yards of material from the bottom of the existing Long Beach Smallcraft Harbor, dewater it in a nearby temporary basin, and transport it to an approved final upland disposal site.
Contract Documents, including Drawings and Technical Specifications, are on file at the Office of City Clerk, at City Hall, Long Beach, Mississippi. Plans and Specifications may be obtained at the office of A. Garner Russell & Associates, Inc., Consulting Engineers, Howes Avenue at 33rd Street (Post Office Box 1677), Gulfport, Mississippi 39507, upon payment of $100.00 non-refundable fee (payable to A. Garner Russell & Associates, Inc.).
A certified check or bank draft payable to the order of City of Long Beach, Mississippi, negotiable U.S. Government bonds (at par value), or a satisfactory Bid Bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid for City of Long Beach, SMALLCRAFT HARBOR KATRINA REPAIRS PHASE VII (DREDGING), shall be submitted with each bid. For bids exceeding $50,000 Bidder must indicate his Certificate of Responsibility Number on outside of sealed proposal as required by Mississippi Law. For bids not exceeding $50,000, Bidder must either indicate his Certificate Number, or else write clearly "Bid does not exceed $50,000."
The City of Long Beach, Mississippi, reserves the right to reject any or all bids or to waive any informalities in the bidding.
Bids may be held by the City of Long Beach, Mississippi, for a period not to exceed ninety (90) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of Bidders, prior to awarding of the Contract.
Done by order of the Mayor and Board of Aldermen, May 26, 2009.
City of Long Beach, Mississippi
By S/REBECCA SCHRUFF
Title CITY CLERK
Publish: June 8 and June 15, 2009
adv.6,15,2Mon
1326915

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA HAUX who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

Vol. 125 No., 249 dated 8 day of June, 20 09
Vol. 125 No., 286 dated 15 day of June, 20 09
Vol. _____ No., _____ dated _____ day of _____, 20 _____
Vol. _____ No., _____ dated _____ day of _____, 20 _____
Vol. _____ No., _____ dated _____ day of _____, 20 _____
Vol. _____ No., _____ dated _____ day of _____, 20 _____
Vol. _____ No., _____ dated _____ day of _____, 20 _____

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

JUN 18 2009

Crista Haux
Clerk

Sworn to and subscribed before me this 16 day of June, A.D., 20 09

KANDI A. BERKLEY
Notary Public, State of Mississippi
Harrison County
My Commission Expires
April 05, 2010

Kandi Berkley
Notary Public

Printer's Fee ..... $_____
Furnishing proof of publication ..... $_____
TOTAL..... $ 98.04

# PROOF OF PUBLICATION
# THE STATE OF MISSISSIPPI
# HINDS COUNTY

## PASTE PROOF HERE

C14657
CITY OF LONG BEACH- LEGALS,
0200235512
Smallcraft harbor Repairs

**ADVERTISEMENT FOR BIDS**

City of Long Beach, Mississippi

The City of Long Beach, Mississippi, will receive bids for:

**SMALLCRAFT HARBOR KATRINA REPAIRS - PHASE VII (DREDGING)**

at the Office of City Clerk, Temporary City Hall located at 645 Klondyke Road, Long Beach, Mississippi, during normal office hours at any time prior to the designated bid date; or at the temporary meeting place of Long Beach School District Office, located at 19148 Commission Road, at 6:00 P.M. on the designated date for the bid opening. Bids will be publicly opened and read aloud at the regular meeting of the Board of Aldermen at 6:00 P.M., July 7, 2009.

Bids are invited for the furnishing of materials, equipment and labor to remove approximately 5,300 cubic yards of material from the bottom of the existing Long Beach Smallcraft Harbor, dewater it in a nearby temporary basin, and transport it to an approved final upland disposal site.

Contract Documents, including Drawings and Technical Specifications, are on file at the Office of City Clerk, at City Hall, Long Beach, Mississippi.

Plans and Specifications may be obtained at the office of A. Garner Russell & Associates, Inc., Consulting Engineers, Howes Avenue at 33rd Street (Post Office Box 1677), Gulfport, Mississippi 39507, upon payment of $100.00 non-refundable fee (payable to A. Garner Russell & Associates, Inc.).

A certified check or bank draft payable to the order of City of Long Beach, Mississippi, negotiable U. S. Government bonds (at par value), or a satisfactory Bid Bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid for City of Long Beach, SMALLCRAFT HARBOR KATRINA REPAIRS - PHASE VII (DREDGING), shall be submitted with each bid.

For bids exceeding $50,000 Bidder must indicate his Certificate of Responsibility Number on outside of sealed proposal as required by Mississippi Law. For bids not exceeding $50,000, Bidder must either indicate his Certificate Number, or else write clearly "Bid does not exceed $50,000".

The City of Long Beach, Mississippi, reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the City of Long Beach, Mississippi, for a period not to exceed ninety (90) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of Bidders, prior to awarding of the Contract.

Done by order of the Mayor and Board of Aldermen, May 26, 2009.

City of Long Beach, Mississippi
By: S/REBECCA SCHRUFF
Title: CITY CLERK

Publish: June 8 and June 15, 2009

0200235512-01

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

ANN MIDDEKE

an authorized clerk of THE CLARION-LEDGER, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

6/8/2009
6/15/2009

Size: 581 words / 2.00 col. x 74.00 lines
Published: 2 time(s)
Total: $139.82

Signed Ann Middeke
Authorized Clerk of
The Clarion-Ledger

SWORN to and subscribed before me on 6/15/2009.

Rick Tyler
Notary Public
RICK TYLER

Notary Public State of Mississippi at Large. Bonded thru Notary Public Underwriters

(SEAL)

STATE OF MISSISSIPPI
RICK TYLER
NOTARY PUBLIC
ID# 90075
Commission Expires
June 29, 2012
RANKIN COUNTY

# PRESS-REGISTER

## LEGAL AFFIDAVIT

Account Number: 1057428

Name: CITY OF LONG BEACH MISSISSIPPI

Sale Rep: Christine Bevins

Period Ending: 06/15/09

Billing Inquiries Please Call: (251) 219-5405 or (251) 219-5421

CITY OF LONG BEACH MISSISSIPPI
ATTN ACCOUNTS PAYABLE
P.O. BOX 929
LONG BEACH, MS 39560

- Press - Register
  Lock Box 1712
  Mobile, AL 36633-1712

| START DATE | END DATE | AD NUMBER | P.O. NUMBER / DESCRIPTION | SAU SIZE | BILLED UNITS | TIMES RUN | AMOUNT |
|---|---|---|---|---|---|---|---|
| 06/08 | 06/15 | I01506752-06082009 | SMALLCRAFT/ADVERTISEMENT FOR BIDS City of Long | 430 Words | 430 | 2 | 296.79 |
| | | | | | | TOTAL: | 296.79 |

Mecia Carlson being sworn, says that she is bookkeeper of Press-Register which publishes a daily newspaper in the City and County of Mobile, State of Alabama: and attached notice appeared in the issue of

Press-Register 6/8/2009, 6/15/2009

Mecia Carlson
Sworn to and subscribed before me this 15th day of June 2009

Brandi W. Cook
NOTARY PUBLIC

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL MECIA CARLSON AT (251) 219-5418. YOU CAN PLACE A LEGAL NOTICE BY EMAIL OR FAX: LEGALS@PRESS-REGISTER.COM OR FAX# (251) 219-5037

ADVERTISEMENT FOR BIDS

City of Long Beach, Mississippi

The City of Long Beach, Mississippi, will receive bids for:

SMALLCRAFT HARBOR KATRINA REPAIRS - PHASE VII (DREDGING)

at the Office of City Clerk, Temporary City Hall located at 645 Klondyke Road, Long Beach, Mississippi, during normal office hours at any time prior to the designated bid date, or at the temporary meeting place at Long Beach School District Office, located at 19148 Commission Road, at 6:00 P.M. on the designated date for the bid opening. Bids will be publicly opened and read aloud at the regular meeting of the Board of Aldermen at 6:00 P.M., July 7, 2009.

Bids are invited for the furnishing of materials, equipment and labor to remove approximately 5,300 cubic yards of material from the bottom of the existing Long Beach Smallcraft Harbor, dewater it in a nearby temporary basin, and transport it to an approved final upland disposal site.

Contract Documents, including Drawings and Technical Specifications, are on file at the Office of City Clerk, at City Hall, Long Beach, Mississippi.

Plans and Specifications may be obtained at the office of A. Garner Russell & Associates, Inc., Consulting Engineers, Hewes Avenue at 33rd Street (Post Office Box 1677), Gulfport, Mississippi 39507, upon payment of $100.00 non-refundable fee (payable to A. Garner Russell & Associates, Inc.).

A certified check or bank draft payable to the order of City of Long Beach, Mississippi, negotiable U. S. Government bonds (at par value), or a satisfactory Bid Bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid for City of Long Beach, SMALLCRAFT HARBOR KATRINA REPAIRS - PHASE VII (DREDGING), shall be submitted with each bid.

For bids exceeding $50,000 Bidder must indicate his Certificate of Responsibility Number on outside of sealed proposal as required by Mississippi Law. For bids not exceeding $50,000, Bidder must either indicate his Certificate Number, or else write clearly "Bid does not exceed $50,000."

The City of Long Beach, Mississippi, reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the City of Long Beach, Mississippi, for a period not to exceed ninety (90) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of Bidders, prior to awarding of the Contract.

Done by order of the Mayor and Board of Aldermen, May 26, 2009.

City of Long Beach, Mississippi

By S/REBECCA SCHRUFF

Title CITY CLERK

PRESS REGISTER
JUNE 8, 15, 2009

The Clerk further reported that four (4) bids were properly filed, whereupon, said bids were then and there publicly opened and read aloud, as follows:

*City of Long Beach, Mississippi*

| BIDS - HARBOR KATRINA REPAIRS PHASE VII DREDGING | | | |
|---|---|---|---|
| RECEIVE JULY 7, 2009 6:00 PM<br>OPEN JULY 7, 2009 6:00 PM | | | |
| PRELIMINARY BID TABULATION<br>CONTRACTOR NAME | CERT.<br>RESP # | BID BOND | BID<br>AMOUNT |
| Matthews Marine, Inc.<br>P.O. Box 178<br>Pass Christian, MS 39571 | 13968 | √ | $ 168,387.25 |
| Hemphill Construction Company, Co.<br>P.O. Drawer 879<br>Florence, MS 39073 | 2449-MC | √ | 236,534.00 |
| Vice Construction Co., Inc.<br>9712 Highway 63<br>Moss Point, MS 39562 | 05961 | √ | 149,899.50 |
| Young's General Contracting, Inc.<br>5100 Highway PP<br>Poplar Bluff, Missouri 63901 | 16091 | √ | 135,794.15 |

Upon discussion, Alderman Ponthieux made motion seconded by Alderman Lishen and unanimously carried to take the aforementioned bids under advisement for review and tabulation by the project engineer with a recommendation at the next regular meeting, July 21, 2009.

**********

The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on May 26, 2009, she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Legal Notice, Advertisement for Bids, "HURRICANE KATRINA RECOVERY REPAIRS AND RETROFIT TO FIRE STATION #1", as evidenced by the Publisher's Proof of Publication.

Alderman Lishen made motion seconded by Alderman Anderson and unanimously carried to spread said Proof of Publication upon the minutes of this meeting in words and figures, as follows:

# PROOF OF PUBLICATION

ADVERTISEMENT FOR BIDS
Sealed bids for City of Long Beach Hurricane Katrina Recovery Repairs and Retrofit to Fire Station 1, 645 Klondyke Road, Long Beach, Mississippi 39560, will be received by the City of Long Beach at Fire Station No. 1, 645 Klondyke Road, Long Beach Mississippi 39560 until Ten O'clock A.M., Tuesday July 7th, 2009, and then publicly opened and read aloud.
Single stipulated sum bids will be received for all work required by the Contract Documents in accordance with the Instructions to Bidders.
Copies of the Project Manual and Drawings may be obtained from the office of Dunn & Associates, P.A., 450 East Pass Road, Suite 108, Gulfport, Mississippi 39507, between the hours of 8:00 A.M. and 5:00 P.M. Monday through Friday, upon payment of a deposit of $[illegible] per set. Deposit is refundable in full to bidders who return the documents in good condition within ten (10) days after bid date.
A Pre-Bid Conference will be held at Fire Station No. 1 at 1:00 P.M. on Wednesday June 17th, 2009.
The City of Long Beach reserves the right to accept or reject any and all bids and to waive technicalities if deemed in the best interest of the City of Long Beach.
Each bidder must deposit with his bid, security in the amount, form and subject to the conditions provided in the Instructions to Bidders.
Bidders shall comply with law of the State of Mississippi requiring Certificate of Responsibility.
Resident contractors shall, in accordance with laws of the State of Mississippi, be granted preference over non-residents in the award of this contract in the same manner and to the same extent as provided by the laws of the state of domicile of the non-resident. A non-resident contractor shall attach to his proposal a copy of his resident state's current law pertaining to such state's treatment of non-resident contractors.
No bidder may withdraw his bid within forty-five (45) days after the actual date of the opening thereof.
Becky Scruff, City Clerk
City of Long Beach
Run: 05-28-2009
06-04-2009
adv.28,4,2Thur.
1326359

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAUX who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

Vol. 125 No., 238 dated 28 day of May, 2009
Vol. 125 No., 245 dated 4 day of June, 2009
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

JUN 08 2009 Crista Laux
Clerk

Sworn to and subscribed before me this 4 day of June, A.D., 2009

KANDI A. BERKLEY
Notary Public, State of Mississippi
Harrison County
My Commission Expires
April 05, 2010

Kandi Berkley
Notary Public

Printer's Fee ..... $_____
Furnishing proof of publication ..... $_____
TOTAL..... _____

The Clerk further reported that nine (9) bids were properly filed, whereupon, said bids were then and there publicly opened and read aloud, as follows:

*City of Long Beach, Mississippi*

**BIDS - REPAIRS AND RETROFIT FIRE STATION #1**

**RECEIVE JULY 7, 2009 2:00 PM**
**OPEN JULY 7, 2009 6:00 PM**

| PRELIMINARY BID TABULATION<br>CONTRACTOR NAME | CERT. RESP # | ADDENDUM NO. 1 | BID BOND | LUMP BASE BID | ALTERNATE NO. 1 | ALTERNATE NO. 2 | ALTERNATE NO. 3 |
|---|---|---|---|---|---|---|---|
| Gulf Construction Company<br>225 Cowan Road<br>Gulfport, Mississippi | 14852 | √ | √ | $ 49,594.75 | $ 21,486 | $ 23,697.75 | $ 29,797 |
| Delta Construction, Inc.<br>13386 Road 513<br>Saucier, MS 39574 | 09792-MC | √ | √ | $ 30,849 | $ 27,770 | $ - | 22,387 |
| David Smith Construction, Inc.<br>705 Highway 49<br>Inverness, MS 38753 | 09237-MC | √ | √ | 42,700 | 33,800 | - | 25,600 |
| Samuel B. Day Construction, Inc.<br>15296 South Swan Road<br>Gulfport, MS 39503-8597 | 09315 | √ | √ | 44,400 | 29,400 | 100 | 22,800 |
| ReflecTech<br>100 Street A, Suite A<br>Picayune, MS 39466 | 11133-MC | √ | √ | 89,488 | 30,157 | 24,566 | 41,637 |
| Technical Contracting Services, LLC<br>P.O. Box 6456<br>Gulfport, MS 39506 | 16149 | √ | √ | 39,900 | 30,000 | 22,000 | 25,900 |
| Bay South Limited, Inc.<br>P.O. Box 250<br>Saraland, AL 36571 | 09864 | √ | √ | 68,000 | 30,000 | 24,000 | 26,000 |
| Kerry S. Gibson dba<br>Gibson Maintenance, LLC<br>118 Dennis Lane<br>Long Beach, MS 39560 | 13076 | √ | √ | 34,812.50 | 28,951 | 3,500 | 34,995 |
| Vision Constructors, Inc.<br>P.O. Box 2686<br>Gulfport, MS 39505 | 16853-MC | √ | √ | 34,623 | 30,751 | 24,566 | 26,500 |

Upon discussion, Alderman Carrubba made motion seconded by Alderman Lishen and unanimously carried to take the aforementioned bids under advisement for

review and tabulation by the project engineers/architects with a recommendation at the next regular meeting, July 21, 2009.

**********

The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on May 26, 2009, that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Legal Notice, Advertisement for Bids, "HURRICANE KATRINA RECOVERY REPAIRS AND RETROFIT TO FIRE STATION 3", as evidenced by the Publisher's Proof of Publication.

Alderman Parker made motion seconded by Alderman Lishen and unanimously carried to spread said Proof of Publication upon the minutes of this meeting in words and figures, as follows:

# PROOF OF PUBLICATION

ADVERTISEMENT FOR BIDS
Sealed bids for "City of Long Beach Hurricane Katrina Recovery Repairs and Retrofit to Fire Station 3", 21066 Johnson Road, Long Beach, Mississippi 39560, will be received by the City of Long Beach at Fire Station No.1, 645 Klondyke Road, Long Beach Mississippi 39560 until Ten O'clock A.M., Tuesday July 7th, 2009, and then publicly opened and read aloud.
Single stipulated sum bids will be received for all work required by the Contract Documents in accordance with the Instructions to Bidders.
Copies of the Project Manual and Drawings may be obtained from the office of Dunn & Associates, P.A., 450 East Pass Road, Suite 108, Gulfport, Mississippi 39507 between the hours of 8:00 A.M. and 5:00 P.M. Monday through Friday, upon payment of a deposit of $50.00 per set. Deposit is refundable in full to bidders who return the documents in good condition within ten (10) days after bid date.
A Pre-Bid Conference will be held at Fire Station No.1 at 2:00 P.M. on Wednesday June 17th, 2009.
The City of Long Beach reserves the right to accept or reject any and all bids and to waive technicalities if deemed in the best interest of the City of Long Beach.
Each bidder must deposit with his bid, security in the amount, form and subject to the conditions provided in the Instructions to Bidders.
Bidders shall comply with law of the State of Mississippi requiring Certificate of Responsibility.
Resident contractors shall, in accordance with laws of the State of Mississippi, be granted preference over non-residents in the award of this contract in the same manner and to the same extent as provided by the laws of the state of domicile of the non-resident. A non-resident contractor shall attach to his proposal a copy of his resident state's current law pertaining to such state's treatment of non-resident contractors.
No bidder may withdraw his bid within forty-five (45) days after the actual date of the opening thereof.
Becky Scruff, City Clerk
City of Long Beach
Run: 05-28-2009
06-04-2009
adv.28,4,2Thur
1328370

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAUX who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

Vol. 125 No., 238 dated 28 day of May, 2009
Vol. 125 No., 245 dated 4 day of June, 2009
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

JUN 08 2009

Crista Laux
Clerk

Sworn to and subscribed before me this 4 day of June, A.D., 2009

KANDI A. BERKLEY
Notary Public, State of Mississippi
Harrison County
My Commission Expires
April 05, 2010

Kandi Berkley
Notary Public

Printer's Fee ..... $_____
Furnishing proof of publication ..... $_____
TOTAL..... _____

The Clerk further reported that eight (8) bids were properly filed, whereupon, said bids were then and there publicly opened and read aloud, as follows:

***City of Long Beach, Mississippi***

**BIDS - REPAIRS AND RETROFIT FIRE STATION #3**

**RECEIVE JULY 7, 2009 2:00 PM**
**OPEN JULY 7, 2009 6:00 PM**

| PRELIMINARY BID TABULATION<br>CONTRACTOR NAME | CERT. RESP # | ADDENDUM NO. 1 | BID BOND | LUMP BASE BID | ALTERNATE NO. 1 | ALTERNATE NO. 2 |
|---|---|---|---|---|---|---|
| Gulf Construction Company<br>225 Cowan Road<br>Gulfport, Mississippi | 14852 | √ | √ | ERROR BLANK | ERROR BLANK | ERROR BLANK |
| Delta Construction, Inc.<br>13386 Road 513<br>Saucier, MS 39574 | 09792-MC | √ | √ | $104,920 | $ 13,650 | $ 68,500 |
| David Smith Construction, Inc.<br>705 Highway 49<br>Inverness, MS 38753 | 09237-MC | √ | √ | 94,700 | 9,250 | 136,970 |
| Samuel B. Day Construction, Inc.<br>15296 South Swan Road<br>Gulfport, MS 39503-8597 | 09315 | √ | √ | 102,500 | 6,730 | 134,600 |
| ReflecTech<br>100 Street A, Suite A<br>Picayune, MS 39466 | 11133-MC | √ | √ | 157,658 | 17,402 | 72,000 |
| Technical Contracting Services, LLC<br>P.O. Box 6456<br>Gulfport, MS 39506 | 16149 | √ | √ | 92,900 | 14,900 | 102,000 |
| Bay South Limited, Inc.<br>P.O. Box 250<br>Saraland, AL 36571 | 09864 | √ | √ | 86,800 | 16,500 | 54,000 |
| Kerry S. Gibson dba<br>Gibson Maintenance, LLC<br>118 Dennis Lane<br>Long Beach, MS 39560 | 13076 | √ | √ | 98,704 | 13,125 | 149,000 |

Upon discussion, Alderman Carrubba made motion seconded by Alderman Lishen and unanimously carried to take the aforementioned bids under advisement for

review and tabulation by the project engineers/architects with a recommendation at the next regular meeting, July 21, 2009.

**********

The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on May 6, 2009, that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Legal Notice, Advertisement for Bids, "LONG BEACH FIRE STATION NO. 2", as evidenced by the Publisher's Proof of Publication.

Alderman Carrubba made motion seconded by Alderman Lishen and unanimously carried to spread said Proof of Publication upon the minutes of this meeting in words and figures, as follows:

# PROOF OF PUBLICATION

LONG BEACH, MS
LEGAL NOTICE
ADVERTISEMENT FOR BIDS
Notice is hereby given that sealed bids will be received for the project named below by the:
City Clerk of Long Beach until 4:00 pm July 7, 2009
Mailing Address and Location for Receipt of Bids before 4:00 pm, July 7, 2009
City Clerk
City of Long Beach
645 Klondyke Road
P.O. Box 929
Long Beach, MS 39560
(228) 863-1555
All sealed bids must be clearly marked on the outside envelope "BID FOR LONG BEACH FIRE STATION No. 2, LONG BEACH, MS".
Location for 6:00 pm Bid Opening on July 7, 2009:
City Clerk
City of Long Beach
Long Beach School Administration Office
19148 Commission Road
Long Beach, MS 39560
Plans and Specifications Entitled:
Long Beach Fire Station No. 2, Long Beach, MS
May be inspected at the office of the Architects named below, or may be obtained from the Architects as set out below:
a. Qualified Prime (General) Contractors may obtain one set of plans and specifications upon deposit of $150.00 per set, which deposit will be refunded upon return of documents within 10 days after bid date. Contractors who do not submit a bid shall forfeit their deposit.
b. Qualified Prime (General) Contractors, Subcontractors and Material Suppliers may obtain additional sets of plans and specifications upon payment of $100.00 per set, non-refundable.
c. Partial Sets will not be issued.
d. Copies of plans and specifications will be placed in plan rooms in major cities within the area, locally and elsewhere, as bona fide requests are received.
e. Make deposit check payable to the Architects named below.
Proposals shall be submitted in duplicate only upon the blank proposal forms provided with the specifications and must be accompanied by Proposal Security in the form of Certified Check or acceptable Bid Bond in the amount equal to at least five percent (5%) of the Base Bid; such security to be forfeited as liquidated damages, not penalty, by any bidder who fails to carry out the terms of the proposal, execute contract and post Performance Bond in the form and amount within the time specified. The Bid Bond, if used, shall be payable to the Owner.
Bids on the Project must be received on or before the period scheduled for the Project and no bid withdrawn after the scheduled closing time for the Project for a period of sixty (60) days.
All bids submitted in excess of $50,000.00 by a Prime or Subcontractor to do any erection, building, construction, repair, maintenance, or related work must comply with the Mississippi Contractors Act of 1985, by securing a Certificate of Responsibility from the State Board of Contractors.
SECTION 3
Section 3 of the Housing and Urban Development Act of 1968 requires that the City and contractors participating in CDBG projects give opportunities for job training and employment to lower income residents of the Section 3 area that is described below:
1. Section 3 requires that to the maximum extent feasible, contracts for work in connection with Section 3 covered projects be awarded to business concerns that are located in or owned in substantial part by persons residing in the Section 3 area.
2. The Section 3 area is defined as the city limits of the City of Long Beach.
The Owner reserves the right to reject any and all bids, to any or all projects, and to waive informalities.
OWNER
City of Long Beach
645 Klondyke Road
Long Beach, MS 39560
ARCHITECT
JBHM Architects, P.A.
2548 Beach Boulevard
Ste.100
Biloxi, MS 39531
PH: (228) 594-2200
FX: (228) 594-2020
ORDERED, this the 5th day of May, 2009, Mayor and Board of Aldermen, Long Beach, Mississippi.
By: Rebecca E. Schwerd
Clerk
DATES OF ADVERTISEMENT: May 28, 2009 & June 4, 2009
adv.28,4,2Thur

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAUX who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

Vol. 125 No., 238 dated 28 day of May, 20 09
Vol. 125 No. 245 dated 4 day of June, 20 09
Vol. _____ No., _____ dated _____ day of _____, 20 _____
Vol. _____ No., _____ dated _____ day of _____, 20 _____
Vol. _____ No., _____ dated _____ day of _____, 20 _____
Vol. _____ No., _____ dated _____ day of _____, 20 _____
Vol. _____ No., _____ dated _____ day of _____, 20 _____

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

Crista Laux
Clerk

JUN 08 2009

Sworn to and subscribed before me this 4 day of June, A.D., 20 09

KANDI A. BERKLEY
Notary Public, State of Mississippi
Harrison County
My Commission Expires
April 05, 2010

Kandi Berkley
Notary Public

Printer's Fee ..... $_____
Furnishing proof of publication ..... $_____
TOTAL..... _____

The Clerk further reported that eight (8) bids were properly filed, whereupon, said bids were then and there publicly opened and read aloud, as follows:

*City of Long Beach, Mississippi*

**BIDS - FIRE STATION #2**

**RECEIVE JULY 7, 2009 4:00 PM**
**OPEN JULY 7, 2009 6:00 PM**

| PRELIMINARY BID TABULATION<br>CONTRACTOR NAME | CALENDAR DAYS | CERT. RESP # | ACKNOWLEDGE ADDENDUMS NO. 1 | NO. 2 | NO. 3 | BID BOND | BASE BID | ADD (DEDUCT) | BID AMOUNT |
|---|---|---|---|---|---|---|---|---|---|
| Hammons, Coleman, Construction Co., Inc.<br>P.O. Box 703<br>Brandon, MS 39043 | 360-90 | 05182 | √ | √ | √ | √ | $4,760,000.00 | - | $ 4,760,000.00 |
| ComAdd, JV<br>196 Central Industrial Row<br>Purvis, MS 39475 | 365-60 | 13178<br>08993 | √ | √ | √ | √ | 4,087,000.00 | - | 4,087,000.00 |
| Flagstar Construction Company, Inc.<br>2006 Aspen Cove<br>Brandon, MS 39042 | 270-30 | 10817 | √ | √ | √ | √ | 3,999,100.00 | - | 3,999,100.00 |
| Duke J.C. & Asc General Contractors, Inc.<br>10536 Auto Mall Pkwy., Ste. A-4<br>D'Iberville, MS 39532 | 365-60 | 08861 | √ | √ | √ | √ | 3,623,000.00 | - | 3,623,000.00 |
| ReflecTech<br>100 Street A, Suite A<br>Picayune, MS 39466 | 365-60 | 11133-MC | √ | √ | √ | √ | 3,424,009.00 | - | 3,424,009.00 |
| Starks Contracting Company, Inc.<br>P.O. Box 7149<br>Biloxi, MS 39540-7101 | 330-70 | 01068 | √ | √ | √ | √ | 3,840,000.00 | (50,000.00) | 3,790,000.00 |
| Tyler Construction Group<br>203 W. Beacon Street<br>Philadelphia, MS 39350 | 300-65 | 16998-MC | √ | √ | √ | √ | 3,685,000.00 | - | 3,685,000.00 |
| Vision Constructors, Inc.<br>P.O. Box 2686<br>Gulfport, MS 39505 | 365-60 | 16853-MC | √ | √ | √ | √ | 3,960,000.00 | - | 3,960,000.00 |

Upon discussion, Alderman Lishen made motion seconded by Alderman Carrubba and unanimously carried to take the aforementioned bids under advisement

for review and tabulation by the project engineers/architects with a recommendation at the next regular meeting, July 21, 2009.

* * * * * * * * * * * * * * * * * * * * * * * *

It was noted for the record that an addendum was issued for the Infrastructure Repairs, Project Area VI, moving the bid opening date to July 21, 2009.

* * * * * * * * * * * * * * * * * * * * * * * *

The Mayor recognized Traycee Scott-Williams, Partnership Specialist, representing the United States Census Bureau. Ms. Scott-Williams handed out literature, provided information and answered questions regarding 2010 Census and training for the Complete Count Committee.

* * * * * * * * * * * * * * * * * * * * * * * *

Alderman Hammons made motion seconded by Alderman Lishen and unanimously carried to suspend the rules and amend the Municipal Docket to include the following:

Item XII. 14. NEW BUSINESS; Appointment to Recreation Board, Ward 4; and

Item XII. 15. NEW BUSINESS; Appointment to the Harrison County Development Commission.

* * * * * * * * * * * * * * * * * * * * * * * *

The Mayor opened the floor for public comments, as follows:

**PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA ONLY**

NOTE: All comments **shall** be directed to the Chairman (Mayor).

Comments of a personnel nature regarding individual members of the Governing Authority (Mayor and Board of Aldermen), City Staff and/or Personnel, disruptive comments or improper actions **will not** be permitted.

Public Comments will be limited to a total of **ten (10) minutes** and limited to a maximum of **two (2) minutes** per person.

Except as otherwise directed by the Chairman (Mayor), Public Comments will not be permitted before or after the allotted time. Disruption of the regular business meeting will be cause for removal from the public meeting.

| | NAME / ADDRESS / TELEPHONE | AGENDA ITEM NO. | AGENDA ITEM SUBJECT MATTER |
|---|---|---|---|
| 1 | MARCIA KRUSE 19015 REDBUD DR | 1 X 2 | PLANNING COMMISSION |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |

**City of Long Beach, Mississippi**
**Mayor and Board of Aldermen Meeting**
**Date:_____**

* * * * * * * * * * * * * * * * * * * * * * * * *

Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to approve the regular meeting minutes of the Mayor and Board of Aldermen dated June 16, 2009, as submitted.

* * * * * * * * * * * * * * * * * * * * * * * * *

Due to a possible conflict of interest, Alderman Anderson was recused from the public meeting.

* *

There came on for consideration approval of the June 25, 2009, Planning Commission minutes and an appeal filed by Marcia Kruse, as follows:

RECEIVED JUL 0 3 2009

July 2, 2009

To: Board of Aldermen and the Mayor of Long Beach.

Subject: Request an Appeal of the Planning Commission decision regarding Castine Point Phasing and that a public hearing is held as per City Ordinance 344 of 1987 within the ten (10) day appeal time.

I am a resident of the City of Long Beach, residing at 19015 Redbud Dr. My phone contact number is 313-8938.

I request that the Board of Aldermen **NOT** approve the minutes of the Planning Commission of June 25, 2009 in regards to the request of Castine Point to phase the development of property located between Commission Road on the South, 28th Street on the North, Harvest Lane on the West and Klondyke on the East for the following reasons:

1. That according to the developer the property no longer meets the definition of a Planned Unit Development PUD as approved, according to City Zoning Ordinance 344 of 1987 and accepted definition.
2. That the Phasing of Castine Point was denied by the Board of Aldermen last year on June 17, 2008 after I requested at that meeting that they deny the approval of the Planning Commission of June 12, 2008. The reason for denial was based on numerous issues identified by the City Engineer and safety issues.
3. That the developer will not be able to substantially comply with City Ordinance 344 of 1987, para 611.3.2.3 through 611.5.5 and especially 611.5.8.
4. The now proposed development could not meet para 611.6 para 2 Planned Unit Development Standards.
5. That the Developer stated in the meeting of June 25, 2009 that his objective was to provide basic land improvements (infra structure) as normally provided in a site development and then sell off the parcels undeveloped and require the owners of each structure to come before the Planning Commission for approval and occupancy.

6. Absent a governing property board, any restricted covenants or deed restrictions violations would have to be pursued in Civil court by the current land owners adjacent to the property.

7. That the variance they will seek as discussed June 25, 2009 will seek to annul the building development requirements of the PUD further substantiating that this is no longer a PUD.

I therefore as a resident of the City Of Long Beach, request to appeal the decision of the Planning Commission of June 25, 2009 as per Ordinance 344 within the ten (10) day appeal requirement and request a Public Hearing be held.

Very Respectfully,

Marcia Kruse

Upon discussion, Alderman Lishen made motion seconded by Alderman Parker and unanimously carried to approve the June 16, 2009, Planning Commission minutes with exception to actions taken regarding the revisions to site plan, Castine Point Subdivision and phase layout for the previously approved P.U.D., as submitted by Kyle Associates, LLC.

* *

Alderman Anderson returned to the open meeting.

* *

Upon further discussion of the Castine Point development, Alderman Lishen made motion seconded by Alderman Carrubba and unanimously carried to disapprove the revisions to site plan, Castine Point Subdivision and phase layout for the previously approved P.U.D., as submitted by Kyle Associates, LLC.

**************************

Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to approve the June 18, 2009, minutes of the Port Commission, as submitted.

**************************

Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to approve payment of invoices as listed in Docket of Claims number 070709.

**************************

After considerable discussion, Alderman Lishen made motion seconded by Alderman Anderson and unanimously carried to extend the Proclamation of Civil Emergency, Hurricane Katrina and Hurricane Gustav.

**************************

Alderman Lishen made motion seconded by Alderman Carrubba and unanimously carried to approve Community Development Block Grant (CDBG) two (2) Requests for Cash; payment of seven (7) invoices; and the Mississippi Development Authority Modification Signature Sheet, authorizing the Mayor to execute same, all as follows:

# MEMO

**DATE:** June 30, 2009
**TO:** Honorable William Skellie, Jr.
City of Long Beach
**FROM:** Ann Frazier
Jimmy G. Gouras Urban Planning
**RE:** **City of Long Beach**
**Community Revitalization Grant**
**CDBG Project #R-103-235-01-KCR**
**Request for Cash and Summary Support Sheet**

Enclosed please find the following invoices for the above referenced project:

1. Jimmy G. Gouras Urban Planning Consultants Inc.
   Invoice Number 5920 in the amount of $4,141.56
   For general administration

2. Neel-Schaffer
   Invoice Number 984398 in the amount of $16,030.80
   For architect/engineering expense

3. J. Levens Builders
   Invoice Number 5 in the amount of $215,263.00
   For Street/Road Improvements

4. Logan & Purvis
   Invoice Number 2310-1 in the amount of $1,970.84
   For acquisition expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 24" in the amount of $237,406.20 for payment of the above invoices.

Also enclosed are three copies of a Budget Modification for this project. Please have the Mayor sign all copies, make copies for your files, and return originals to this office for further processing.

Please have the above invoices and Request for Cash and the supporting documentation placed on your next agenda for approval. After its approval, the appropriate official should sign the "Request for Cash and Cash Summary Support Sheet No. 24" and return it along with the supporting documentation for processing to our office at the following address:

JIMMY G. GOURAS
URBAN PLANNING CONSULTANTS, INC.
1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

Debra Tompkins
Jimmy Gouras Urban Planning
1100 Cherry Street
Vicksburg, MS 39183

If you have any questions, please do not hesitate to call me or Debra Tompkins at (601)638-7121.

Enclosures

JIMMY G. GOURAS
URBAN PLANNING CONSULTANTS, INC.
1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

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## Mississippi Development Authority
## REQUEST FOR CASH

**Section A: General Information**

| | |
|---|---|
| Applicant Name: | City of Long Beach |
| Mailing Address | Post Office Box 929 |
| Street Address | |
| City, State Zip | Long Beach, MS 39560 |
| Telephone No. | 228-863-1658 |
| Fax Number | 228-865-0822 |
| Email Address | [illegible] |

**Bank Information**

| | |
|---|---|
| Electronic Transfer | 065503681 |
| Bank Account | 043306089 |
| Bank Name: | Hancock Bank |
| Address | 101 Jeff Davis Avenue |
| City, State ZIP | Long Beach, MS 39560 |
| Telephone No. | 228-868-4000 |

**Services Rendered**

From June 1, 2009 Thru To June 30, 2009

**Section B: Project Information**

| Grant No. | Contract No. | Request No. |
|---|---|---|
| R-103-06 | R-103-235-01-XCR | 24 |

FOR MDA USE ONLY

Vendor No.

MIS Voucher Number

**Section C: Request Per Activity**

Approval for Payment

Signature

Date

| | Activity Description | Budget Amount | Total Prior Request to Date | This Request | Remaining Balance | Activity Numbers |
|---|---|---|---|---|---|---|
| 1 | Administration | $ 173,098.00 | $ 108,472.76 | $ 4,141.56 | $ 60,481.68 | |
| 2 | Application Preparation | $ 10,000.00 | $ 10,000.00 | | $ - | |
| 3 | Architect/Engineering Expense | $ 660,420.00 | $ 409,078.20 | $ 16,030.80 | $ 235,311.00 | |
| 4 | Acquisition Expense | $ 251,216.77 | $ 249,245.93 | $ 1,970.84 | $ - | |
| 5 | Contingency Expense | $ 363,183.23 | | | $ 363,183.23 | |
| 6 | Drainage & Flood Protection | $ 1,570,000.00 | | | $ 1,570,000.00 | |
| 7 | Street & Road Improvements | $ 3,810,000.00 | $ 1,011,046.00 | $ 215,283.00 | $ 2,583,692.00 | |
| 8 | | | | | $ - | |
| | Total: | $ 6,837,916.00 | $ 1,787,841.89 | $ 237,406.20 | $ 4,812,667.91 | |

I Hereby Certify That (a) the services covered by this request have not been received from the Federal Government or expended for such services under any other contract agreement or grant; (b) the amount requested will be expended for allowable costs / expenditures under the terms of the contract agreement or grant; (c) the amount requested herein does not exceed the total funds obligated by contract; and (d) the funds are requested for only immediate disbursements.

I Hereby Certify That the goods sold and/or services rendered have been delivered and/or performed in good order within the time listed above and are in compliance with all statutory requirements and regulations. I certify that this request does not include any advances or funds for future obligations.

Signature of Authorized Official

Date Signed

Debra Tompkins
Prepared By

6/30/2009
Date Prepared

William Skellie, Jr., Mayor
Typed Name and Title of Authorized Official

601-638-7121
Preparer's Telephone No.

**Mississippi Development Authority**
**Cash Summary Support Sheet**



Applicant: City of Long Beach | Request No: 24 | Grant Number: R-103-06
Period Cost - Beginning: June 1, 2009 | Ending Date: June 30, 2009 | Contract Number: R-103-235-01-KCR

1. Activity: Administration

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | Administration | Jimmy Gouras | 5920 | $4,141.56 | | $4,141.56 |
| B. | | | | | | |
| C. | | | | | | |
| D. | | | | | | |
| | | | Subtotal: | $4,141.56 | $ - | $4,141.56 |

2. Activity: Architect/Engineering

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | Architect/Engineering | Neel-Schaffer | 984398 | $16,030.80 | | $16,030.80 |
| B. | | | | | | $0.00 |
| C. | | | | | | $0.00 |
| D. | | | | | | $0.00 |
| | | | Subtotal: | $ 16,030.80 | $ - | $ 16,030.80 |

3. Activity: Street & Road Improvement

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | Street & Road Improvement | J. Levens Builders | 5 | $215,263.00 | | $215,263.00 |
| B. | | | | | | $0.00 |
| C. | | | | | | $0.00 |
| D. | | | | | | $0.00 |
| | | | Subtotal: | $ 215,263.00 | $ - | $ 215,263.00 |

**Cash Summary Support Sheet**



Applicant: City of Long Beach
Request No: 24
Grant Number: R-103-06
Contract Number: R-103-235-01-KCR

4. Activity: Acquisition Expense

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | Acquisition Expense | Logan & Purvis | 2310-1 | $1,970.84 | | $1,970.84 |
| B. | | | | | | $0.00 |
| C. | | | | | | $0.00 |
| D. | | | | | | $0.00 |
| | | | Subtotal: | $ 1,970.84 | $ - | $ 1,970.84 |

5. Activity:

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | | | | | | $0.00 |
| B. | | | | | | $0.00 |
| C. | | | | | | $0.00 |
| D. | | | | | | $0.00 |
| | | | Subtotal: | $ - | $ - | $ - |

6. Activity:

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | | | | | | |
| B. | | | | | | |
| C. | | | | | | |
| D. | | | | | | |
| | | | Subtotal: | | | |

Cumulative Match Expended To Date:
Cumulative Federal Expended To Date: $2,026,248.09

GRAND TOTAL: $ 237,406.20 | $ - | $ 237,406.20

I hereby Certify That: a) the services covered by this request have not been received from the Federal Government or expended for such services under any other contract agreement or grant; b) the amount requested will be expended for allowable costs/expenditures under the terms of the contract agreement or grant; c) the amount requested herein does not exceed the total funds obligated by contract; and d) the funds are requested for only immediate disbursements.
I Hereby Certify tthat the goods sold and/or services rendered have been delivered and/or performed in good order and are in compliance with all statutory requirements and regulations.

William Skellie, Jr., Mayor
Typed Name and Title of Authorized Official

Signature of Authorized Official

## Mississippi Development Authority Consolidated Support Sheet

Applicant: City of Long Beach
Request for Cash Number: 24
Contract Number: R-103-235-01-KCR
Total Amount Requested: $ 237,406.20

| Line Items | Amount Budgeted | Amount Requested to Date | Amount of This Request | Balance |
|---|---|---|---|---|
| Administration | $ 173,096.00 | $ 108,472.76 | $ 4,141.56 | $ 60,481.68 |
| Engineering | | | | $ |
| Specific Line items as Listed in the Budget: | | | | |
| Application Preparation | $ 10,000.00 | $ 10,000.00 | $ - | $ - |
| Architect/Engineering Expense | $ 660,420.00 | $ 409,078.20 | $ 16,030.80 | $ 235,311.00 |
| Acquistion Expense | $ 251,216.77 | $ 249,245.93 | $ 1,970.84 | $ - |
| Contingency Expense | $ 363,183.23 | | | $ 363,183.23 |
| Drainage & Flood Protection | $ 1,570,000.00 | | | $ 1,570,000.00 |
| Street & Road Improvements | $ 3,810,000.00 | $ 1,011,045.00 | $ 215,263.00 | $ 2,583,692.00 |
| | | | | $ - |
| | | | | $ - |
| | | | | $ - |
| | | | | $ - |
| | | | | $ - |
| Total Budget | $ 6,837,916.00 | $ 1,787,841.89 | $ 237,406.20 | $ 4,812,667.91 |

Total Funds Request to Date: $2,025,248.09
Amount of Other Funds Expended to Date:
CDBG Project Balance $ 4,812,667.91
Period of Projected Cash Needs - Beginning: June 1, 2009 Thru June 30, 2009

| | | | | |
|---|---|---|---|---|
| TODAY'S DATE | 6/30/2009 | BUDGET | $ 6,837,916.00 | |
| CONTRACT BEGIN DATE (FROM CONTRACT) | 7/20/2007 | TOTAL AMOUNT SPENT TO DATE | $2,025,248.09 | |
| CONTRACT END DATE (FROM CONTRACT) | 7/20/2010 | % TOTAL CONTRACT BUDGET SPENT | 29.62% | |
| CONTRACT EXTENSION (MONTHS) (ENTER # OF MONTHS OR '0') | | % CONTRACT BUDGET REMAINING | 70.38% | |
| FINAL CONTRACT COMPLETION DATE | 7/20/2010 | CONSTRUCTION BUDGET AMOUNT | $ 5,994,400.00 | Enter number from Cash Request. |
| CONTRACT DURATION (MONTHS) | 36.00 | TOTAL CONSTRUCTION DOLLARS SPENT TO DATE | $1,477,524.77 | Enter number from Cash Request. |
| % OF CONTRACT PERIOD ELAPSED | 64.93% | % CONSTRUCTION BUDGET SPENT | 24.65% | |
| % OF CONTRACT PERIOD REMAINING | 35.07% | | | |

***STATEMENT FOR SERVICES RENDERED***

***CITY OF LONG BEACH***

***KATRINA SUPPLEMENTAL COMMUNITY DEVELOPMENT BLOCK GRANT***
***COMMUNITY REVITALIZATION PROJECT***
***PROJECT NO. R-103-235-01-KCR***
***Downtown Streetscape Project***

***June 30, 2009***

***INVOICE #5920***

---

Monthly Administrative Services Rendered Pertaining Project #R-103-235-01-KCR.

Services rendered include overall coordination of project activities; Attending MDA/HUD monitoring visits, meetings, etc.; Maintaining financial records; Preparing the necessary documentation to request funds from MDA; and Providing all other services considered normal administrative services within the course of this Agreement

**TOTAL DUE** **$ 4,141.56**

Jimmy Gouras
Jimmy Gouras
OT

**JIMMY G. GOURAS**
URBAN PLANNING CONSULTANTS, INC.
1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

NEEL-SCHAFFER
Solutions you can build upon

May 31, 2009
Project No: 00.06682.003
Invoice No: 984398

City of Long Beach
Mayor William Skellie
PO Box 929
Long Beach, MS 39560

Project 00.06682.003 City of Long Beach-RPR Services
CDBG – R-103-235-01-KCR

**Professional Services from May 1, 2009 to May 31, 2009**

Fee

| | | | | |
|---|---|---|---|---|
| Total Fee | 178,120.00 | | | |
| Percent Complete | 45.00 | Total Earned | 80,154.00 | |
| | | Previous Fee Billing | 64,123.20 | |
| | | Current Fee Billing | 16,030.80 | |
| | | **Total Fee** | | **16,030.80** |
| | | **Total this Invoice** | | **$16,030.80** |

**Outstanding Invoices**

| Number | Date | Balance |
|---|---|---|
| 983472 | 4/30/09 | 10,687.20 |
| **Total** | | **10,687.20** |

**Billings to Date**

| | Current | Prior | Total |
|---|---|---|---|
| Fee | 16,030.80 | 64,123.20 | 80,154.00 |
| **Totals** | **16,030.80** | **64,123.20** | **80,154.00** |

W. Brian Fulton
Engineer Manager

772 Howard Ave., Biloxi, MS 39530-3820, 228.374.1211, Fax 228.374.1216
Federal Tax ID Number 64-0871634

**Logan & Purvis, P.L.L.C.**
ATTORNEYS-AT-LAW
2211 24TH AVENUE
POST OFFICE DRAWER 4207
GULFPORT, MISSISSIPPI 39502-4207

FLOYD J. LOGAN
JASON B. PURVIS

TELEPHONE (228) 864-3666
FAXIMILE (228) 864-3672

March 10, 2009

The City of Long Beach, MS
ATTN: Becky Schruff
P.O. Box 929
Long Beach, MS 39560-0929

RE: City of Long Beach/CDBG
Our File No.: 2310

Dear Ms. Schruff:

Please find enclosed a bill in the amount of $1,970.84 which we ask that payment in full be remitted upon receipt of this letter. All checks should be made payable to Logan & Purvis.

We thank you in advance and should there be any questions or concerns, please do not hesitate to contact this office.

Sincerely,

Danielle E. Bordes
Paralegal

Enclosure

RECEIVED MAR 12 2009

Logan & Purvis, PLLC
2211 24th Avenue
P.O. Drawer 4207
Gulfport, MS 39502

City of Long Beach

March 10, 2009
2310-1

Matter No. 2310-1
CDBG

Fees:

| | | | Hours | |
|---|---|---|---|---|
| 06/25/08 | JBP | Receive T/c from Haigh re: Pittari-Montallaro property line dispute/question. | 0.10 | 15.00 |
| 06/25/08 | JBP | Necessary research regarding property line of Pittari-Montallaro parcel. | 0.30 | 45.00 |
| 06/26/08 | JBP | Returned call to Mr. Haigh. Left message for call back. (Second attempt) | 0.00 | 0.00 |
| 07/10/08 | JBP | Online research of Harrison County land records re: Pittari. | 0.30 | 45.00 |
| 07/10/08 | JBP | Online research of Harrison County land records re: partial release of lien from SBA. | 0.20 | 30.00 |
| 07/10/08 | JBP | Meet with Alane Young. | 0.70 | 105.00 |
| 07/17/08 | JBP | Prepare an estimate of the cost of litigation for action in eminent domain per request of Craig High for evaluation of administrative settlement. | 1.10 | 165.00 |
| 07/22/08 | JBP | Prepare email correspondence to Alane Young with Neel Schaffer. | 0.10 | 15.00 |
| 08/12/08 | JBP | Request title search/update on Mien Tran property. | 0.10 | 15.00 |
| 09/09/08 | JBP | Recieve and analyze disperals from City of Long Beach, MS to property owners. | 0.20 | 30.00 |
| 09/09/08 | JBP | Recieve and analyze email correspondence | 0.30 | 45.00 |

Matter No. 2310-1
CDBG

March 10, 2009
Page 4

preparation of deed

| | | |
|---|---|---|
| Hours: | 12.00 | |
| Total fees: | | 1,800.00 |

Expenses:

| | | | |
|---|---|---|---|
| 10/07/08 | JBP | Registered Mail Charge for dispersal. | 10.42 |
| 10/07/08 | JBP | Registered mail charge. | 10.42 |
| 10/08/08 | FJL | Registered mail to JEL, Tran and Hancock Bank with checks and Settlement Statements | 30.00 |
| 11/26/08 | FJL | FedEx to Whitney Bank | 12.00 |
| 01/05/09 | JBP | recording cost for Pittari Release | 12.00 |
| 01/05/09 | JBP | Filing fee for partial release of lien for Pittari. | 12.00 |
| 01/09/09 | JBP | Cost for all Deeds to be recorded | 84.00 |
| | | Total expenses: | 170.84 |

Billing Summary

| | |
|---|---|
| Previous balance | 0.00 |
| Payments & adjustments | 0.00 |
| Current fees & expenses | 1,970.84 |
| Total now due | 1,970.84 |

NEEL-SCHAFFER
*Solutions you can build upon*

engineers
planners
surveyors
environmental
scientists
landscape architects

June 19, 2009

Ms. Ann Frazier
CDBG Grant Administrator
Urban Planning Consultants, Inc.
1100 Cherry Street
Vicksburg, MS 39183

Re: Payment Application #5
Jeff Davis Avenue Roadway Improvements Project
Katrina CDBG Project No. R-103-235-01-KCR
City of Long Beach, Mississippi

Dear Ms. Frazier:

Enclosed is Payment Application No. 5 from J. Levens Builders of Long Beach, Mississippi for the above referenced project. It is for the period of 05/16/09 to 06/15/09. If you have any questions, please feel free to call me at 228-374-1211.

Sincerely,
Neel-Schaffer, Inc.

Richie Ashley

Richie Ashley, P.E.
Project Engineer

Attachment

Cc: Mike Pirkle, J. Levens Builders
Craig High, Neel-Schaffer, Inc.
File

772 Howard Avenue, Biloxi, MS, 39530 •
Office 228.374.1211 • Fax 228.374.1216

# APPLICATION AND CERTIFICATION FOR PAYMENT

*AIA DOCUMENT G702*

PAGE 1 OF 1 PAGES

TO (Owner): City of Long Beach

PROJECT: Jeff Davis Avenue Roadway Improvements
CDBG Participating

APPLICATION NO: 5 Distribution to:
OWNER
ARCHITECT
CONTRACTOR

PERIOD FROM: 5/16/2009
TO: 6/15/2009

ATTENTION:

CONTRACTOR FOR: J. Levens Builders
PO Box 779
Long Beach, MS 39560

ARCHITECT'S PROJECT NO:

CONTRACT DATE: 12/4/2008

## CONTRACTOR'S APPLICATION FOR PAYMENT

| CHANGE ORDER SUMMARY | | | |
|---|---|---|---|
| Change orders approved in previous months by Owner | | ADDITIONS | DEDUCTIONS |
| TOTAL | | | |
| Approved this Month | | | |
| Number | Date Approved | | |
| | | | |
| TOTALS | | $0.00 | $0.00 |
| Net change by Change Orders | | | $0.00 |

The undersigned Contractor to the best of his knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Docu- ments, that all amounts have been paid by the Contractor for Work which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:
By: [signature] Date: 6-19-2009

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

The present status of the account for this Contract is as follows:

| | |
|---|---|
| ORIGINAL CONTRACT SUM | $4,597,493 |
| Net change by Change Orders | $0 |
| CONTRACT SUM TO DATE | $4,597,493 |
| TOTAL COMPLETED & STORED TO DATE | $1,227,219 |
| (Column G on G703) Retainage 5 % or total in Column I on G703 | $61,361 |
| TOTAL EARNED LESS RETAINAGE | $1,165,858 |
| LESS PREVIOUS CERTIFICATES FOR PAYMENT | $950,595 |
| CURRENT PAYMENT DUE | $215,263 |

State of: County of:
Subscribed and sworn to before me day of , 20
Notary Public
My Commission expires:

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that the Work has progressed to the point indicated; that to the best of his knowledge, information and belief, the quality of the Work is in accordance with the Contract Documents; and that the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED $215,263
*(Attach explanation if amount certified differs from the amount applied for.)*
ARCHITECT:
By: [signature] Date: 6/19/2009
This Certificate is not negotiable. the AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract

AIA DOCUMENT G702 • CONTINUATION SHEET • APRIL 1978 EDITION • AIA® • © 1978
THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, D.C. 2006

CONTINUATION SHEET - UNIT PRICING

AIA DOCUMENT G703UP

PAGE 1 OF 1 PAGES

To:
City of Long Beach

From:
J Lewens Builders
PO Box 779
Long Beach, MS 39560

Project:
Jeff Davis Avenue Roadway Improvements
CDBG Participating

APPLICATION NUMBER: 3

PERIOD FROM: 5/16/2009
TO: 6/15/2009

| A | B | C | D | E | F | G | H | I | J | K | L | M | N | O |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Orig. Est Qty | Unit of Meas | Revised Qty | Unit Price | ITEM No. | DESCRIPTION OF WORK | Original Contract Amount | From Previous Pay Application Quantity | From Previous Pay Application Amount | Work Completed This Month Quantity | Work Completed This Month Amount | Total Completed to Date Quantity | Total Completed to Date Amount | % Comp | Retainage |
| 1.0 | LS | | $ 15,000.00 | 201-A | CLEARING & GRUBBING | $ 15,000.00 | 0.50 | $ 7,500.00 | | $ - | 0.50 | $ 7,500.00 | 50.00% | $ 375.00 |
| 28,323 | SY | | $ 3.50 | 202-B | REMOVAL OF ASPHALT PAVEMENT, ALL DEPTHS | $ 88,630.50 | 9,310.00 | $ 33,585.00 | 39.00 | $ 136.50 | 9,349.00 | $ 32,721.50 | 36.92% | $ 1,636.08 |
| 5,771 | LF | | $ 5.50 | 202-B | REMOVAL OF CONC. CURB &/OR CURB AND GUTTER | $ 31,740.50 | 2,598.00 | $ 14,289.00 | | $ - | 2,598.00 | $ 14,289.00 | 45.02% | $ 714.45 |
| 2,548 | SY | | $ 4.00 | 202-B | REMOVAL OF CONC. PAVEMENT AND DRIVEWAYS, A | $ 10,192.00 | 1,408.00 | $ 5,632.00 | | $ - | 1,408.00 | $ 5,632.00 | 55.26% | $ 281.60 |
| 3,438 | SY | | $ 4.00 | 202-B | REMOVAL OF CONC. SIDEWALK | $ 13,716.00 | 1,772.00 | $ 7,088.00 | 443.00 | $ 1,772.00 | 1,716.00 | $ 6,864.00 | 50.04% | $ 343.20 |
| 41 | EA | | $ 500.00 | 202-B | REMOVAL DRAINAGE INLETS, ALL SIZES | $ 20,500.00 | 11.00 | $ 5,500.00 | | $ - | 11.00 | $ 5,500.00 | 26.83% | $ 275.00 |
| 5 | EA | | $ 500.00 | 202-B | REMOVAL DRAINAGE JUNCTION BOXES | $ 2,500.00 | 4.00 | $ 2,000.00 | | $ - | 4.00 | $ 2,000.00 | 80.00% | $ 100.00 |
| 340 | LF | | $ 10.00 | 202-B | REMOVAL OF TRENCH DRAIN | $ 3,400.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 4,094 | LF | | $ 14.00 | 202-B | REMOVAL OF PIPE, ALL SIZES | $ 57,316.00 | 1,825.00 | $ 25,550.00 | 150.00 | $ 2,100.00 | 1,975.00 | $ 27,650.00 | 48.24% | $ 1,382.50 |
| 500 | CY | | $ 17.50 | 203-EX | BORROW EXCAVATION, AH, FWE, CLASS B4 | $ 8,750.00 | 1,544.00 | $ 27,020.00 | 544.80 | $ 9,534.00 | 2,088.80 | $ 36,554.00 | 417.76% | $ 1,827.70 |
| 16,798 | CY | | $ 5.75 | 203-G | EXCESS EXCAVATION, LVH, AH | $ 96,592.50 | 7,890.00 | $ 45,367.50 | 1,617.00 | $ 9,297.75 | 9,507.00 | $ 54,665.25 | 60.21% | $ 2,733.26 |
| 500 | CY | | $ 20.00 | 211-B | TOPSOIL, SLOPE TREATMENT, CONTRACTOR FURNIS | $ 10,000.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 200 | CY | | $ 20.00 | 907-211-PP | TOPSOIL, FOR PLANTING & BEDS, LVH, PER PLAN | $ 4,000.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 14,654 | SY | | $ 1.00 | 212-B | STANDARD GROUND PREPARATION | $ 14,654.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 9 | TON | | $ 175.00 | 907-213-A | AGRICULTURAL LIMESTONE | $ 1,575.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 2 | TON | | $ 1,025.00 | 213-B | COMBO. FERTILIZER, 13-13-13 | $ 2,050.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 8,924 | SY | | $ 3.50 | 216-B | SOLID SODDING, BERMUDA | $ 30,884.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 283 | KGAL | | $ 20.00 | | WATERING | $ 5,860.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 2 | AC | | $ 30.00 | 220-A | INSECT PEST CONTROL | $ 60.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 235 | EA | | $ 15.00 | 230-A | SHRUB PLANTING, DWARF YAUPON HOLLY | $ 4,725.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 20 | EA | | $ 15.00 | 230-A | SHRUB PLANTING, CONFEDERATE AZALEA | $ 300.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 183 | EA | | $ 15.00 | 230-A | SHRUB PLANTING, INDIAN HAWTHORN | $ 2,745.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 6,785 | EA | | $ 1.00 | 230-A | SHRUB PLANTING, MONDO GRASS | $ 6,785.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 40 | EA | | $ 9.00 | 230-A | SHRUB PLANTING, WHEELER'S DWARF PITTOSPORU | $ 360.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 97 | EA | | $ 200.00 | 230-B | TREE PLANTING, ORANGE CHINESE ELM | $ 19,400.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 150 | EA | | $ 200.00 | 230-B | TREE PLANTING, FOSTER'S HOLLY NO. 2 | $ 30,000.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 16 | EA | | $ 450.00 | 230-B | TREE PLANTING, LIVE OAK | $ 7,200.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 10,575 | SY | | $ 0.95 | 907-230-D | BED PREPARATION | $ 10,046.25 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 1,245 | SY | | $ 4.00 | 233-C | STRAW MULCH, CLASS B | $ 4,980.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 3,400 | LF | | $ 5.00 | 236-A | TEMPORARY SILT FENCE | $ 17,000.00 | 670.00 | $ 3,350.00 | 22.00 | $ 110.00 | 692.00 | $ 3,460.00 | 20.35% | $ 174.50 |
| 640 | BALE | | $ 10.00 | 236-A | TEMPORARY EROSION CHECKS | $ 6,400.00 | 50.00 | $ 500.00 | | $ - | 50.00 | $ 500.00 | 7.81% | $ 25.00 |
| 7 | EA | | $ 2,150.00 | 907-236-PP | CAST IRON SIDEWALK MEDALLION, PER PLANS | $ 15,050.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 5,373 | TON | | $ 100.00 | 301-A | PLANT MIX BITUMINOUS BASE COURSE, BB-1, TYP B | $ 537,300.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 6,625 | TON | | $ 33.50 | 307-304-F | SIZE #25 CRUSHED STONE BASE | $ 295,637.50 | 3,040.29 | $ 101,849.72 | 1,062.54 | $ 35,594.94 | 4,102.83 | $ 137,444.66 | 46.49% | $ 6,872.23 |
| 4,005 | TON | | $ 100.00 | 403-C | HOT BITUMOUS PAVEMENT, SURFACE COURSE, SC-1 | $ 400,500.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 450 | SY | | $ 110.00 | 907-405-PP | STAMPED ASPHALT CROSSWALK, PER PLANS | $ 49,500.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 2,830 | LF | | $ 5.00 | 503-C | SAW CUT, FULL DEPTH | $ 14,150.00 | 503.00 | $ 2,515.00 | | $ - | 503.00 | $ 2,515.00 | 17.77% | $ 125.75 |
| 750 | LF | | $ 40.00 | 603-CA | 15" REINFORCED CONCRETE PIPE, CLASS III | $ 30,120.00 | 751.00 | $ 30,040.00 | | $ - | 751.00 | $ 30,040.00 | 99.73% | $ 1,502.00 |
| 1,705 | LF | | $ 47.00 | 603-CA | 18" REINFORCED CONCRETE PIPE, CLASS III | $ 80,135.00 | 960.00 | $ 45,120.00 | 32.00 | $ 1,504.00 | 992.00 | $ 46,624.00 | 58.18% | $ 2,331.20 |
| 399 | LF | | $ 67.00 | 603-CA | 24" REINFORCED CONCRETE PIPE, CLASS III | $ 26,733.00 | 48.00 | $ 3,216.00 | - | $ - | 48.00 | $ 3,216.00 | 12.03% | $ 160.80 |
| 332 | LF | | $ 87.00 | 603-CA | 30" REINFORCED CONCRETE PIPE, CLASS III | $ 28,884.00 | 48.00 | $ 4,176.00 | | $ - | 48.00 | $ 4,176.00 | 14.46% | $ 208.80 |
| 1 | EA | | $ 660.00 | 603-CB | 15" REINFORCED CONCRETE END SECTION | $ 660.00 | 1.00 | $ 660.00 | | $ - | 1.00 | $ 660.00 | 100.00% | $ 33.00 |
| 2,294 | LF | | $ 55.00 | 603-CE | 22" X 13" CONCRETE ARCH PIPE CLASS A III, FLEXIBL | $ 126,170.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 165 | LF | | $ 112.00 | 603-CE | 44"x27" CONCRETE ARCH PIPE CLASS A III, FLEXIBLE | $ 17,360.00 | 164.00 | $ 18,368.00 | | $ - | 164.00 | $ 18,368.00 | 105.21% | $ 918.40 |
| 1,047 | LF | | $ 140.00 | 603-CE | 51"x31" CONCRETE ARCH PIPE CLASS A III, FLEXIBLE | $ 146,580.00 | 1,032.00 | $ 144,480.00 | | $ - | 1,032.00 | $ 144,480.00 | 98.57% | $ 7,224.00 |
| 15 | EA | | $ 4,000.00 | 907-604-D | STORM SEWER STRUCTURE, TYP SS-2, 6 FT | $ 60,000.00 | - | $ - | 5.00 | $ 20,000.00 | 5.00 | $ 20,000.00 | 33.33% | $ 1,000.00 |
| 37 | EA | | $ 5,000.00 | 907-604-E | STORM SEWER STRUCTURE, TYP SS-2, 10 FT | $ 185,000.00 | - | $ - | 13.00 | $ 65,000.00 | 13.00 | $ 65,000.00 | 35.14% | $ 3,250.00 |
| 3 | EA | | $ 6,000.00 | 907-604-F | STORM SEWER STRUCTURE, TYP SS-2, 15 FT | $ 18,000.00 | - | $ - | 2.00 | $ 12,000.00 | 2.00 | $ 12,000.00 | 66.67% | $ 600.00 |
| 22 | EA | | $ 5,200.00 | 907-604-G | STORM SEWER INLET, TYP SS-3, FOR PIPES 24" AND | $ 114,400.00 | 3.00 | $ 15,600.00 | 2.00 | $ 10,400.00 | 5.00 | $ 26,000.00 | 22.73% | $ 1,300.00 |
| 2 | EA | | $ 6,700.00 | 907-604-H | STORM SEWER INLET, TYP SS-3, FOR PIPES 30" AND | $ 13,400.00 | 1.00 | $ 6,700.00 | - | $ - | 1.00 | $ 6,700.00 | 50.00% | $ 335.00 |
| 8 | EA | | $ 4,800.00 | 907-604-I | STORM SEWER JUNCTION BOX, TYPE JB-1 | $ 38,400.00 | 4.00 | $ 19,200.00 | (1.00) | $ (4,800.00) | 3.00 | $ 14,400.00 | 37.50% | $ 720.00 |
| 8 | EA | | $ 5,650.00 | 907-604-J | STORM SEWER JUNCTION BOX, TYPE JB-2 | $ 50,850.00 | 4.00 | $ 22,600.00 | 1.00 | $ 5,650.00 | 5.00 | $ 28,250.00 | 55.56% | $ 1,412.50 |
| 139 | EA | | $ 900.00 | 907-604-PP | THREE GRATE & FRAME, 30" SQUARE | $ 125,100.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 2,376 | SY | | $ 43.00 | 608-B | CONC. SIDEWALK, WITH REINFORCEMENT | $ 102,168.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 4,063 | SY | | $ 43.00 | 907-608-C | CONC. SIDEWALK & BRICK PAVER BASE WITH REINF | $ 174,709.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 500 | LF | | $ 21.50 | 609-B | CONC. CURB, HEAGER | $ 10,750.00 | - | $ - | 30.00 | $ 645.00 | 30.00 | $ 645.00 | 6.00% | $ 32.25 |
| 10,368 | LF | | $ 17.00 | 609-D | CONSO. CONC. CURB & GUTTER, TYP 2 MODIFIED | $ 176,273.00 | 1,780.50 | $ 30,268.50 | 2,152.50 | $ 36,592.50 | 3,933.00 | $ 66,861.00 | 37.93% | $ 3,343.05 |
| 15,788 | SF | | $ 10.50 | 907-611-H | BRICK PAVERS | $ 165,774.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |

**CONTINUATION SHEET - UNIT PRICING** *AIA DOCUMENT G703UP*

PAGE 1 OF 1 PAGES

To:
City of Long Beach

From:
J Lewis Builders
PO Box 779
Long Beach, MS 39560

Project:
Jeff Davis Avenue Roadway Improvements
CDBG Participating

APPLICATION NUMBER: 5

PERIOD FROM: 5/16/2009
TO: 6/15/2009

| A | B | C | D | E | F | G | H | I | J | K | L | M | N | O |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Orig Est Qty | Unit of Meas | Revised Qty | Unit Price | ITEM No. | DESCRIPTION OF WORK | Original Contract Amount | From Previous Pay Application Quantity | From Previous Pay Application Amount | Work Completed This Month Quantity | Work Completed This Month Amount | Total Completed to Date Quantity | Total Completed to Date Amount | % Comp | Retainage |
| 200 | SF | | $ 30.00 | 607-811-PP | DETECTABLE WARNINGS, PER PLANS | $ 6,000.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 1 | LS | | $ 30,500.00 | 613-A | ADJUSTMENT OF CASTINGS, GRATINGS & UTILITY AR | $ 30,500.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 2,602 | SY | | $ 47.50 | 614-B | CONC. DRIVEWAY WITH REINFORCEMENT, 6" THICK | $ 123,595.00 | 293.00 | $ 13,917.50 | 443.28 | $ 21,054.80 | 736.28 | $ 34,972.30 | 28.30% | $ 1,748.67 |
| 1 | LS | | $ 150,000.00 | 618-A | MAINTENCE OF TRAFFIC | $ 150,000.00 | 0.25 | $ 37,500.00 | - | $ - | 0.25 | $ 37,500.00 | 25.00% | $ 1,875.00 |
| 1 | LS | | $ 300,000.00 | 620-A | MOBILIZATION | $ 300,000.00 | 1.00 | $ 300,000.00 | | $ - | 1.00 | $ 300,000.00 | 100.00% | $ 15,000.00 |
| 11,137 | LF | | $ 2.00 | 626-E | 6" THERMOPLASTIC TRAFFIC STRIPE, CONTINUOUS | $ 22,274.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 3,285 | LF | | $ 2.50 | 626-G | THERMOPLASTIC DETAIL STRIPE, WHITE | $ 8,212.50 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 350 | LF | | $ 2.50 | 626-G | THERMOPLASTIC DETAIL STRIPE, YELLOW | $ 875.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 924 | LF | | $ 2.50 | 907-626-G | THERMOPLASTIC DETAIL STRIPE, BLUE ADA | $ 2,310.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 1,104 | LF | | $ 2.50 | 626-H | THERMOPLASTIC LEGEND, WHITE | $ 2,760.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 39 | SF | | $ 8.00 | 628-H | THERMOPLASTIC LEGEND, WHITE | $ 312.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 14 | EA | | $ 355.00 | 907-626-H | THERMOPLASTIC LEGEND, BLUE ADA HANDICAP SYM | $ 4,970.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 196 | SF | | $ 36.00 | 630-A | STANDARD ROADSIDE SIGNS, SHEET ALUMINUM, GO | $ 7,056.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 501 | LF | | $ 29.00 | 630-K | WELDED & SEAMLESS STEEL PIPE POSTS, 3 1/2" | $ 14,529.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 21 | EA | | $ 255.00 | 682-E | UNDERGROUND JUNC. BOX | $ 5,355.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 57 | EA | | $ 3,900.00 | 907-724-A | LIGHTING ASSEMBLY, LOW MAST, TYPE 13-1-8-150 | $ 222,300.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 2,543 | LF | | $ 6.00 | 907-725-A | UNDERGROUND BRANCH CIRCUIT, #8, 2 CONDUCTO | $ 15,258.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 1,417 | LF | | $ 6.50 | 907-725-B | UNDERGROUND BRANCH CIRCUIT, #10, 2 CONDUCTI | $ 9,210.50 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| 1 | LS | | $ 120,000.00 | 699-A | ROADWAY CONSTRUCTION STAKES | $ 120,000.00 | 0.25 | $ 30,000.00 | | $ - | 0.25 | $ 30,000.00 | 25.00% | $ 1,500.00 |
| 432 | SF | | $ 65.00 | 865-A | PRECAST GRAVITY RETAINING WALL SYSTEM | $ 28,080.00 | - | $ - | | $ - | - | $ - | 0.00% | $ - |
| | SY | | $ 5.10 | 209-A | CO #1 - Geotextile Stabilization, Type VI | $ - | | | | $ - | - | $ - | | $ - |
| | LF | | $ 10.00 | | CO #1 - Remove Gas Line | $ - | | | | $ - | - | $ - | | $ - |
| | | | | | | $ - | | | | $ - | - | $ - | | $ - |
| | | | | | | $ - | | | | $ - | - | $ - | | $ - |
| | | | | | | $ - | | | | $ - | - | $ - | | $ - |
| | | | | | | $ - | | | | $ - | - | $ - | | $ - |
| | | | | | | $ - | | | | $ - | - | $ - | | $ - |
| Totals | | | $865,534.20 | | | $4,597,492.75 | | $1,080,626.22 | | $256,592.49 | | $1,337,218.71 | 26.69% | $61,360.94 |

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

J Levens Builders
Jeff Davis Avenue Project
Borrow & Crushed Stone Quantities

| Item # | | | Original Quantities | Revised Quantities | |
|---|---|---|---|---|---|
| 203-EX | Borrow Excavation | 5/16/2009 | 42 | 33.6 | 80% conversion |
| | | 5/18/2009 | 256 | 204.8 | 80% conversion |
| | | 5/21/2009 | 383 | 306.4 | 80% conversion |
| | Total Borrow | | 681.00 | 544.80 | |
| 304-F | Size 825 Crushed Stone Base | 5/16/2009 | 494.42 | 454.87 | 8% moisture content deducted |
| | | 5/19/2009 | 441.04 | 405.76 | 8% moisture content deducted |
| | | 5/26/2009 | 31.75 | 29.21 | 8% moisture content deducted |
| | | 5/28/2009 | 95.71 | 88.05 | 8% moisture content deducted |
| | | 6/4/2009 | 38.2 | 35.14 | 8% moisture content deducted |
| | | 6/10/2009 | 53.81 | 49.51 | 8% moisture content deducted |
| | Total Crushed Stone | | 1,154.93 | 1,062.54 | |

NEEL-SCHAFFER
Solutions you can build upon

engineers
planners
surveyors
environmental
scientists
landscape architects

Quantity Breakdown for Pay Application No. 5

202-B Removal of Asphalt Pavement, All Depths

| Week Ending | Quantity (SY) |
|---|---|
| 6/13/2009 | 39 |

202-B Removal of Concrete Sidewalk

| Week Ending | Quantity (SY) |
|---|---|
| 6/20/2009 | 443 |

202-B Removal of Pipe, All Sizes

| Week Ending | Quantity (LF) |
|---|---|
| 5/16/2009 | 150 |

203-EX Borrow Excavation, AH, FME, Class B4

| Week Ending | Quantity (CY) |
|---|---|
| 5/16/2009 | 33.6 |
| 5/23/2009 | 511.2 |

203-G Excess Excavation, LVM, AH

| Week Ending | Quantity (CY) |
|---|---|
| 5/16/2009 | 166 |
| 5/23/2009 | 1451 |

234-A Temporary Silt Fence

| Week Ending | Quantity (LF) |
|---|---|
| 6/6/2009 | 22 |

772 Howard Avenue, Biloxi, MS, 39530 •
Office 228.374.1211 • Fax 228.374.1216

Jeff Davis Avenue Roadway Improvements Project (Cont.)

Summary of Quantities

| Item | Total Quantity |
|---|---|
| Removal of Asphalt Pavement, All Depths | 39 SY |
| Removal of Concrete Sidewalk | 443 SY |
| Removal of Pipe, All Sizes | 150 LF |
| Borrow Excavation, AH, FME, Class B4 | 544.80 CY |
| Excess Excavation, LVM, AH | 1617 CY |
| Temporary Silt Fence | 22 LF |
| Size 825 Crushed Stone Base | 1062.54 TON |
| 18" Reinforced Concrete Pipe, Class III | 32 LF |
| Storm Sewer Structure, Typ SS-2, 5 foot | 5 EACH |
| Storm Sewer Structure, Typ SS-2, 10 foot | 13 EACH |
| Storm Sewer Structure, Typ SS-2, 15 foot | 2 EACH |
| Storm Sewer Inlet, Typ. SS-3, for Pipes 24" and Less | 2 EACH |
| Storm Sewer Junction Box, Type JB-1 | -1 EACH |
| Storm Sewer Junction Box, Type JB-2 | 1 EACH |
| Concrete Curb, Header | 30 LF |
| Combination Concrete Curb and Gutter, Type 1 Modified | 2152.50 LF |
| Concrete Driveway, with Reinforcement, 6" Thickness | 443.28 SY |

772 Howard Avenue, Biloxi, MS, 39530
Office 228.374.1211 • Fax 228.374.1216

# MEMO

**DATE:** June 30, 2009
**TO:** Honorable William Skellie, Jr.
City of Long Beach
**FROM:** Ann Frazier
Jimmy G. Gouras Urban Planning
**RE:** **City of Long Beach**
**Community Revitalization Grant**
**CDBG Project #R-109-235-02-KCR**
**Municipal Complex Project**
**Request for Cash and Summary Support Sheet**

Enclosed please find the following invoices for the above referenced project:

1. Jimmy G. Gouras Urban Planning Consultants, Inc.
   Invoice Number 5949 in the amount of $5,011.16
   For administration expense

2. JBHM Architects
   Invoice Number 13 in the amount of $3,181.71
   For architect/engineering expense

3. Starks Contracting Company, Inc.
   Invoice Number 3 in the amount of $92,577.50
   For construction of public building expense
   $1,036.26 from Insurance
   $3,974.48 from FEMA
   $87,566.76 from CDBG
   (Please see attached Memo from Broaddus & Associates)

Also enclosed is "Request for Cash and Summary Support Sheet No. 15" in the amount of $95,759.63 for payment of the above invoices.

Please have the above invoices and Request for Cash and the supporting documentation placed on your next agenda for approval. After its approval, the appropriate official should sign the "Request for Cash and Cash Summary Support Sheet No. 15" and return it along with the supporting documentation for processing to our office at the following address:

JIMMY G. GOURAS
URBAN PLANNING CONSULTANTS, INC.
1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

Debra Tompkins
Jimmy Gouras Urban Planning
100 Cherry Street
Vicksburg, MS 39183

If you have any questions, please do not hesitate to call me or Debra Tompkins at (601)638-7121.

Enclosures

**JIMMY G. GOURAS**
URBAN PLANNING CONSULTANTS, INC.
1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

Mississippi Development Authority
REQUEST FOR CASH

**Section A: General Information**

| | |
|---|---|
| Applicant Name: | City of Long Beach |
| Mailing Address | Post Office Box 929 |
| Street Address | |
| City, State Zip | Long Beach, MS 39560 |
| Telephone No. | 228-863-1556 |
| Fax Number | 228-865-0822 |
| Email Address | [illegible] |

**Bank Information**

| | |
|---|---|
| Electronic Transfer | 065503681 |
| Bank Account | 043308089 |
| Bank Name: | Hancock Bank |
| Address | 101 Jeff Davis Avenue |
| City, State ZIP | Long Beach, MS 39560 |
| Telephone No. | 228-868-4000 |

**Services Rendered**

From June 1, 2009 Thru To June 30, 2009

**Section B: Project Information**

| Grant No. | Contract No. | Request No. |
|---|---|---|
| R-103-06 | R-109-235-02-KCR | 15 |

FOR MDA USE ONLY

Vendor No.

IDIS Voucher Number

**Section C: Request Per Activity**

Approval for Payment

Signature

Date

| | Activity Description | Budget Amount | Total Prior Request to Date | This Request | Remaining Balance | Activity Numbers |
|---|---|---|---|---|---|---|
| 1 | Administration | $ 144,268.00 | $ 56,578.12 | $ 5,011.16 | $ 82,678.72 | |
| 2 | Application Preparation | $ 10,000.00 | $ 10,000.00 | | $ - | |
| 3 | Architect/Engineering Expense | $ 343,971.00 | $ 296,187.09 | $ 3,181.71 | $ 44,602.20 | |
| 4 | Contingency | $ 324,134.00 | | | $ 324,134.00 | |
| 5 | Construction of Public Building | $ 4,545,301.00 | $ 321,586.99 | $ 87,566.76 | $ 4,136,147.25 | |
| | Total Expense | $ 5,367,674.00 | $ 684,352.20 | $ 95,759.63 | $ 4,587,562.17 | |

I Hereby Certify That (a) the services covered by this request have not been received from the Federal Government or expended for such services under any other contract agreement or grant; (b) the amount requested will be expended for allowable costs / expenditures under the terms of the contract agreement or grant; (c) the amount requested herein does not exceed the total funds obligated by contract; and (d) the funds are requested for only immediate disbursements.

I Hereby Certify That the goods sold and/or services rendered have been delivered and/or performed in good order within the time listed above and are in compliance with all statutory requirements and regulations. I certify that this request does not include any advances or funds for future obligations.

Signature of Authorized Official

Date Signed

Debra Tompkins
Prepared By

6/30/2009
Date Prepared

William Skellie, Jr., Mayor
Typed Name and Title of Authorized Official

601-638-7121
Preparer's Telephone No.

**Mississippi Development Authority**
**Cash Summary Support Sheet**



Applicant: City of Long Beach | Request No: 15 | Grant Number: R-103-06
Period Cost - Beginning: June 1, 2009 | Ending Date: June 30, 2009 | Contract Number: R-109-235-02-KCR

1. Activity: Administration Expense

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | Administration Expense | Jimmy Gouras | 5949 | $5,011.16 | | $5,011.16 |
| B. | | | | | | |
| C. | | | | | | |
| D. | | | | | | |
| | | | Subtotal: | $5,011.16 | $ - | $5,011.16 |

2. Activity: Architect/Engineer

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | Architect/Engineer | JBHM | 13 | $3,181.71 | | $3,181.71 |
| B. | | | | | | $0.00 |
| C. | | | | | | |
| D. | | | | | | |
| | | | Subtotal: | $ 3,181.71 | $ - | $ 3,181.71 |

3. Activity: Construction of Public Building

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | Construction of Public Buildin | Starks Contracting Co.Inc. | 3 | $92,577.50 | $5,010.74 | $87,566.76 |
| B. | | | | | | |
| C. | | | | | | |
| D. | | | | | | |
| | | | Subtotal: | $ 92,577.50 | $ 5,010.74 | $ 87,566.76 |

**Cash Summary Support Sheet**



Applicant: City of Long Beach  Request No: 15  Grant Number: R-103-06
Contract Number: R-109-235-02-KCR

4. Activity:

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | | | | | | |
| B. | | | | | | |
| C. | | | | | | |
| D. | | | | | | |
| | | | Subtotal: | | | |

5. Activity:

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | | | | | | |
| B. | | | | | | |
| C. | | | | | | |
| D. | | | | | | |
| | | | Subtotal: | | | |

6. Activity:

| | Line Item | Vendor Name | Invoice # | (a) Invoice Amount | (b) Match Share | Federal Share |
|---|---|---|---|---|---|---|
| A. | | | | | | |
| B. | | | | | | |
| C. | | | | | | |
| D. | | | | | | |
| | | | Subtotal: | | | |

| | | | | | |
|---|---|---|---|---|---|
| Cumulative Match Expended To Date: | $16,634.02 | GRAND TOTAL: | $ 100,770.37 | $ 5,010.74 | $ 95,759.63 |
| Cumulative Federal Expended To Date: | $780,111.83 | | | | |

I hereby Certify That: a) the services covered by this request have not been received from the Federal Government or expended for such services under any other contract agreement or grant; b) the amount requested will be expended for allowable costs/expenditures under the terms of the contract agreement or grant; c) the amount requested herein does not exceed the total funds obligated by contract; and d) the funds are requested for only immediate disbursements.
I Hereby Certify that the goods sold and/or services rendered have been delivered and/or performed in good order and are in compliance with all statutory requirements and regulations.

William Skellie, Jr., Mayor
Typed Name and Title of Authorized Official

Signature of Authorized Official

## Mississippi Development Authority Consolidated Support Sheet

Applicant: City of Long Beach
Request for Cash Number: 15
Contract Number: R-109-235-02-KCR
Total Amount Requested: $ 95,759.63

| Line Items | Amount Budgeted | Amount Requested to Date | Amount of This Request | Balance |
|---|---|---|---|---|
| Administration | $ 144,268.00 | $ 56,578.12 | $ 5,011.16 | $ 82,678.72 |
| Application Preparation | $ 10,000.00 | $ 10,000.00 | | $ - |
| Specific Line Items as Listed in the Budget: | | | | |
| Architect/Engineering Expense | $ 343,971.00 | $ 296,187.09 | $ 3,181.71 | $ 44,602.20 |
| Contingency | $ 324,134.00 | $ - | $ - | $ 324,134.00 |
| Construction of Public Building | $ 4,545,301.00 | $ 321,586.99 | $ 87,566.76 | $ 4,136,147.25 |
| | | | | |
| | | | | |
| | | | | |
| | | | | $ - |
| | | | | $ - |
| | | | | $ - |
| | | | | $ - |
| | | | | $ - |
| Total Budget | $ 5,367,674.00 | $ 684,352.20 | $ 95,759.63 | $ 4,587,562.17 |

Total Funds Request to Date: $ 780,111.83
Amount of Other Funds Expended to Date:
CDBG Project Balance $ 4,587,562.17
Period of Projected Cash Needs - Beginning: June 1, 2009 Thru June 30, 2009

| | | | | |
|---|---|---|---|---|
| TODAY'S DATE | 6/30/2009 | BUDGET | $ 5,367,674.00 | |
| CONTRACT BEGIN DATE (FROM CONTRACT) | 1/2/2008 | TOTAL AMOUNT SPENT TO DATE | $ 780,111.83 | |
| CONTRACT END DATE (FROM CONTRACT) | 1/2/2010 | % TOTAL CONTRACT BUDGET SPENT | 14.53% | |
| CONTRACT EXTENSION (MONTHS) (ENTER # OF MONTHS OR "0") | | % CONTRACT BUDGET REMAINING | 85.47% | |
| FINAL CONTRACT COMPLETION DATE | 1/2/2010 | CONSTRUCTION BUDGET AMOUNT | $4,869,435.00 | Enter number from Cash Request. |
| CONTRACT DURATION (MONTHS) | 36.00 | TOTAL CONSTRUCTION DOLLARS SPENT TO DATE | $409,153.75 | Enter number from Cash Request. |
| % OF CONTRACT PERIOD ELAPSED | 49.77% | % CONSTRUCTION BUDGET SPENT | 8.40% | |
| % OF CONTRACT PERIOD REMAINING | 50.23% | | | |

***STATEMENT FOR SERVICES RENDERED***

***CITY OF LONG BEACH***

***KATRINA SUPPLEMENTAL COMMUNITY DEVELOPMENT BLOCK GRANT***
***COMMUNITY REVITALIZATION PROJECT***
***PROJECT NO. R-109-235-02-KCR***

***June 30, 2009***

***INVOICE #5949***

---

Monthly Administrative Services Rendered Pertaining Project #R-109-235-02-KCR.

Services rendered include overall coordination of project activities; Attending State monitoring visits, meetings, etc.; Maintaining financial records; Preparing the necessary documentation to request funds from the State; and Providing all other services considered normal administrative services within the course of this Agreement

**TOTAL DUE** **$ 5,011.16**

Jimmy Gouras
JT

**JIMMY G. GOURAS**
URBAN PLANNING CONSULTANTS, INC.
1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

JBHM ARCHITECTS, PA

# INVOICE

662.844.1822 (phone) 662.844.0971 (fax)

**City of Long Beach**
P.O. Box 929
Long Beach, MS 39560

June 11, 2009
Invoice No: 13
Project No: 07123

Attn: Ann Frazier

Re: City of Long Beach: City Hall New Constu

For professional services rendered through June 11, 2009

R-109-235-02-KCR

| Description | Current Fee Amount | % Work To Date | Amount Billed | Previous Billed | This Inv Billed |
|---|---|---|---|---|---|
| SD's (30%) | 76,361.04 | 100.00% | 76,361.04 | 76,361.04 | 0.00 |
| DD's (30%) | 76,361.04 | 100.00% | 76,361.04 | 76,361.04 | 0.00 |
| CD's (30%) | 76,361.04 | 100.00% | 76,361.04 | 76,361.04 | 0.00 |
| Bid (10%) | 25,453.68 | 100.00% | 25,453.68 | 25,453.68 | 0.00 |
| CA (100%) | 63,634.20 | 15.00% | 9,545.13 | 6,363.42 | 3,181.71 |
| Total Fee | 318,171.00 | | 264,081.93 | 260,900.22 | 3,181.71 |
| **Current Fee Due** | | | | | **$3,181.71** |

**Invoice Total** **$3,181.71**

Approved by: _____

Please remit to: **JBHM Architects, P.A. • P.O. Box 1643 • Tupelo, MS 38802**
Biloxi • Columbus • Jackson • Tupelo • Memphis

**Thank you for your business!**

BROADDUS & ASSOCIATES
INSURANCE PROJECT MANAGEMENT AND PLANNING

MEMORANDUM

| | |
|---|---|
| **TO:** | **City of Long Beach, Mayor William Skellie** |
| **FROM:** | David A. Vicknair, Project Manager |
| **SUBJECT:** | City Hall Project<br>**Pay Application #3** |
| **DATE:** | Friday June 11, 2009 |
| **CC:** | **Cary McCormick, MEMA Horne Group**<br>**Ann Frasier, Jimmy Gouras Urban Planning**<br>**Ryan Florreich, JBHM** |

Please find included *Pay App #3 6.11.09* spreadsheet detailing percentage of payment from Insurance, FEMA PA, and CDBG. Broaddus & Associates recommends paying $1,036.26 from Insurance, $3,974.48 from FEMA PA, and $87,566.76 from CDBG as detailed in the spreadsheet and corresponding to Pay Application #3 from Starks Construction, certified by JBHM.

Should there be any questions, please do not hesitate to contact me.

Best Regards,

David A. Vicknair, Project Manager
Broaddus & Associates
(228) 343-0221

2510 14th Street ◊ Suite 810 ◊ Gulfport, Mississippi 39501 ◊ (228) 314-1260 ◊ Fax (228) 314-1265

City Hall, City of Long Beach
Funding Summary
6.11.09
Pay Application #3

| Funding Sources | | | | |
|---|---|---|---|---|
| Insurance | FEMA/MEMA | CDBG | Total | |
| $ 49,206.45 | $ 188,726.36 | $ 4,158,067.19 | $ 4,396,000.00 | |
| 1.12% | 4.29% | 94.59% | 100.00% | |
| $ 3,440.05 | $ 13,193.97 | $ 290,692.87 | $ 307,326.89 | Total Earned less CO and Retainage |
| | | $ 92,617.88 | $ 92,617.88 | CO Less Retainage |
| $ 3,440.05 | $ 13,193.97 | $ 383,310.75 | $ 399,944.77 | Total Earned Less Retainage |
| $ 2,403.79 | $ 9,219.49 | $ 295,743.99 | $ 307,367.27 | Previous Payments |
| $ 1,036.26 | $ 3,974.48 | $ 87,566.76 | $ 92,577.50 | Totals, Pay App #3 |

| | |
|---|---|
| Original Contract | $ 4,396,000.00 |
| Current Contract | $ 4,493,492.50 |
| Total Change Orders | $ 97,492.50 |
| Total Completed & Stored | $ 420,994.50 |
| Total Retainage | $ 21,049.73 |

| Costs @ 6/11/09 | | |
|---|---|---|
| Contracted | $ 307,326.89 | Total Earned less Change Orders and Retainage |
| Change Order | $ 92,617.88 | Change Orders Less Retainage |
| Total | $ 399,944.77 | Total Earned less Retainage |

**TRANSMITTAL**

2548 Beach Blvd, Suite 100, Biloxi, Ms 39531 Tel: 228-594-2200 Fax: 228-594-2020

JBHM ARCHITECTS www.jbhm.com

To: Ann Frazier
Jimmy G. Gouras Urban Planning
Consultants, Inc.
1100 Cherry Street
Vicksburg, MS 39183

Date: June 11, 2009

Project: Long Beach New City Hall
JBHM # 07123

We are sending you via UPS Ground

| Copies | Date | No. | Description |
|---|---|---|---|
| 1 | June 10, 2009 | --- | Pay Application 3, Certified |
| | | --- | |
| | | --- | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

These are transmitted as checked below:

- ☐ For Your Approval
- ☒ For Your Use
- ☐ As Requested
- ☐ No Exceptions Taken
- ☐ Rejected
- ☐ Furnish as Corrected
- ☐ Revise and Resubmit -
- ☐ Submit Specified Item -
- ☐ As Marked on Individual Submittals

Remarks:

By: Ryan Florreich, Assoc. AIA

pc: JBHM #07123.09

RECEIVED JUN 18 2009 BY:

Biloxi, MS • Columbus, MS • Jackson, MS • Tupelo, MS • Memphis, TN

trans Frazier 061109

# AIA Document G702™ – 1992

## Application and Certificate for Payment

TO OWNER: Attn: William Skellie, Jr.
Long Beach, City Of
645 Klondyke Road
Long Beach, MS 39560

PROJECT: 609
609 - Long Beach New City Hall
201 Jeff Davis Avenue
Long Beach, MS 39560

APPLICATION NO: 3
PERIOD TO: 06/10/2009
CONTRACT FOR: Construct New City Hall
CONTRACT DATE: 01/28/2009
PROJECT NOS: / /
07123

Distribution to:
OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐
FIELD ☐
OTHER ☐

FROM CONTRACTOR:
Starks Contracting Company, Inc.
P. O. Box 7149
Biloxi, MS 39540-7101

VIA ARCHITECT:
JBHM Architects, PA
2548 Beach Boulevard, Suite 100
Biloxi, MS 39531-4721

### CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

| | | |
|---|---|---|
| 1. ORIGINAL CONTRACT SUM | | $ 4,396,000.00 |
| 2. Net change by Change Orders | | $ 97,492.50 |
| 3. CONTRACT SUM TO DATE (Line 1 + 2) | | $ 4,493,492.50 |
| 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) | | $ 420,994.50 |
| 5. RETAINAGE: | | |
| a. 5.00 % of Completed Work (Column D + E on G703) | $ 21,049.73 | |
| b. 5.00 % of Stored Material (Column F on G703) | $ 0.00 | |
| Total Retainage (Lines 5a + 5b or Total in Column I of G703) | | $ 21,049.73 |
| 6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total) | | $ 399,944.77 |
| 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) | | $ 307,367.27 |
| 8. CURRENT PAYMENT DUE | | $ 92,577.50 |
| 9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) | $ 4,093,547.73 | |

| CHANGE ORDER SUMMARY | ADDITIONS | DEDUCTIONS |
|---|---|---|
| Total changes approved in previous months by Owner | $ 97,492.50 | $ 0.00 |
| Total approved this Month | $ 0.00 | $ 0.00 |
| TOTALS | $ 97,492.50 | $ 0.00 |
| NET CHANGES by Change Order | $ 97,492.50 | |

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: John A. Starks, Jr. Secretary/Treasurer
By: Date: 06/10/2009
State of: Mississippi
County of: Harrison
Subscribed and sworn to before me this 10th day of June 2009
Notary Public: Brett T. Phifer
My Commission expires: June 30, 2012

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 74324 BRETT T. PHIFER Commission Expires June 30, 2012 HARRISON COUNTY

### ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED $ 92,577.50
*(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)*

ARCHITECT:
By: Date: 6/10/09

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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# AIA® Document G703™ – 1992

## Continuation Sheet



AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached. PROJECT: 609
In tabulations below, amounts are stated to the nearest dollar. 609 - Long Beach New City Hall
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 3
APPLICATION DATE: 06/10/2009
PERIOD TO: 06/10/2009
ARCHITECT'S PROJECT NO: 07123

| A | B | C | D | E | F | G | | H | I |
|---|---|---|---|---|---|---|---|---|---|
| | | | WORK COMPLETED | | | | | | |
| ITEM NO. | DESCRIPTION OF WORK | SCHEDULED VALUE | FROM PREVIOUS APPLICATION (D + E) | THIS PERIOD | MATERIALS PRESENTLY STORED (NOT IN D OR E) | TOTAL COMPLETED AND STORED TO DATE (D+E+F) | % (G ÷ C) | BALANCE TO FINISH (C - G) | RETAINAGE (IF VARIABLE RATE) |
| 01000 | DIVISION 1-GENERAL REQUIREMENTS | | | | | | | | |
| 01001 | Insurance, Bonds, & Fees | $97,200.00 | $97,200.00 | $0.00 | $0.00 | $97,200.00 | 100% | $0.00 | |
| 01002 | Contractor's Tax | $153,860.00 | $11,078.00 | $3,339.00 | $0.00 | $14,417.00 | 9% | $139,443.00 | |
| 01050 | Supervision | $92,830.00 | $11,288.00 | $5,644.00 | $0.00 | $16,932.00 | 18% | $75,898.00 | |
| 01500 | Temporary Facilities | $47,550.00 | $5,782.00 | $2,891.00 | $0.00 | $8,673.00 | 18% | $38,877.00 | |
| 01501 | Mobilization | $20,020.00 | $20,020.00 | $0.00 | $0.00 | $20,020.00 | 100% | $0.00 | |
| 01999 | Project Close-Out | $2,080.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $2,080.00 | |
| 02000 | DIVISION 2-SITE WORK | | | | | | | | |
| 02100 | Site Preparation | $6,920.00 | $6,574.00 | $0.00 | $0.00 | $6,574.00 | 95% | $346.00 | |
| 02200 | Earthwork | $30,510.00 | $27,459.00 | $0.00 | $0.00 | $27,459.00 | 90% | $3,051.00 | |
| 02501 | Form Site Concrete | $10,770.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $10,770.00 | |
| 02502 | Concrete Walks & Ramps | $14,260.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $14,260.00 | |
| 02503 | Concrete Paving (Mtl) | $48,200.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $48,200.00 | |
| 02504 | Concrete Paving (Labor) | $9,360.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $9,360.00 | |
| 02505 | Dumpster Pad; Curbs | $15,350.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $15,350.00 | |
| 02700 | Site Utilities and Drainage | $24,980.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $24,980.00 | |
| 02900 | Landscaping & Irrigation System | $25,410.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $25,410.00 | |
| 02999 | Other Site Work | $20,880.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $20,880.00 | |
| 03000 | DIVISION 3- CONCRETE | | | | | | | | |
| 03100 | Concrete Formwork | $73,730.00 | $7,373.00 | $29,492.00 | $0.00 | $36,865.00 | 50% | $36,865.00 | |
| 03200 | Concrete Reinforcement | $53,370.00 | $29,354.00 | $5,337.00 | $0.00 | $34,691.00 | 65% | $18,679.00 | |
| 03301 | Structural Concrete | $82,650.00 | $8,265.00 | $20,663.00 | $0.00 | $28,928.00 | 35% | $53,722.00 | |
| 03302 | Concrete Slabs on Grade | $59,160.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $59,160.00 | |
| 03303 | Concrete Steps/Stairs | $14,670.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $14,670.00 | |
| | SUB-TOTALS | $903,760.00 | $224,393.00 | $67,366.00 | $0.00 | $291,759.00 | 32% | $612,001.00 | |

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# AIA® Document G703™ – 1992

## Continuation Sheet



AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached. PROJECT: 609
In tabulations below, amounts are stated to the nearest dollar. 609 - Long Beach New City Hall
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 3
APPLICATION DATE: 06/10/2009
PERIOD TO: 06/10/2009
ARCHITECT'S PROJECT NO: 07123

| A | B | C | D | E | F | G | | H | I |
|---|---|---|---|---|---|---|---|---|---|
| | | | WORK COMPLETED | | | | | | |
| ITEM NO. | DESCRIPTION OF WORK | SCHEDULED VALUE | FROM PREVIOUS APPLICATION (D + E) | THIS PERIOD | MATERIALS PRESENTLY STORED (NOT IN D OR E) | TOTAL COMPLETED AND STORED TO DATE (D+E+F) | % (G ÷ C) | BALANCE TO FINISH (C - G) | RETAINAGE (IF VARIABLE RATE) |
| 03304 | Concrete Block Fill | $34,260.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $34,260.00 | |
| 03400 | Precast Concrete Planks | | | | | | | | |
| 03401 | Precast: Engineering | $6,080.00 | $0.00 | $6,080.00 | $0.00 | $6,080.00 | 100% | $0.00 | |
| 03402 | Precast: Raw/Fabricated Material | $37,380.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $37,380.00 | |
| 03403 | Precast: Hauling | $8,360.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $8,360.00 | |
| 03404 | Precast: Erection | $18,050.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $18,050.00 | |
| 03409 | Precast Treads; Lintels; Coping | $40,080.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $40,080.00 | |
| 03999 | Other Concrete | $27,640.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $27,640.00 | |
| 04000 | DIVISION 4-MASONRY | | | | | | | | |
| 04150 | Masonry Accessories | $27,730.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $27,730.00 | |
| 04201 | Unit Masonry-Brick (Mtl Allowance) | $37,335.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $37,335.00 | |
| 04202 | Unit Masonry-Brick (Labor) | $76,165.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $76,165.00 | |
| 04203 | Unit Masonry-CMU (4x8x16) | $3,700.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $3,700.00 | |
| 04205 | Unit Masonry-CMU (8x8x16-Mtl.) | $13,100.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $13,100.00 | |
| 04206 | Unit Masonry-CMU (8x8x16-Labor) | $36,370.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $36,370.00 | |
| 04207 | Unit Masonry-CMU (12x8x16-Mtl.) | $24,770.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $24,770.00 | |
| 04208 | Unit Masonry-CMU (12x8x16-Labor) | $54,520.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $54,520.00 | |
| 04209 | Pavers | $4,120.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $4,120.00 | |
| 05000 | DIVISION 5-METALS | | | | | | | | |
| 05101 | Steel Columns & Beams | $40,250.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $40,250.00 | |
| 05102 | Steel Angle/Plates/Lintels, Etc. | $22,330.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $22,330.00 | |
| 05103 | Steel Stairs | $14,710.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $14,710.00 | |
| 05104 | Steel/Aluminum Hand/Guardrails | $36,490.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $36,490.00 | |
| 05199 | Steel Erection | $28,130.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $28,130.00 | |
| | SUB-TOTALS | $1,495,330.00 | $224,393.00 | $73,446.00 | $0.00 | $297,839.00 | 20% | $1,197,491.00 | |

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# AIA® Document G703™ – 1992

## Continuation Sheet



AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached. PROJECT: 609
In tabulations below, amounts are stated to the nearest dollar. 609 - Long Beach New City Hall
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 3
APPLICATION DATE: 06/10/2009
PERIOD TO: 06/10/2009
ARCHITECT'S PROJECT NO: 07123

| A | B | C | D | E | F | G | | H | I |
|---|---|---|---|---|---|---|---|---|---|
| | | | WORK COMPLETED | | | | | | |
| ITEM NO. | DESCRIPTION OF WORK | SCHEDULED VALUE | FROM PREVIOUS APPLICATION (D + E) | THIS PERIOD | MATERIALS PRESENTLY STORED (NOT IN D OR E) | TOTAL COMPLETED AND STORED TO DATE (D+E+F) | % (G ÷ C) | BALANCE TO FINISH (C - G) | RETAINAGE (IF VARIABLE RATE) |
| 05400 | Cold Formed Trusses & Deck (Mtl) | $98,960.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $98,960.00 | |
| 05401 | Cold Formed Trusses & Deck (Erection) | $45,600.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $45,600.00 | |
| 05999 | Other Metals | $3,190.00 | $798.00 | $0.00 | $0.00 | $798.00 | 25% | $2,392.00 | |
| 06000 | DIVISION 6-WOOD AND PLASTICS | | | | | | | | |
| 06100 | Rough Carpentry | $30,510.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $30,510.00 | |
| 06200 | Millwork | $77,770.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $77,770.00 | |
| 06201 | Running Trim | $77,020.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $77,020.00 | |
| 06202 | Quartz Vanities/Granite Tops | $27,350.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $27,350.00 | |
| 06265 | PVC Sheathing | $21,080.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $21,080.00 | |
| 06266 | PVC 1x Trim | $17,820.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $17,820.00 | |
| 06267 | PVC Moulding | $28,820.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $28,820.00 | |
| 06268 | PVC Shutters | $23,420.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $23,420.00 | |
| 06500 | Fiberglass Columns | | | | | | | | |
| 06501 | Fiberglass Columns (Mtl) | $66,060.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $66,060.00 | |
| 06502 | Fiberglass Columns (Labor) | $15,310.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $15,310.00 | |
| 06503 | Rigid Foam & Columns | $3,790.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $3,790.00 | |
| 07000 | DIVISION 7 -THERMAL & MOISTURE PROTECTION | | | | | | | | |
| 07150 | Waterproofing & Damproofing | | | | | | | | |
| 07151 | Poly @ Slab | $3,130.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $3,130.00 | |
| 07152 | Waterproof Footings, Planters, Etc | $17,560.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $17,560.00 | |
| 07153 | Membrane Flashing | $9,280.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $9,280.00 | |
| 07154 | Asphalt Damproofing | $3,190.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $3,190.00 | |
| 07250 | Rigid Cavity Board | $10,720.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $10,720.00 | |
| | SUB-TOTALS | $2,075,910.00 | $225,191.00 | $73,446.00 | $0.00 | $298,637.00 | 14% | $1,777,273.00 | |

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# AIA® Document G703™ – 1992

## Continuation Sheet



AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached. PROJECT: 609
In tabulations below, amounts are stated to the nearest dollar. 609 - Long Beach New City Hall
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 3
APPLICATION DATE: 06/10/2009
PERIOD TO: 06/10/2009
ARCHITECT'S PROJECT NO: 07123

| A | B | C | D | E | F | G | | H | I |
|---|---|---|---|---|---|---|---|---|---|
| | | | WORK COMPLETED | | | | | | |
| ITEM NO. | DESCRIPTION OF WORK | SCHEDULED VALUE | FROM PREVIOUS APPLICATION (D + E) | THIS PERIOD | MATERIALS PRESENTLY STORED (NOT IN D OR E) | TOTAL COMPLETED AND STORED TO DATE (D+E+F) | % (G ÷ C) | BALANCE TO FINISH (C - G) | RETAINAGE (IF VARIABLE RATE) |
| 07400 | Preformed Metal Roofing | $140,420.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $140,420.00 | |
| 07900 | Caulking and Sealants | $6,810.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $6,810.00 | |
| 08000 | DIVISION 8-DOORS AND WINDOWS | | | | | | | | |
| 08100 | Metal Doors and Frames | $9,600.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $9,600.00 | |
| 08200 | Wood and Plastic Doors | $19,510.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $19,510.00 | |
| 08400 | CGI Windows | $171,380.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $171,380.00 | |
| 08401 | CGI Doors | $60,920.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $60,920.00 | |
| 08402 | Frameless Shower Doors | $8,620.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $8,620.00 | |
| 08403 | Clear Tempered Glass | $5,090.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $5,090.00 | |
| 08404 | Misc. Glass Mtl. | $7,740.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $7,740.00 | |
| 08700 | Hardware (Mtl. Allowance) | $47,000.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $47,000.00 | |
| 08701 | Hardware (Labor) | $12,620.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $12,620.00 | |
| 08991 | Mirrors/Attic Access | $3,410.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $3,410.00 | |
| 09000 | DIVISION 9-FINISHES | | | | | | | | |
| 09250 | Acoustical & Drywall | | | | | | | | |
| 09251 | Framing | $101,720.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $101,720.00 | |
| 09252 | Insulation | $22,110.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $22,110.00 | |
| 09253 | Drywall | $47,540.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $47,540.00 | |
| 09254 | Acoustical | $22,110.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $22,110.00 | |
| 09301 | Hard Tile (Mtl) | $48,540.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $48,540.00 | |
| 09302 | Hard Tile (Labor) | $10,390.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $10,390.00 | |
| 09303 | Mud Bed (Mtl) | $1,330.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $1,330.00 | |
| 09304 | Mud Bed (Labor) | $1,380.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $1,380.00 | |
| 09400 | Epoxy Terrazzo Flooring | | | | | | | | |
| | SUB-TOTALS | $2,824,150.00 | $225,191.00 | $73,446.00 | $0.00 | $298,637.00 | 11% | $2,525,513.00 | |

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# AIA Document G703™ – 1992

## Continuation Sheet



AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached. PROJECT: 609
In tabulations below, amounts are stated to the nearest dollar. 609 - Long Beach New City Hall
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 3
APPLICATION DATE: 06/10/2009
PERIOD TO: 06/10/2009
ARCHITECT'S PROJECT NO: 07123

| A | B | C | D | E | F | G | | H | I |
|---|---|---|---|---|---|---|---|---|---|
| | | | WORK COMPLETED | | | | | | |
| ITEM NO. | DESCRIPTION OF WORK | SCHEDULED VALUE | FROM PREVIOUS APPLICATION (D + E) | THIS PERIOD | MATERIALS PRESENTLY STORED (NOT IN D OR E) | TOTAL COMPLETED AND STORED TO DATE (D+E+F) | % (G ÷ C) | BALANCE TO FINISH (C - G) | RETAINAGE (IF VARIABLE RATE) |
| 09401 | Epoxy Terrazzo Flooring (Mtl) | $60,760.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $60,760.00 | |
| 09402 | Epoxy Terrazzo Flooring (Labor) | $48,590.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $48,590.00 | |
| 09540 | Stone Reinforced Elevator Cab Panels | $15,330.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $15,330.00 | |
| 09651 | Rubber Tile & Base (Mtl) | $1,320.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $1,320.00 | |
| 09652 | Rubber Tile & Base (Labor) | $500.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $500.00 | |
| 09653 | VCT (Mtl) | $390.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $390.00 | |
| 09654 | VCT (Labor) | $900.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $900.00 | |
| 09655 | Stair treads & risers (Mtl) | $6,630.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $6,630.00 | |
| 09656 | Stair treads & risers (Labor) | $3,100.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $3,100.00 | |
| 09681 | Carpet (Mtl) | $28,640.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $28,640.00 | |
| 09682 | Carpet (Labor) | $5,750.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $5,750.00 | |
| 09950 | Painting and Wall coverings | | | | | | | | |
| 09951 | Float & Tape Gypbd | $9,950.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $9,950.00 | |
| 09952 | Paint: 1st Coat | $11,270.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $11,270.00 | |
| 09953 | Paint: 2nd Coat | $11,270.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $11,270.00 | |
| 09954 | Paint: 3rd Coat | $11,270.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $11,270.00 | |
| 09955 | Paint: Ceilings | $13,210.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $13,210.00 | |
| 09956 | Paint: Doors & Frames | $6,410.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $6,410.00 | |
| 09957 | Exterior Paint Items | $11,060.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $11,060.00 | |
| 09958 | Vinyl Wall Covering | $5,530.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $5,530.00 | |
| 09959 | Paint: Wood Trim | $9,070.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $9,070.00 | |
| 10000 | DIVISION 10-SPECIALTIES | | | | | | | | |
| 10160 | Compartments and Cubicles | $6,750.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $6,750.00 | |
| 10350 | Flagpoles | $2,560.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $2,560.00 | |
| | SUB-TOTALS | $3,094,410.00 | $225,191.00 | $73,446.00 | $0.00 | $298,637.00 | 10% | $2,795,773.00 | |

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# AIA Document G703™ – 1992

## Continuation Sheet



AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

PROJECT: 609
609 - Long Beach New City Hall

APPLICATION NO: 3
APPLICATION DATE: 06/10/2009
PERIOD TO: 06/10/2009
ARCHITECT'S PROJECT NO: 07123

| A | B | C | D | E | F | G | | H | I |
|---|---|---|---|---|---|---|---|---|---|
| | | | WORK COMPLETED | | | | | | |
| ITEM NO. | DESCRIPTION OF WORK | SCHEDULED VALUE | FROM PREVIOUS APPLICATION (D + E) | THIS PERIOD | MATERIALS PRESENTLY STORED (NOT IN D OR E) | TOTAL COMPLETED AND STORED TO DATE (D+E+F) | % (G ÷ C) | BALANCE TO FINISH (C - G) | RETAINAGE (IF VARIABLE RATE) |
| 10400 | Identifying Devices | $8,590.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $8,590.00 | |
| 10520 | Fire Protection Specialties | $1,260.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $1,260.00 | |
| 10800 | Toilet and Bath Accessories | $3,990.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $3,990.00 | |
| 11000 | DIVISION 11-EQUIPMENT | | | | | | | | |
| 11030 | Vault Door | $11,150.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $11,150.00 | |
| 11031 | Other Bank Equipment | $6,690.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $6,690.00 | |
| 12000 | DIVISION 12-FURNISHINGS | | | | | | | | |
| 12700 | Fixed Auditorium Seating | $30,960.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $30,960.00 | |
| 14000 | DIVISION 14-CONVEYING SYSTEMS | | | | | | | | |
| 14200 | Elevators | $66,500.00 | $0.00 | $16,625.00 | $0.00 | $16,625.00 | 25% | $49,875.00 | |
| 15000 | DIVISION 15-MECHANICAL | | | | | | | | |
| 15001 | Water/Sewer Tap Fees | $11,060.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $11,060.00 | |
| 15300 | Fire Protection | | | | | | | | |
| 15301 | Fire Sprinkler: Material | $16,360.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $16,360.00 | |
| 15302 | Fire Sprinkler: Labor | $13,090.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $13,090.00 | |
| 15303 | Fire Sprinkler: Trim-Out | $3,270.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $3,270.00 | |
| 15400 | Plumbing | | | | | | | | |
| 15401 | Plumbing: Rough-In | $18,800.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $18,800.00 | |
| 15403 | Plumbing: Stack-Out | $18,800.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $18,800.00 | |
| 15405 | Plumbing: Fixture/Trim-Out | $17,690.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $17,690.00 | |
| 15407 | Site Gas/Sewer/Water/Fire Mains | $7,740.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $7,740.00 | |
| 15500 | Heating,Ventilating, & Air Conditioning (HVAC) | | | | | | | | |
| 15501 | Mitsubishi Equipment | $118,080.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $118,080.00 | |
| | SUB-TOTALS | $3,448,440.00 | $225,191.00 | $90,071.00 | $0.00 | $315,262.00 | 9% | $3,133,178.00 | |

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## Continuation Sheet



AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

PROJECT: 609
609 - Long Beach New City Hall

APPLICATION NO: 3
APPLICATION DATE: 06/10/2009
PERIOD TO: 06/10/2009
ARCHITECT'S PROJECT NO: 07123

| A | B | C | D | E | F | G | | H | I |
|---|---|---|---|---|---|---|---|---|---|
| | | | WORK COMPLETED | | | | | | |
| ITEM NO. | DESCRIPTION OF WORK | SCHEDULED VALUE | FROM PREVIOUS APPLICATION (D + E) | THIS PERIOD | MATERIALS PRESENTLY STORED (NOT IN D OR E) | TOTAL COMPLETED AND STORED TO DATE (D+E+F) | % (G ÷ C) | BALANCE TO FINISH (C - G) | RETAINAGE (IF VARIABLE RATE) |
| 15502 | Trane Equipment | $3,410.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $3,410.00 | |
| 15503 | Grills | $9,210.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $9,210.00 | |
| 15504 | ERV & Fan | $46,440.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $46,440.00 | |
| 15505 | Ductwork | $45,330.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $45,330.00 | |
| 15506 | Copper Lines | $12,160.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $12,160.00 | |
| 15507 | Testing, Adjusting, and Balancing | $9,950.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $9,950.00 | |
| 16000 | DIVISION 16-ELECTRICAL | | | | | | | | |
| 16001 | Access Control/CCTV System Allowance | $86,780.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $86,780.00 | |
| 16002 | Exterior Copper Lantern Fixtures Allowance | $6,500.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $6,500.00 | |
| 16101 | Mobilization | $2,870.00 | $861.00 | $0.00 | $0.00 | $861.00 | 30% | $2,009.00 | |
| 16401 | Underground Conduit | $36,070.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $36,070.00 | |
| 16403 | Slab Rough-In | $49,190.00 | $0.00 | $7,379.00 | $0.00 | $7,379.00 | 15% | $41,811.00 | |
| 16405 | Interior Rough-In | $143,780.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $143,780.00 | |
| 16407 | Panels & Gear | $92,510.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $92,510.00 | |
| 16409 | Install Wiring | $68,790.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $68,790.00 | |
| 16500 | Fixtures | $209,260.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $209,260.00 | |
| 16502 | Mech. Equip. Hookup | $5,310.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $5,310.00 | |
| 16504 | Exterior & Site Lighting | $11,810.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $11,810.00 | |
| 16600 | Fire Alarm | $47,010.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $47,010.00 | |
| 16700 | Communications | $22,730.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $22,730.00 | |
| 16901 | Devices | $9,850.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $9,850.00 | |
| 16903 | Generator | $28,600.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0% | $28,600.00 | |
| 20000 | CONTRACT CHANGES | | | | | | | | |
| | SUB-TOTALS | $4,396,000.00 | $226,052.00 | $97,450.00 | $0.00 | $323,502.00 | 7% | $4,072,498.00 | |

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## Continuation Sheet



AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

PROJECT: 609
609 - Long Beach New City Hall

APPLICATION NO: 3
APPLICATION DATE: 06/10/2009
PERIOD TO: 06/10/2009
ARCHITECT'S PROJECT NO: 07123

| A | B | C | D | E | F | G | | H | I |
|---|---|---|---|---|---|---|---|---|---|
| | | | WORK COMPLETED | | | | | | |
| ITEM NO. | DESCRIPTION OF WORK | SCHEDULED VALUE | FROM PREVIOUS APPLICATION (D + E) | THIS PERIOD | MATERIALS PRESENTLY STORED (NOT IN D OR E) | TOTAL COMPLETED AND STORED TO DATE (D+E+F) | % (G ÷ C) | BALANCE TO FINISH (C - G) | RETAINAGE (IF VARIABLE RATE) |
| 20100 | CHANGE ORDER NO. 1 | | | | | | | | |
| 20101 | Add five (5) days to contract time | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | | $0.00 | |
| 20200 | CHANGE ORDER NO. 2 | | | | | | | | |
| 20201 | Remove rubber tires | $1,000.00 | $1,000.00 | $0.00 | $0.00 | $1,000.00 | 100% | $0.00 | |
| 20300 | CHANGE ORDER NO. 3 | | | | | | | | |
| 20301 | Remove water tower foundation | $96,492.50 | $96,492.50 | $0.00 | $0.00 | $96,492.50 | 100% | $0.00 | |
| | TOTALS | $4,493,492.50 | $323,544.50 | $97,450.00 | $0.00 | $420,994.50 | 9% | $4,072,498.00 | |

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# AIA® Document G702™ – 1992

## Application and Certificate for Payment

TO OWNER: STARKS CONTRACTING CO., INC.
ATTN ACCOUNTS PAYABLE
1538 POPES FERRY ROAD
BILOXI MS 39540

PROJECT: LONG BEACH CITY HALL
2ND STREET
LONG BEACH MS 39560

APPLICATION NO: 03/31/2009
PERIOD TO:
CONTRACT FOR: 02/03/2009
CONTRACT DATE:
PROJECT NOS: / /

Distribution to:
OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐
FIELD ☐
OTHER ☐

FROM CONTRACTOR: SCHINDLER ELEVATOR CORPORATION
REMIT TO: P.O. Box 70433,
CHICAGO, IL 60673-0433

VIA ARCHITECT:
ELEVATOR INSTALLATION

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM ..... $ 59,800.00
2. Net change by Change Orders ..... $ 0.00
3. CONTRACT SUM TO DATE (Line 1 ± 2) ..... $ 59,800.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) ..... $ 14,950.00
5. RETAINAGE:
   a. 5.00 % of Completed Work (Column D + E on G703) 748.00
   b. ____ % of Stored Material (Column F on G703) $ 0.00
   Total Retainage (Lines 5a + 5b or Total in Column I of G703)..... $ 748.00
6. TOTAL EARNED LESS RETAINAGE ..... $ 14,202.00
   (Line 4 Less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT ..... $ 0.00
   (Line 6 from prior Certificate)
8. CURRENT PAYMENT DUE ..... $ ~~14,202.00~~ OK
9. BALANCE TO FINISH, INCLUDING RETAINAGE
   (Line 3 less Line 6) $ 45,598.00

POSTED 4/8/09

| CHANGE ORDER SUMMARY | ADDITIONS | DEDUCTIONS |
|---|---|---|
| Total changes approved in previous months by Owner | $ | $ |
| Total approved this Month | $ | $ |
| TOTALS | $ | $ |
| NET CHANGES by Change Order | $ | |

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: SCHINDLER ELEVATOR CORPORATION
By: Dennis Ahmer OHIO Date: 03/17/2009
State of LUCAS
County of:
Subscribed and sworn to me this MAR 2009 day of
Notary Public:
My Commission expires:

NOTARIAL SEAL STATE OF OHIO
CINDY L. MARIUCCI
Notary Public, State of Ohio
My Commission Expires 07-26-2011

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... $

*(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)*

ARCHITECT:
By: Date:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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Schindler Elevator Corporation

CONTINUATION SHEET
AIA DOCUMENT G703

REMIT TO: P.O. Box 70433
CHICAGO, IL 60673-0433

APPLICATION NUMBER: 1
APPLICATION DATE: March, 2009
PERIOD FROM: 03/01/2009
TO: 03/31/2009

INVOICE # : 7401215238

| A | B | C | D | E | F | G | | H | I |
|---|---|---|---|---|---|---|---|---|---|
| Item # | G.O.> E9930 LONG BEACH CITY HALL 2ND STREET | Scheduled Value | Previous Application | This Month In Place | This Month Stored | Total Compl & Stored (D+E+F) | % G/C | Balance to finish (C-G) | Retention |
| 1 | Material | 32,890.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 32,890.00 | 0.00 |
| 2 | Down Payment | 14,950.00 | 0.00 | 14,950.00 | 0.00 | 14,950.00 | 100.00 | 0.00 | 748.00 |
| 3 | Jackhole | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4 | Labor | 11,960.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 11,960.00 | 0.00 |
| 5 | Change Notices | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL | | 59,800.00 | 0.00 | 14,950.00 | 0.00 | 14,950.00 | | 44,850.00 | 748.00 |
| JOB TOTAL | | 59,800.00 | 0.00 | 14,950.00 | 0.00 | 14,950.00 | | 44,850.00 | 748.00 |

AIA DOCUMENT G703 - APPLICATION AND CERTIFICATE FOR PAYMENT

31039842

MISSISSIPPI DEVELOPMENT AUTHORITY
MODIFICATION SIGNATURE SHEET

DISASTER RECOVERY DIVISION
POST OFFICE BOX 849
JACKSON, MISSISSIPPI 39205-0849

| | | |
|---|---|---|
| 1. Recipient's Name, Address, and Telephone No.<br><br>City of Long Beach<br>Post Office Box 929<br>Long Beach, MS 39560-0929<br><br>228-863-1556 | 2. Effective Date: | |
| | 3. Contract Number:<br>R-103-235-01-KCR | Grant Number:<br>R-103-235-01-KCR |
| | 4. Modification Number:<br>2 | |
| | 5. Grant Identifier: (Funding Source & Year)<br>CFDA Number: 14.219 & 14.228 | |
| | 6. Beginning and Ending Date<br>July 20, 2007 – July 20, 2010 | |
| | 7. Page 1 of 3 | |

8. As a result of this modification, funds obligated are changed as follows:

| KCDBG | OTHER FEDERAL | OTHER (LOCAL-PRIVATE) |
|---|---|---|
| FROM: No change | FROM: | FROM: |
| TO: | TO: | TO: |
| INCREASE: | INCREASE: | INCREASE: |
| DECREASE: | DECREASE: | DECREASE |

9. The above recipient is hereby modified as follows: The purpose of this modification is to shift $1,216.77 from the Contingency line item to the Acquisition line item to show finalized Acquisition costs for this project.

10. Except as hereby modified, all terms and conditions of the subcontract remain unchanged.

| | |
|---|---|
| 12. Approved for Agency:<br><br>No signature required<br>Signature Date<br><br>Name: Jon Mabry<br><br>Title: Director, Disaster Recovery Division | 13. Approved for Recipient:<br><br>Signature Date<br><br>Name: William Skellie, Jr.<br><br>Title: Mayor |

**Katrina Supplemental CDBG Program**
**Budget Summary**

**Applicant:** Long Beach – Streetscape Improvements

**Funding Year:** _____ **Grant Year:** _____ **Contract: #** _____

| Description | MDA | DIS | | Other Funding Sources | | | |
|---|---|---|---|---|---|---|---|
| Administration | | | Katrina CDBG | | | | Total |
| General Administration | | | $173,096.00 | | | | $173,096.00 |
| Application Prep. | | | $10,000.00 | | | | $10,000.00 |
| Audit | | | | | | | $ 0.00 |
| **Subtotal (A)** | | | $183,096.00 | $0.00 | $0.00 | $0.00 | $183,096.00 |
| Description | MDA | DIS | | Other Funding Sources | | | |
| Public Facilities | | | Katrina CDBG | | | | Total |
| Acquisition | | | $251,216.77 | | | | $251,216.77 |
| Architectural/Engineering | | | $660,420.00 | | | | $660,420.00 |
| Bridges | | | | | | | $ 0.00 |
| Construction of Public Building | | | | | | | $ 0.00 |
| Contingency | | | $363,183.23 | | | | $363,183.23 |
| Demolition | | | | | | | $ 0.00 |
| Drainage & Flood Protection | | | $1,570,000.00 | | | | $1,570,000.00 |
| Fire protection | | | | | | | $ 0.00 |
| Legal | | | | | | | $ 0.00 |
| Public Service | | | | | | | $ 0.00 |
| Rail | | | | | | | $ 0.00 |
| Renovation of Public Building | | | | | | | $ 0.00 |
| Sewage Pumping Station | | | | | | | $ 0.00 |
| Sewage Treatment | | | | | | | $ 0.00 |
| Sewer Line(s) | | | | | | | $ 0.00 |
| Street & Road Improvements | | | $3,810,000.00 | | | | $3,810,000.00 |
| Water Booster Station | | | | | | | $ 0.00 |
| Water Line(s) | | | | | | | $ 0.00 |
| Water Tank | | | | | | | $ 0.00 |
| Water Treatment | | | | | | | $ 0.00 |
| Water Well | | | | | | | $ 0.00 |
| Other | | | | | | | $ 0.00 |
| | | | | | | | |
| | | | | | | | $ 0.00 |
| **Subtotal (B)** | | | $6,654,820.00 | $0.00 | $0.00 | $0.00 | $6,654,820.00 |
| **Grand Total (A + B)** | | | $6,837,916.00 | $0.00 | $0.00 | $0.00 | $6,837,916.00 |

**BUDGET MODIFICATION WORKSHEET**

**Recipient:** City of Long Beach **Contract Number:** R-103-235-01-KCR

| Activity | Current Budget | Proposed Budget | Change (+ -) |
|---|---|---|---|
| Contingencies | $ 364,400.00 | $ 363,183.23 | -$ 1,216.77 |
| Acquisition | $ 250,000.00 | $ 251,216.77 | +$ 1,216.77 |
| | TOTAL | TOTAL | TOTAL |
| | $ 614,400.00 | $ 614,400.00 | $ 0.00 |

**Comments:**

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

MISSISSIPPI DEVELOPMENT AUTHORITY
MODIFICATION SIGNATURE SHEET

DISASTER RECOVERY DIVISION
POST OFFICE BOX 849
JACKSON, MISSISSIPPI 39205-0849

| | | |
|---|---|---|
| 1. Recipient's Name, Address, and Telephone No.<br>City of Long Beach<br>Post Office Box 929<br>Long Beach, MS 39560-0929<br>228-863-1556 | 2. Effective Date: | |
| | 3. Contract Number:<br>R-103-235-01-KCR | Grant Number:<br>R-103-235-01-KCR |
| | 4. Modification Number:<br>2 | |
| | 5. Grant Identifier: (Funding Source & Year)<br>CFDA Number: 14.219 & 14.228 | |
| | 6. Beginning and Ending Date<br>July 20, 2007 – July 20, 2010 | |
| | 7. Page 1 of 3 | |

8. As a result of this modification, funds obligated are changed as follows:

| KCDBG | OTHER FEDERAL | OTHER (LOCAL-PRIVATE) |
|---|---|---|
| FROM: No change | FROM: | FROM: |
| TO: | TO: | TO: |
| INCREASE: | INCREASE: | INCREASE: |
| DECREASE: | DECREASE: | DECREASE |

9. The above recipient is hereby modified as follows: The purpose of this modification is to shift $1,216.77 from the Contingency line item to the Acquisition line item to show finalized Acquisition costs for this project.

10. Except as hereby modified, all terms and conditions of the subcontract remain unchanged.

| | |
|---|---|
| 12. Approved for Agency:<br>No signature required<br>Signature Date | 13. Approved for Recipient:<br>William Skellie 7/8/09<br>Signature Date |
| Name: Jon Mabry | Name: William Skellie, Jr. |
| Title: Director, Disaster Recovery Division | Title: Mayor |

**Katrina Supplemental CDBG Program**
**Budget Summary**

**Applicant:** Long Beach – Streetscape Improvements

**Funding Year:** _____ **Grant Year:** _____ **Contract: #** _____

| Description | MDA | IDIS | | Other Funding Sources | | | |
|---|---|---|---|---|---|---|---|
| Administration | | | Katrina CDBG | | | | Total |
| General Administration | | | $173,096.00 | | | | $173,096.00 |
| Application Prep. | | | $10,000.00 | | | | $10,000.00 |
| Audit | | | | | | | $ 0.00 |
| **Subtotal (A)** | | | $183,096.00 | $0.00 | $0.00 | $0.00 | $183,096.00 |

| Description | MDA | IDIS | | Other Funding Sources | | | |
|---|---|---|---|---|---|---|---|
| Public Facilities | | | Katrina CDBG | | | | Total |
| Acquisition | | | $251,216.77 | | | | $251,216.77 |
| Architectural/Engineering | | | $860,420.00 | | | | $860,420.00 |
| Bridges | | | | | | | $ 0.00 |
| Construction of Public Building | | | | | | | $ 0.00 |
| Contingency | | | $363,183.23 | | | | $363,183.23 |
| Demolition | | | | | | | $ 0.00 |
| Drainage & Flood Protection | | | $1,570,000.00 | | | | $1,570,000.00 |
| Fire protection | | | | | | | $ 0.00 |
| Legal | | | | | | | $ 0.00 |
| Public Service | | | | | | | $ 0.00 |
| Rail | | | | | | | $ 0.00 |
| Renovation of Public Building | | | | | | | $ 0.00 |
| Sewage Pumping Station | | | | | | | $ 0.00 |
| Sewage Treatment | | | | | | | $ 0.00 |
| Sewer Line(s) | | | | | | | $ 0.00 |
| Street & Road Improvements | | | $3,810,000.00 | | | | $3,810,000.00 |
| Water Booster Station | | | | | | | $ 0.00 |
| Water Line(s) | | | | | | | $ 0.00 |
| Water Tank | | | | | | | $ 0.00 |
| Water Treatment | | | | | | | $ 0.00 |
| Water Well | | | | | | | $ 0.00 |
| Other | | | | | | | $ 0.00 |
| | | | | | | | |
| | | | | | | | $ 0.00 |
| **Subtotal (B)** | | | $6,654,820.00 | $0.00 | $0.00 | $0.00 | $6,654,820.00 |
| **Grand Total (A + B)** | | | $6,837,916.00 | $0.00 | $0.00 | $0.00 | $6,837,916.00 |

**BUDGET MODIFICATION WORKSHEET**

**Recipient:** City of Long Beach **Contract Number:** R-103-235-01-KCR

| Activity | Current Budget | Proposed Budget | Change (+ -) |
|---|---|---|---|
| Contingencies | $ 364,400.00 | $ 363,183.23 | -$ 1,216.77 |
| Acquisition | $ 250,000.00 | $ 251,216.77 | +$ 1,216.77 |
| | TOTAL | TOTAL | TOTAL |
| | $ 614,400.00 | $ 614,400.00 | $ 0.00 |

**Comments:**

* * * * * * * * * * * * * * * * * * * * * * * * * *

There came on for consideration a letter with attachments from Glenn Currie, AIA, Principal, JBHM, P.A., as follows:

GULF COAST OFFICE
2548 Beach Blvd, Ste. 100
Biloxi, Mississippi 39531

228.594.2200
FAX 228.594.2020
EMAIL info@jbhm.com

June 15, 2009

UPS Ground

Mayor William Skellie, Jr.
City of Long Beach
645 Klondyke Road
Long Beach, MS 39560

RE: LONG BEACH NEW CITY HALL – CHANGE ORDER 004

Dear Mayor Skellie:

Along with Pay Application No. Three, Starks Contracting Company has submitted one Change Order request. The contract documents anticipated five weather days during May; however, due to unusually severe weather during the last period the construction schedule was impacted for seven days: May 3, 5, 15, 17, 22, 23, and 25. Therefore, Starks has requested that two additional days be added to the contract. The date of substantial completion shall now be March 13, 2010.

I have reviewed this proposed change order and find the request to be in order and appropriate. Enclosed you will find 4 copies of the above mentioned Change Order. Please sign all 4 copies and return all copies to our JBHM – Biloxi Office for further processing. We will mail you a fully executed copy. Should you have additional questions concerning this change order, please do not hesitate to contact me.

Sincerely,

Glenn Currie, AIA, Principal

Enclosures: Change Order Number 004 (AIA Document G701)
CO 004 substantiation, dated June 10, 2009

cc: Chris Guttierrez – Starks Contracting Company
Ann Frazier – Jimmy Gouras and Associates
David Vicknair – Broaddus and Associates
Glenn Currie / Herman Holifield – JBHM
JBHM #07123.07

MISSISSIPPI
Biloxi
Columbus
Jackson
Tupelo

TENNESSEE
Memphis

PARTNERS
JOSEPH S. HENDERSON, AIA
RICHARD H. MCNEEL, AIA
MICHAEL GREY JONES, AIA

PRINCIPALS
JACK W. BALLARD, AIA
GLENN CURRIE, AIA

# AIA® Document G701™ – 2001

## Change Order

| | | |
|---|---|---|
| PROJECT *(Name and address)*: | CHANGE ORDER NUMBER: 004 | OWNER: ☒ |
| 07123 City of Long Beach City Hall<br>Long Beach, Mississippi | DATE: June 15, 2009 | ARCHITECT: ☒ |
| TO CONTRACTOR *(Name and address)*: | ARCHITECT'S PROJECT NUMBER: 07123 | CONTRACTOR: ☒ |
| Starks Contracting Company, LLC<br>1538 Popps Ferry Road<br>Biloxi, MS 39540 | CONTRACT DATE: January 28, 2009<br>CONTRACT FOR: General Construction | FIELD: ☐<br>: ☐ |

THE CONTRACT IS CHANGED AS FOLLOWS:
*(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)*
Inclement weather/rained 5/5, 15, 17, 22, 23 & 25. Requesting contract time be extended by two (2) days.

| | | |
|---|---|---|
| The original Contract Sum was | $ | 4,396,000.00 |
| The net change by previously authorized Change Orders | $ | 97,492.50 |
| The Contract Sum prior to this Change Order was | $ | 4,493,492.50 |
| The Contract Sum will be increased by this Change Order in the amount of | $ | 0.00 |
| The new Contract Sum including this Change Order will be | $ | 4,493,492.50 |

The Contract Time will be increased by Two (2) days.
The date of Substantial Completion as of the date of this Change Order therefore is March 13, 2010.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

| | | |
|---|---|---|
| JBHM Architects, P.A.<br>ARCHITECT *(Firm name)* | Starks Contracting Company, LLC<br>CONTRACTOR *(Firm name)* | City of Long Beach<br>OWNER *(Firm name)* |
| 2548 Beach Blvd., Suite 100, Biloxi, Mississippi 39531<br>ADDRESS | 1538 Popps Ferry Road, Biloxi, MS 39540<br>ADDRESS | 645 Klondyke Road, Long Beach, MS 39560<br>ADDRESS |
| BY *(Signature)* | BY *(Signature)* | BY *(Signature)* |
| David Glenn Currie, AIA<br>*(Typed name)* | Robert Starks<br>*(Typed name)* | William Skellie, Jr.<br>*(Typed name)* |
| DATE | DATE | DATE |

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User Notes: (1648989557)

1

**STARKS CONTRACTING CO., INC.**
1538 POPPS FERRY RD/PO BOX 7149, BILOXI, MISSISSIPPI 39540-7149
PHONE (228) 392-4584 FAX (228) 392-4565

June 10, 2009

City of Long Beach
c/o JBHM Architects, PA
2548 Beach Boulevard, Suite 100
Biloxi, MS 39531-4721

Fax: 228/594-2020

RE: 07123 Long Beach New City Hall
201 Jeff Davis Avenue
Long Beach, Mississippi

Dear Sir or Madam:

During the period from May 1, 2009 and continuing through May 31, 2009, work has been delayed or curtailed seven (7) days as a result of inclement weather *(rain May 3, 5, 15, 17, 22, 23 & 25)*. Because of this weather, the project has been delayed by two (2) days.

As a result of these delays in the work for the Long Beach New City Hall project, we request that the contract time be extended by two (2) days. As always, we will continue to do everything in our power to assure timely completion of this project. Yet, we feel this extension request is now necessary and justified.

We look forward to your acceptance of our request and the satisfactory completion of the project.

Sincerely,

John A. Starks, Jr.
Secretary/Treasurer

N:\JOBS\601to650\609 LongBeachCityHallTx\609003.wpd

LCD Daily Form

Page 1 of 1

**QUALITY CONTROLLED LOCAL CLIMATOLOGICAL DATA**
**(may be updated)**
**NOAA, National Climatic Data Center**
**Month: 05/2009**

**Station Location: GULFPORT-BILOXI INTL ARPT (93874)**
**GULFPORT, MS**
Lat. 30.407 Lon. -89.070
Elevation(Ground): 24 ft. above sea level

| Date | Temperature (Fahrenheit) Max | Min. | Avg. | Dep From Normal | Avg. Dew pt. | Avg Wet Bulb | Degree Days Base 65 Degrees Heating | Cooling | Sun Sunrise LST | Sunset LST | Significant Weather | Snow/Ice on Ground(In) 1200 UTC Depth | 1800 UTC Water Equiv | Precipitation (In) 2400 LST Snow Fall | 2400 LST Water Equiv | Pressure(inches of Hg) Avg. Station | Avg. Sea Level | Wind: Speed=mph Dir=tens of degrees. Resultant Speed | Res Dir | Avg. Speed | max 5-second Speed | Dir | max 2-minute Speed | Dir | Date |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 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 |
| 01 | 80 | 71 | 76 | M | 70 | 72 | 0 | 11 | - | - | | M | M | M | T | 30.08 | 30.11 | 7.7 | 17 | 7.9 | 18 | 180 | 14 | 160 | 01 |
| 02 | 81 | 72 | 77 | M | 70 | 72 | 0 | 12 | - | - | | M | M | M | 0.00 | 29.96 | 30.00 | 8.4 | 18 | 8.8 | 23 | 180 | 17 | 160 | 02 |
| 03 | 82 | 67 | 75 | M | 70 | 71 | 0 | 10 | - | - | RA BR | M | M | M | 0.12 | 29.88 | 29.92 | 8.0 | 19 | 9.6 | 26 | 170 | 20 | 150 | 03 |
| 04 | 81 | 68 | 75 | M | 71 | 72 | 0 | 10 | - | - | RA | M | M | M | T | 29.89 | 29.91 | 6.4 | 21 | 7.2 | 29 | 210 | 18 | 200 | 04 |
| 05 | 81 | 72 | 77 | M | 73 | 74 | 0 | 12 | - | - | RA BR | M | M | M | 0.08 | 29.93 | 29.96 | 4.6 | 18 | 5.9 | 22 | 200 | 16 | 200 | 05 |
| 06 | 80 | 74 | 77 | M | 72 | 74 | 0 | 12 | - | - | | M | M | M | 0.00 | 29.92 | 29.95 | 10.1 | 19 | 10.3 | 26 | 190 | 17 | 180 | 06 |
| 07 | 80 | 73 | 77 | M | 72 | 73 | 0 | 12 | - | - | | M | M | M | 0.00 | 29.91 | 29.95 | 7.7 | 20 | 7.8 | 24 | 200 | 17 | 200 | 07 |
| 08 | 81 | 72 | 77 | M | 70 | 72 | 0 | 12 | - | - | | M | M | M | 0.00 | 29.91 | 29.94 | 9.8 | 19 | 10.2 | 25 | 170 | 17 | 180 | 08 |
| 09 | 83 | 74 | 79 | M | 71 | 74 | 0 | 14 | - | - | | M | M | M | 0.00 | 29.99 | 30.01 | 7.3 | 19 | 8.1 | 22 | 200 | 15 | 200 | 09 |
| 10 | 85 | 73 | 79 | M | 72 | 74 | 0 | 14 | - | - | | M | M | M | 0.00 | 30.02 | 30.05 | 3.9 | 19 | 5.4 | 17 | 160 | 13 | 180 | 10 |
| 11 | 86 | 69 | 78 | M | 70 | 72 | 0 | 13 | - | - | TS | M | M | M | T | 30.01 | 30.03 | 1.1 | 10 | 4.2 | 17 | 170 | 13 | 160 | 11 |
| 12 | 84 | 69 | 77 | M | 70 | 72 | 0 | 12 | - | - | VCTS | M | M | M | T | 29.99 | 30.02 | 6.4 | 14 | 6.9 | 24 | 150 | 16 | 150 | 12 |
| 13 | 87 | 76 | 82 | M | 70 | 74 | 0 | 17 | - | - | TS | M | M | M | 0.00 | 30.01 | 30.03 | 10.9 | 14 | 10.4 | 24 | 140 | 18 | 130 | 13 |
| 14 | 86 | 78 | 82* | M | 70 | 74 | 0 | 17 | - | - | | M | M | M | 0.00 | 30.04 | 30.07 | 6.5 | 15 | 6.8 | 21 | 130 | 15 | 130 | 14 |
| 15 | 87 | 72 | 80 | M | 70 | 73 | 0 | 15 | - | - | RA VCTS | M | M | M | 0.01 | 30.02 | 30.05 | 3.9 | 14 | 4.7 | 18 | 110 | 13 | 130 | 15 |
| 16 | 86 | 71 | 79 | M | 69 | 72 | 0 | 14 | - | - | TS RA | M | M | M | T | 29.99 | 30.02 | 2.6 | 13 | 5.4 | 21 | 130 | 15 | 130 | 16 |
| 17 | 85 | 61 | 73 | M | 64 | 67 | 0 | 8 | - | - | TSRA RA VCTS | M | M | M | 0.02 | 29.98 | 30.01 | 10.7 | 01 | 11.5 | 30 | 360 | 22 | 010 | 17 |
| 18 | 77 | 56* | 67* | M | 54 | 60 | 0 | 2 | - | - | | M | M | M | 0.00 | 30.06 | 30.08 | 11.2 | 01 | 11.4 | 28 | 010 | 21 | 020 | 18 |
| 19 | 81 | 58 | 70 | M | 46 | 57 | 0 | 5 | - | - | | M | M | M | 0.00 | 30.10 | 30.14 | 9.5 | 03 | 10.0 | 26 | 040 | 20 | 030 | 19 |
| 20 | 88 | 61 | 75 | M | 56 | 64 | 0 | 10 | - | - | | M | M | M | 0.00 | 29.98 | 30.03 | 10.0 | 04 | 10.4 | 28 | 040 | 21 | 030 | 20 |
| 21 | 85 | 71 | 78 | M | 63 | 68 | 0 | 13 | - | - | | M | M | M | T | 29.91 | 29.95 | 10.2 | 04 | 10.7 | 26 | 040 | 20 | 030 | 21 |
| 22 | 85 | 72 | 79 | M | 68 | 71 | 0 | 14 | - | - | RA | M | M | M | 0.14 | 29.84 | 29.88 | 9.2 | 07 | 10.2 | 30 | 120 | 25 | 110 | 22 |
| 23 | 82 | 70 | 76 | M | 69 | 71 | 0 | 11 | - | - | RA BR | M | M | M | 0.04 | 29.73 | 29.77 | 6.8 | 35 | 8.0 | 24 | 320 | 17 | 330 | 23 |
| 24 | 83 | 68 | 76 | M | 70 | 72 | 0 | 11 | - | - | RA VCTS | M | M | M | T | 29.80 | 29.84 | 5.8 | 19 | 6.0 | 22 | 180 | 15 | 180 | 24 |
| 25 | 78 | 70 | 74 | M | 69 | 71 | 0 | 9 | - | - | TS VCTS | M | M | M | 0.27 | 29.78 | 29.81 | 2.7 | 20 | 4.5 | 17 | 190 | 10 | 210 | 25 |
| 26 | 85 | 72 | 79 | M | 70 | 73 | 0 | 14 | - | - | RA | M | M | M | T | 29.78 | 29.82 | 4.9 | 22 | 5.4 | 23 | 240 | 15 | 220 | 26 |
| 27 | 86 | 72 | 79 | M | 72 | 75 | 0 | 14 | - | - | BR | M | M | M | 0.00 | 29.80 | 29.84 | 4.4 | 19 | 5.0 | 18 | 210 | 13 | 180 | 27 |
| 28 | 88 | 72 | 80 | M | 72 | 75 | 0 | 15 | - | - | BR | M | M | M | T | 29.82 | 29.84 | 1.7 | 25 | 4.3 | 22 | 210 | 15 | 220 | 28 |
| 29 | 87 | 66 | 77 | M | 62 | 67 | 0 | 12 | - | - | | M | M | M | 0.00 | 29.91 | 29.93 | 6.6 | 34 | 6.9 | 21 | 320 | 13 | 350 | 29 |
| 30 | 88 | 65 | 77 | M | 62 | 67 | 0 | 12 | - | - | | M | M | M | 0.00 | 29.93 | 29.96 | 2.7 | 01 | 4.8 | 18 | 030 | 14 | 020 | 30 |
| 31 | 88* | 62 | 75 | M | 63 | 68 | 0 | 10 | - | - | | M | M | M | 0.00 | 29.95 | 29.98 | 2.0 | 19 | 2.4 | 17 | 160 | 13 | 170 | 31 |
| | 83.7 | 69.3 | 76.5 | | 67.4 | 70.7 | 0.0 | 11.8 | <----Monthly Averages \| Totals----> | | | M | M | 0.48s | | 29.93 | 29.96 | 1.9 | 15 | 7.5 | <Monthly Average | | | | |
| | M | M | M | <----------Departure From Normal----------> | | | | | | | | M | | | | | | | | | | | | | |

Degree Days: Monthly Total M, Monthly Departure M, Season to Date Total M, Season to Date Departure M
Heating: 0
Cooling: .367

Greatest 24-hr Precipitation: 0.27 Date: 25-26
Greatest 24-hr Snowfall: M Date: M
Greatest Snow Depth: M Date: M

Sea Level Pressure Date Time (LST)
Maximum 30.21 19 0858
Minimum 29.71 23 1305

Number of Days with ----> Max Temp >=90: 0; Max Temp <=32: 0; Thunderstorms : 5

Min Temp <=32: 0
Min Temp <=0 : 0
Heavy Fog : 0

Precipitation >=.01 inch: 5s
Precipitation >=.10 inch:
Snowfall >=1.0 inch : M

*EXTREME FOR THE MONTH - LAST OCCURRENCE IF MORE THAN ONE.

**Data Version: VER2**

http://cdo.ncdc.noaa.gov/qclcd/QCLCD

6/8/2009

Based upon the recommendation of Mr. Currie, Alderman Lishen made motion seconded by Alderman Couvillon and unanimously carried to approve Changer Order 004, Starks Contracting Company, NEW CITY HALL PROJECT, all as set forth above.

* * * * * * * * * * * * * * * * * * * * * * * * * *

Alderman Lishen made motion seconded by Alderman Parker and unanimously carried to approve the CDBG Town Green Project Agreement by and between the City

of Long Beach and JBHM, P.A., contingent upon approval by the City Attorney as to form and legal content; and approval by Jimmy G. Gouras, Planning Consultants, as to compliance with CDBG rules and regulations.

**********

Based upon the recommendation of Police Chief Wayne McDowell and certification by the Civil Service Commission, Alderman Ponthieux made motion seconded by Alderman Lishen and unanimously carried to approve Police Department personnel matters, as follows:

Step Increase, Dispatcher 1st Class Amy Johnson, PS-3-III, effective July 1, 2009;

FTO Pay, Patrolman 1st Class Clark Ladner, PS-9-Basic FTO, effective July 1, 2009;

Transfer Animal Control Officer Kevin Smyth to Dispatcher 1st Class, PS-3-VIII, effective July 1, 2009;

Transfer Admin Lieutenant Brian Beeman to Patrol Lieutenant, PS-12-IV, effective July 16, 2009;

Termination, Dispatcher Regina Ladner, effective June 29, 2009.

**********

Alderman Carrubba made motion seconded by Alderman Parker and unanimously carried to take the Recreation Center official Rules, Regulations, Rental Fees/Agreement under advisement for further consideration at the next regular meeting, July 21, 2009, and to adopt temporary fees and regulations, as follows:

- $500.00-Rent (Receptions/Parties)
- $100.00-Rent (Civic/Public Events)
- $150.00-Deposit
- $200.00-Security Deposit (Refundable upon satisfactory inspection of premises)
- Sufficient funding for the Long Beach Police Department to provide security (one officer for all events; two officers if alcoholic beverages are served) and authorizing the utilization of city personnel, equipment and vehicles to provide security at the Long Beach Recreation Center
- Permission to serve alcoholic beverages is approved
- No loose materials such as, but not limited to, confetti, glitter, bird seed, rice, or other like decorations are allowed on the premises
- Taping, stapling, nailing, tacking, etc. on walls or floors is prohibited.

**********

The Clerk reported that, pursuant to that certain order adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on July 16, 2009, that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, said order adopting the Uniform Motor Vehicle Assessment Schedule as evidenced by the Publisher's Proof of Publication.

Alderman Parker made motion seconded by Alderman Lishen and unanimously carried to spread said Proof of Publication upon the minutes of this meeting in words and figures, as follows:

Minutes of July 7, 2009
Mayor and Board of Aldermen

# PROOF OF PUBLICATION

The Mayor and Board of Aldermen took up the matter of adopting the Uniform Motor Vehicle Assessment Schedule for the City of Long Beach, Mississippi, and the Long Beach Separate School District for the fiscal year 2009-2010. After a discussion of the subject, Alderman Holder offered and moved the adoption of the following order:

AN ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI ADOPTING THE UNIFORM MOTOR VEHICLE ASSESSMENT SCHEDULE FOR THE CITY OF LONG BEACH, MISSISSIPPI AND THE LONG BEACH SEPARATE SCHOOL DISTRICT, PROVING A FORUM TO HEAR ANY COMPLAINTS FILED IN WRITING OBJECTING TO AND PETITIONING FOR A SPECIFIED REDUCTION ON ANY PORTION OR PORTIONS OF THE ASSESSMENT SCHEDULE AFFECTING THE COMPLAINANT DIRECTLY AND FOR RELATED PURPOSES.

WHEREAS, in accordance with the provision of Chapter 588, Laws of Mississippi, 1988, there has been filed with the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, certified copy of the Uniform Motor Vehicle Assessment schedule adopted by order of the State Tax Commission of the State of Mississippi dated February 17, 2009, which motor vehicle assessment schedule has been examined and considered by the Mayor and Board of Aldermen of the City and is now on file in the office of the City Clerk of the City of Long Beach, Mississippi, who is also the Tax Assessor of said City and of the Long Beach Municipal Separate School District, and such motor vehicle assessment schedule is now open and ready for inspection and examination by any interested taxpayer of the City of Long Beach, Mississippi and of the Long Beach Municipal Separate School District, now therefore:

BE IT ORDERED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the aforementioned Uniform Motor Vehicle Assessment Schedule for motor vehicle ad valorem taxes for the fiscal year 2009-2010, adopted by the State Tax Commission of the State of Mississippi, now on file with the Mayor and Board of Aldermen in the office of the City Clerk at the City Hall of the City of Long Beach, Mississippi, be and the same hereby adopted as for the motor vehicle assessment schedule for the City of Long Beach, Mississippi, and the Long Beach Separate School District for the collection of ad valorem taxes for the ensuing fiscal year of 2009-2010 for the City and the Municipal Separate School district subject to the hearing of objection as hereinafter provided.

SECTION 2: That the aforesaid motor vehicle assessment schedule is now open and ready for inspection and examination by any interested taxpayer of the City of Long Beach, Mississippi, and of the Long Beach Municipal Separate School District, and that the Mayor and Board of Aldermen will reconvene on July 7, 2009 at 6:00 o'clock p.m. in regular session to hear and take action on any complaint filed in writing objecting to and petitioning for a specified reduction on any portion or portions of the aforesaid assessment schedule affecting the complainant directly, and will continue in session from day to day until such objections and petitions have been heard and action has been taken thereon, all in accordance with MCA Section 27-51-21.

SECTION 3: That the City Clerk of the City be and said City Clerk is hereby ordered and directed to notify the Mayor and Board of Aldermen of the filing of any written complaint as defined in Section 2 hereinabove.

SECTION 4: That this Order shall take effect and be in force from and after its adoption.

Alderman Burton seconded the motion to adopt the foregoing order and the question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Richard Notte voted: aye
Alderman Richard Burton voted: aye
Alderman Charles A. Boggs voted: aye
Alderman Carolyn Anderson voted: aye
Alderman Allen D. Holder, Jr. voted: aye
Alderman Mark Lishan voted: aye
Alderman Joseph McNary voted: aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution adopted this the 16th day of June, 2009.

APPROVED:
/s/ William Skellie, Jr., Mayor
ATTEST:
/s/ Rebecca E. Schmitt, City Clerk
adv.24,17

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAUX who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 24 times in the following numbers and on the following dates of such paper, viz:

Vol. 125 No., 264 dated 24 day of June, 2009
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____
Vol. _____ No., _____ dated _____ day of _____, 20____

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

JUN 29 2009 Crista Laux
Clerk

Sworn to and subscribed before me this 25 day of June, A.D., 20 09

KANDI A. BERKLEY
Notary Public, State of Mississippi
Harrison County
My Commission Expires
April 05, 2010

Kandi Berkley
Notary Public

Printer's Fee ..... $_____
Furnishing proof of publication ..... $_____
TOTAL..... _____

* *

The Clerk further reported that no complaint, filed in writing, objecting to and petitioning for a specified reduction on any portion or portions of the aforesaid assessment schedule affecting the complainant had been filed.

Upon discussion, Alderman Parker made motion seconded by Alderman Ponthieux and unanimously carried to adopt the Uniform Assessment Schedule, Fiscal

Year 2009-2010 (August 1, 2009 through July 31, 2010) as adopted by the State Tax Commission.

**********

Alderman Parker made motion seconded by Alderman Hammons and unanimously carried to schedule a work session, Tuesday, July 28, 2009, at 5:00 p.m. to discuss the Fiscal Year 2009-2010 Budget.

**********

Alderman Ponthieux made motion seconded by Alderman Parker and unanimously carried to approve the triple mausoleum constructed at the Long Beach Cemetery by the family of Gerald Catalano, stipulating for the record that, in the future, all such structures should come before the Mayor and Board of Aldermen for approval prior to construction.

**********

Alderman Carrubba made motion seconded by Alderman Ponthieux to accept the Municipal Compliance Questionnaire, Fiscal Year 2007-2008, as follows:

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

MUNICIPAL COMPLIANCE QUESTIONNAIRE

As part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance. The municipal compliance questionnaire was developed for this purpose.

The following questionnaire and related certification must be completed at the end of the municipality's fiscal year and entered into the official minutes of the governing authorities at their next regular meeting.

The governing authorities should take care to answer these questions accurately. Incorrect answers could reduce the auditor's reliance on the questionnaire responses, resulting in the need to perform additional audit procedures at added cost.

INFORMATION

*Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no", and as a result, more information on this questionnaire may be required and/or separate work papers may be needed.*

1. Name and address of municipality: City of Long Beach, 645 Klondyke Road, P.O. Box 929, Long Beach, MS, 39560

2. List the date population of the latest official U.S. Census or most recent official census:

   2000, 17,320

3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).

   Mayor William Skellie, Jr., 20122 Pineville Road, Long Beach, MS 38560 (228) 863.1698

   Alderman Allen D. Holder, Jr., 401 East Second Street, Long Beach, MS 39560 (228)228-224-1711

   Alderman Charles A. Boggs, 630 West Beach Boulevard, Long Beach, MS 39560 (228) 863-6795

   Alderman Richard Notter, 312 Magnolia Street, Long Beach, MS, 39560 (228) 323-0866

   Alderman Richard Burton, Long Beach, MS 39560 (228) 865-9599

   Alderman Joseph McNary, 205 North Lang Avenue, 228.868.8515

   Alderman Mark E. Lishen, 9 Ashley Court, Long Beach, MS 39560, (228)575.8583

   Alderman Carolyn Anderson, 6016 Harvest Lane, Long Beach, MS 39560 (228) 861-0556

   Attorney Frank R. McCreary, III, P.O. Box 987, Long Beach, MS 39560, (228)868.6697

4. Period of time covered by this questionnaire:

   From: October 1, 2007 To: September 30, 2008

5. Expiration date of current elected officials' term: July, 2009

**MUNICIPAL COMPLIANCE QUESTIONNAIRE**
**Year Ended September 30, 20__**

Answer All Questions: **Y** - YES, **N** - NO, **N/A** - NOT APPLICABLE

**PART I - General**

1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) — Y
2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) — Y
3. Are municipal records open to the public? (Section 25-61-5) — Y
4. Are meetings of the board open to the public? (Section 25-41-5) — Y
5. Are notices of special or recess meetings posted? (Section 25-41-13) — Y
6. Are all required personnel covered by appropriate surety bonds?
   - Board or council members (Sec. 21-17-5) — Y
   - Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) — Y
   - Municipal clerk (Section 21-15-38) — Y
   - Deputy clerk (Section 21-15-23) — Y
   - Chief of police (Section 21-21-1) — Y
   - Deputy police (Section 45-5-9) (if hired under this law) — Y
7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19) — Y
8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting? (Section 21-15-33) — Y
9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) — Y
10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) — Y

11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) Y

12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Section 21-35-31 or 21-17-19) Y

**PART II - Cash and Related Records**

1. Where required, is a claims docket maintained? (Section 21-39-7) Y

2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9) Y

3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7) Y

4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13) Y

5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13) Y

6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9) Y

7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23) Y

8. Has the municipality held a public hearing and published its adopted budget? (Sections 21-35-5, 27-39-203, & 27-39-205) Y

9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25) Y

10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25) NA

11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) Y

12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y

13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y

14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y

15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y

16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] Y

17. Are fixed assets properly tagged and accounted for? (Section II - Municipal Audit and Accounting Guide) Y

18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y

19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y

**PART III - Purchasing and Receiving**

1. Are bids solicited for purchases, when required by law (written bids and advertising)? [Section 31-7-13(b) and (c)] Y

2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] Y

3. Are all one-source item and emergency purchases documented on the board's minutes? [Section 31-7-13(m) and (k)] Y

4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) Y

**PART IV - Bonds and Other Debt**

1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) Y
2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) Y
3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-65) Y
4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) Y
5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) Y

**PART V - Taxes and Other Receipts**

1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) Y
2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) Y
3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) Y
4. Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) Y
5. Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) Y
6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) Y
7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) Y
8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) Y

9. Has the municipality levied or appropriated not less than 1/4 mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39) Y

10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73, 83-39-31, etc.) Y

11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21) Y

12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1) Y

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

Long Beach, Mississippi

Certification to Municipal Compliance Questionnaire

Year Ended September 30, 2008

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of Long Beach, and, to the best of our knowledge and belief, all responses are accurate.

(City Clerk's Signature) (Mayor's Signature)

July 7, 2009 July 7, 2009

(Date) (Date)

Minute Book References:

Book Number 64

Page 390

*(Clerk is to enter minute book references when questionnaire is accepted by board.)*

* * * * * * * * * * * * * * * * * * * * * * * *

Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to appoint Leigh Anne Biggs, Ward 6, to the 2010 Census Complete Count Committee.

Appointments of additional committee members were taken under advisement for further action at the next regular meeting, July 21, 2009.

**********

Alderman Lishen made motion seconded by Alderman Parker and unanimously carried directing the City Attorney to prepare an ordinance changing the time for regular meetings of the Mayor and Board of Aldermen from 6:00 p.m. to 5:00 p.m.

**********

Considerable discussion was held regarding derelict properties in Ward 5 and other areas of the City; no formal action was required or taken at this time.

**********

Upon discussion, it was determined that a VHF Radio will be installed in the new harbor master building.

**********

Alderman Ponthieux made motion seconded by Alderman Anderson and unanimously carried to fund the Cruisin' the Coast® 2009 Event in the amount $8,500.00.

**********

Alderman Lishen made motion seconded by Alderman Parker and unanimously carried to spread the Report on Inspection of Railroad Grade Crossings, Mississippi Department of Transportation, as follows:

Rev. 5/10/05

Mississippi Department of Transportation

# Report on Inspection of Railroad Grade Crossings

Page 1 of 3

Long Beach
(City/County)

To: City Hall (Name) _____ (Title)

An inspection of railroad-highway crossing(s) on the CSXT Railroad located within your jurisdiction was conducted June 16 2009 (Dates).

Deficiencies were noted as follows:

| Street / Highway Names | Advance Warning Signs W10-1 | W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | |
|---|---|---|---|---|---|---|---|
| White Harbor | | | | | | | NO DEFECTS |
| Parallel St. @ White Harbor | | | | W10-4(r) | | | NO DEFECTS |
| Long Ave. | | | | | | | NO DEFECTS |
| Parallel St. @ Long Ave. | | W10-2 | | | | | NO DEFECTS |
| Islandview | | | | | | | NO DEFECTS |
| Parallel St. @ Islandview | | | | | | | NO DEFECTS |
| Trautman Ave. | | | | | | | NO DEFECTS |
| Railroad Ave. @ Trautman Ave. | | | | | | | NO DEFECTS |
| Parallel St. @ Trautman Ave. | | | | | | | NO DEFECTS |
| Parallel St. @ Trautman Ave. | | | | | | | NO DEFECTS |
| Fairard Ave. | | | | | | | NO DEFECTS |
| 1st St. @ Fairard Ave. | | | | | | | NO DEFECTS |

(Receipt of Acknowledgement)

City Clerk 6/16/09
(Title and Date)

(MDOT Rails Division Inspector)
601-359-7910

Minutes of July 7, 2009
Mayor and Board of Aldermen

Rev. 5/10/05

Mississippi Department of Transportation

# Report on Inspection of Railroad Grade Crossings

Page 2 of 3

Long Beach (City/County)

To: City Clerk (Name) _____ (Title)

An inspection of railroad-highway crossing(s) on the CSXT Railroad located within your jurisdiction was conducted June 16 2009 (Dates).

Deficiencies were noted as follows:

| Street / Highway Names | Advance Warning Signs W10-1 | W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | |
|---|---|---|---|---|---|---|---|
| 1st. St. @ Fairoid | | | | | | | NO DEFECTS |
| Railroad st. @ Fairoid | | | | | | | NO DEFECTS |
| Jeff Davis Ave. | | | | | | | NO DEFECTS |
| Cleveland Ave. | | | | | | | NO DEFECTS |
| 1st St. @ Cleveland Ave. | | | | | | | NO DEFECTS |
| 1st st. @ Cleveland Ave. | | | | | | | NO DEFECTS |
| Rail road st. @ Cleveland Ave. | | | | | | | NO DEFECTS |
| Nicholson Ave. | | | | | | | NO DEFECTS |
| 1st. St. @ Nicholson Ave. | | | | | | | NO DEFECTS |
| 1st st. @ Nicholson Ave. | | | | | | | NO DEFECTS |
| Railroad st. @ Nicholson Ave. | | | | | | | NO DEFECTS |
| Beach Park Ave. | | | | | | | NO DEFECTS |

(Receipt of Acknowledgement)

City Clerk 6/16/09
(Title and Date)

(MDOT Rails Division Inspector)
601-359-7910

M.B. 64
REG:07.07.09

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

Rev. 5/10/05

Mississippi Department of Transportation

## Report on Inspection of Railroad Grade Crossings

Page 3 of 3

Long Beach
(City/County)

To: City Clerk
(Name) (Title)

An inspection of railroad-highway crossing(s) on the CSXT Railroad located within your jurisdiction was conducted June 16 2009 (Dates).

Deficiencies were noted as follows:

Street / Highway Names

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Railroad st. @ Beach Park Ave. | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| Richards Ave. | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| 1st st. @ Richards Ave. | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| Railroad Ave. @ Richards Ave. | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| Railroad st. | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |
| | W10-1 | Advance Warning Signs W10-2 | W10-3 | W10-4(r) | W10-4(L) | STOP BARS RR PAVEMENT MARKINGS | NO DEFECTS |

(Receipt of Acknowledgement)

6/15/09 City Clerk
(Title and Date)

(MDOT Rails Division Inspector)
601-359-7910

Upon discussion, Derrel Wilson, Project Manager, Utility Partners, LLC, reported that the two crossings with defects in the advance warning signs were corrected.

* * * * * * * * * * * * * * * * * * * * * * * * * *

Alderman Carrubba made motion seconded by Alderman Lishen and unanimously carried to approve the Memorandum of Understanding, Mississippi Department of Transportation (MDOT), authorizing the Mayor to execute same, as

follows:

## MEMORANDUM OF UNDERSTANDING

**(Emergency Relief Funding)**

**Project # ER-0295-00(011)/105156**

This Agreement is made by and between the Mississippi Transportation Commission ("the Commission"), a body Corporate of the State of Mississippi, acting by and through the duly authorized Executive Director of the Mississippi Department of Transportation ("MDOT") and City of Long Beach, the Local Public Agency ("LPA"), which will be effective as of the date of the last execution below, and which will terminate upon release of all contractors from maintenance, unless terminated earlier by the parties as provided hereinafter.

**WHEREAS,** the Commission and the LPA have determined that it would be in the best interests of the citizens of the State of Mississippi, and would promote the convenience and safety of the traveling public at large, to effect certain proposed improvements to Klondyke, Beatline, Pineville, East Old Pass, Commission, Railroad, Daughtry, and Cleavland Avenue between various routes, Project Number ER-0295-00(011)/105156, Harrison County, the work collectively to be referred to hereinafter as "the Project;" and

**WHEREAS,** the Project will include repairs and resurfacing, and may include certain utility adjustments, and adjustment of certain local roads to conform to the facility modifications, as well as other improvements; and

**WHEREAS,** the United States of America, through the Federal Highway Administration ("FHWA"), has made available approximately $3,688,593.30 to apply toward completion of the Project through its Emergency Relief (ER) program, subject to various conditions; and

**WHEREAS,** FHWA has requested that the Commission assume responsibility for the construction of the Project, advertise and let one or more contracts to accomplish the work, and provide the contract engineering and inspection while work is underway; and

**WHEREAS,** it is understood by both parties that eligibility for certain funding may impose requirements in addition to those contained in this Memorandum of Understanding; and

**WHEREAS,** the Commission and the LPA desire to set forth more fully the understandings of the parties with respect to the process by which this will be accomplished; and

**WHEREAS,** the Commission has the authority to enter into this Memorandum of Understanding under the provisions of Sections 65-1-8(p) and 65-1-27 of Miss. Code Ann. and has authorized the Executive Director of the Mississippi Department of Transportation to execute the said Memorandum.

**NOW, THEREFORE,** for and in consideration of the premises and agreements of the parties as hereinafter contained, the Commission and the LPA enter into the following Memorandum of Understanding for furtherance of the Project:

## ARTICLE I. DUTIES AND RESPONSIBILITIES

**A. IN CONDUCTING ACTIVITIES RELATING TO THE PROJECT, THE LPA WILL:**

1. Grant to the Commission, and hereby does grant, at no cost, any easement, right of entry, or any other property right whatsoever which is necessary and appropriate to allow MDOT employees, officials, consultants, and contractors to enter onto the Project area to perform work on the Project.

2. Upon request by the Commission, provide any reasonable assistance to the Commission or MDOT which will expedite work on the project, and ensure that the facility constructed through the Project integrates with the LPA's transportation system in such a way that it will meet the present and future needs of the traveling public. This shall include, but not be limited to, providing MDOT with all preliminary plans, plats, and other documents in the LPA's possession.

3. Assist The Commission in making sure that no action is taken which will jeopardize the funding which is to be provided through FHWA.

4. Immediately assume all responsibilities for maintenance of all facilities affected hereby at the point that work on the Project is completed and the contractor or contractors are released from maintenance.

**B. THE COMMISSION WILL:**

1. Finalize plans and specifications, advertise and let one or more contracts, and construct the Project in its usual manner, following all requirements of State and Federal law, Federal Highway Administration policies, and MDOT rules and policies.

2. Manage and inspect the work on the Projectin its usual manner.

3. Through its contractor or contractors, and with the LPA's concurrence, perform any necessary and appropriate adjustments to the LPA's utilities and to the local roads which tie into all facilities affected by this Agreement.

## ARTICLE II. GENERAL PROVISIONS

A. The parties hereto anticipate that FHWA will provide full funding for the Project. In the event that cost overruns or other unforeseen expenses require funding in addition to that provided by FHWA, the Commission will, except as noted at various places below, provide such funding from its regularly appropriated funds.

B. In the event that work is performed on the Project at the LPA's request which exceeds the scope of the ER funding, with the result that FHWA refuses to participate, the LPA will provide the funding for such work.

C. It is understood that this is a Memorandum of Understanding and that more specific requirements for the conduct of the design of the transportation improvement project are contained in the Federal Statutes, the Code of Federal Regulations, the

Mississippi Code, and the Standard Operating Procedures for MDOT, and other related regulatory authorities. The LPA agrees that it will abide by all such applicable authority.

D. This Agreement shall inure to the benefit of the Commission and the LPA and its successors and assigns and shall be binding upon The Commission and its successors and assigns.

E. This Agreement shall be governed as to its validity, construction, and performance by the laws of the State of Mississippi.

## ARTICLE III. NOTICE & DESIGNATED AGENTS

A. The contact persons for this Memorandum of Understanding shall be:

FOR CONTRACTUAL ISSUES:

For the Commission:

Melinda McGrath
Chief Engineer
MDOT
Post Office Box 1850
Jackson, Mississippi 39215-1850
Telephone: (601)359-7007

For the LPA;
Billy Skellie
Mayor, City of Long Beach
P.O. Box 929
Long Beach, Mississippi 39560
Telephone: 228-324-3611

FOR TECHNICAL ISSUES:

For the Commission:

Kelly Castleberry
Gulf Regional Engineer
MDOT
16499 Highway 49
Saucier, MS 39574
Telephone: 228-832-0682

For the LPA:
David Ball
Garner Russell Associates
520 33rd Street
Gulfport, MS 39507
Telephone: 228-863-0667

B. All notices given hereunder shall be by U.S. Certified Mail, return receipt requested, or by facsimile and shall be effective only upon receipt by the addressee at the above addresses or telephone numbers.

## ARTICLE IV. RELATIONSHIP OF THE PARTIES

With respect to the LPA's activities relating to the Project, the relationship of the LPA to the Commission is that of an independent contractor, and said LPA, in accordance with its status as an independent contractor, covenants and agrees that it will conduct itself consistent with such status, and that it and its employees will neither hold themselves out as, nor claim to be, officers or employees of the the Commission or MDOT by reason hereof. Neither the LPA nor its employees will, by reason hereof, make any claim, demand or application or for any right or privilege applicable to an officer or employee of the Commission, including but not limited to workers' compensation coverage, unemployment insurance benefits, social security coverage, retirement membership or credit, or any form of tax withholding whatsoever.

Likewise, no employees or officials of the Commission or MDOT will hold themselves out as, nor claim to be, officers or employees of the LPA by reason hereof, and will not, by reason hereof, make any claim, demand, or application for any right or privilege

applicable to an officer or employee of the LPA.

The Commission executes all directives and orders through MDOT. The LPA executes all directives and orders through its Mayor with authority and/or ratification, as the case may require, from the City Council. Counties which serve as LPA's will execute all documents as prescribed by law with appropriate action by the Board of Supervisors, signature by the Board President, and attestation by the Chancery Clerk. All notices, communications, and correspondence between the Commission and the LPA shall be directed to the designated agents shown in Article III.

**ARTICLE V. RESPONSIBILITIES FOR CLAIMS AND LIABILITY**

The LPA agrees that it is responsible for the design of the Project, and will retain responsibility for its product. The Commission has relied on the LPA to provide adequate and accurate plans and specifications, and no action or inaction on the part of the Commission or MDOT should be construed as adoption of the design presented by the LPA. Any claim over inadequacy of the design will be defended by the LPA, and the LPA will remain responsible for satisfaction of any successful claim which results.

No provision of this Agreement is intended, nor shall it be construed, to grant any right, title, or interest to any party not a signatory hereto.

Should the LPA take any action which results in a loss of Federal funding the LPA will reimburse the Commission for the amount of such loss.

**ARTICLE VI. MISCELLANEOUS**

No modification of this MOU shall be binding unless such modification shall be in writing and signed by all parties. If any provision of this MOU shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this MOU is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

**ARTICLE VII. TERMINATION**

This Agreement shall be subject to termination at any time upon thirty (30) days written notice by either party, so long as such notice is given no less than thirty (30) days prior to MDOT's advertisement of the Project to bid. After that point the Agreement may be terminated only by the Commission.

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

So Agreed this the 7th day of July, 2009.

**THE CITY OF** Long Beach, **MISSISSIPPI**

BY: Mayor

So Agreed, this the _____ day of _____, 2009.

**MISSISSIPPI TRANSPORTATION COMMISSION**
By and through the duly authorized
Executive Director

Larry L. Brown, Executive Director
Mississippi Department of Transportation

Attest:

Amy Hornback
Secretary to the Commission

Approved by the Mississippi Transportation Commission and duly recorded at Book _____, Page _____ of the Minutes of the Commission.



* * * * * * * * * * * * * * * * * * * * * * * * * *

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

The Mayor and Board of Aldermen took up the matter of the appointment of officers of the City of Long Beach, Mississippi, for the four-year term beginning July 6, 2009, and for related purposes. After a discussion of the subject, Alderman Lishen offered and moved the adoption of the following resolution:

A RESOLUTION BY THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF LONG BEACH, MISSISSIPPI, PROVIDING FOR THE APPOINTMENT OF A CITY CLERK, A TAX ASSESSOR, A TAX COLLECTOR, A DEPUTY CITY CLERK AND A CHIEF OF THE FIRE DEPARTMENT, PRESCRIBING THE DUTIES OF EACH OF SAID OFFICERS, PROVIDING FOR BONDS AND PAYMENT OF PREMIUM THEREON, AND FOR RELATED PURPOSES.

WHEREAS, the City of Long Beach, Mississippi, is a code charter municipality operating under an aldermanic form of government with a Mayor and seven (7) alderman; and

WHEREAS, as provided by law the office of City Clerk, Tax Assessor and Tax Collector have heretofore been made appointive rather than elective, and the aforesaid offices of City Clerk, Tax Assessor and Tax Collector have been combined, so as to allow one person to serve as City Clerk, Tax Assessor and Tax Collector; and

WHEREAS, it is necessary and appropriate that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi do now make appointments for the aforesaid offices, as well as for other officers for the City for the four year term beginning July 6, 2009, to serve at the pleasure of the governing authorities of the City, or in the manner as may be required by the Civil Services Laws of the City, and to prescribe the duties of said officers and for bonds for the faithful performance of their duties, and for the payment of the premium of said bonds; now therefore;,

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That they are hereby appointed as officers of the City of Long Beach, Mississippi, to the offices set opposite their respective names, the following named persons, who are to enter into bond conditioned upon the faithful performance of their respective duties, in the penal sum also set opposite their respective names:

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

| TITLE OF OFFICE | NAME OF OFFICER | AMOUNT OF BOND |
|---|---|---|
| City Clerk | Rebecca E. Schruff | $ 50,000 |
| City Tax Assessor | Rebecca E. Schruff | $ 50,000 |
| City Tax Collector | Rebecca E. Schruff | $ 50,000 |
| Deputy City Clerk | Stacey Dahl | $ 50,000 |
| Deputy City Clerk | Michele McMath | $ 50,000 |
| Chief of Fire Department | George Bass | $ 0 |
| Chief of Police Department | Wayne McDowell | $ 100,000 |

SECTION 2. The duties of each of said officers, respectively, are as set forth in the Laws of Mississippi applicable to a Code Charter municipality, City Ordinances and such other duties as the Mayor and Board of Aldermen may from time to time otherwise prescribe.

SECTION 3. The term of office of each of said officers shall be for a four year term beginning July 6, 2009, which officers shall serve at the pleasure of the governing authorities of the City, or as may be otherwise prescribed by Civil Service Laws of the City, and until their successors, respectively, shall have been appointed and qualified.

SECTION 4. The salaries and/or compensation of each of the aforesaid officers shall be as previously set forth by the Mayor and Board of Aldermen and as may be funded by annual appropriations of the Mayor and Board of Aldermen.

SECTION 5. This resolution shall take effect and be in force from and after its adoption and shall apply retrospectively to coincide with the term of office of the appointing authority beginning July 6, 2009, the aforesaid offices herein appointed having presently served, and whose term of offices, respectively, having continues to the date of adoption of this resolution.

Alderman Anderson seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote by the Mayor, the result was as follows:

| | | |
|---|---|---|
| Alderman Bernie Parker | voted | Aye |
| Alderman Kaye Couvillon | voted | Aye |
| Alderman Gary Ponthieux | voted | Aye |
| Alderman Carolyn Anderson | voted | Aye |
| Alderman Leonard Carrubba, Sr. | voted | Aye |
| Alderman Mark Lishen | voted | Aye |
| Alderman Ronnie Hammons, Jr. | voted | Aye |

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution adopted and approved this the 7th day of July, 2009.

APPROVED:

Leonard G. Carrubba, Sr.
Mayor Pro-Tempore

ATTEST:

Rebecca E. Schruff, City Clerk

* * * * * * * * * * * * * * * * * * * * * * * * *

There came on for consideration appointments of Municipal Court Officers and City Attorney; Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to meet in Closed Session to preliminarily determine whether or not to declare an Executive Session.

* *

Minutes of July 7, 2009
Mayor and Board of Aldermen

The meeting resumed in open session and, based upon discussion held in Closed Session, Alderman Anderson made motion seconded by Alderman Couvillon to meet in Executive Session for the transaction of public business, to-wit: to discuss and seek additional information regarding personnel matters.

The question being put to a roll call vote by the Mayor, the result was as follows:

| | | |
|---|---|---|
| Alderman Bernie Parker | voted | Aye |
| Alderman Kaye H. Couvillon | voted | Aye |
| Alderman Gary J. Ponthieux | voted | Aye |
| Alderman Carolyn Anderson | voted | Aye |
| Alderman Mark E. Lishen | voted | Aye |
| Alderman Leonard G. Carrubba, Sr. | voted | Aye |
| Alderman Ronnie Hammons, Jr. | voted | Aye |

The question having received the Affirmative vote of the Aldermen present and voting, the Mayor declared the motion carried, whereupon, the Mayor and Board of Aldermen met in Executive Session.

* *

The meeting resumed in open session and, based upon discussion held and information obtained in Executive Session, action was taken as follows:

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

The Mayor and Board of Aldermen of the City of Long Beach, Mississippi, took up the matter of appointing a Municipal Court Judge, Municipal Court Judge(s) Pro-Tempore, a Prosecuting Attorney, Prosecuting Attorney(s) Pro-Tempore, a Municipal Court Clerk and Municipal Deputy Court Clerk(s) of and for the City of Long Beach, Mississippi. After a discussion of the subject, Alderman Lishen offered and moved the adoption of the following resolution.

A RESOLUTION BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, PROVIDING FOR THE APPOINTMENT OF A MUNICIPAL COURT JUDGE, A PROSECUTING ATTORNEY, MUNICIPAL COURT JUDGE(S) PRO-TEMPORE, PROSECUTING ATTORNEY(S) PRO-TEMPORE, A MUNICIPAL COURT CLERK AND MUNICIPAL DEPUTY COURT CLERK(S), FOR THE MUNICIPAL COURT SYSTEM OF SAID CITY, PROVIDING FOR SALARY AND/OR COMPENSATION OF SAID OFFICERS, AND FOR RELATED PURPOSES.

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

Section 1. That the following persons be, and hereby are, appointed as officers of the municipal Court system of the City of Long Beach, Mississippi, at and for the salary and/or compensation hereinafter set forth:

(a) As Municipal Court Judge, Bradley W. Rath, an attorney duly licensed to practice law under the laws of the State of Mississippi and practicing law in Harrison County, Mississippi, at and for a monthly salary of $1,500.00 per month to be paid monthly out of the City Treasury.

(b) As Municipal Prosecuting Attorney, Robert H. Koon, an attorney duly licensed to practice law under the laws of the State of Mississippi and practicing law in Harrison County, Mississippi, at and for the monthly salary of $1,000.00 per month to be paid out of the City Treasury. For services performed on appeals from the decision of the Municipal Court Judge, the Prosecuting Attorney shall be compensated additionally upon such terms and for such additional compensation as may be provided by the Mayor and Board of Alderman at the rate of $65.00 per hour for such additional services rendered.

(c) As municipal Court Clerk, Jane Marsland, whose salary shall be as previously established by the Governing Authorities of the City of Long Beach, Mississippi.

(d) As Municipal Court Judge Pro-Tempore, Richard J. Smith, an attorney duly licensed to practice law under the laws of the State of Mississippi and practicing law in Harrison County, Mississippi, at and for the

compensation of $200.00 per case, not to exceed $250.00 per court session, for each appearance as Municipal Court Judge.

(e) As Municipal Prosecuting Attorney(s) Pro-Tempore, William Alex Brady, II, and Philip Wittmann, IV, all attorneys duly licensed to practice law under the laws of the State of Mississippi, at and for the compensation of $200.00 per case, not to exceed $250.00 per court session, for each appearance as Municipal Prosecutor Pro-Tempore.

(f) As Municipal Deputy Court Clerks, Tina Dupree, Debbie Korte, Donna Stephenson, and Tina Dahl, whose salary shall be as previously established by the Governing Authorities of the City of Long Beach, Mississippi.

SECTION 2. The aforesaid officers hereinabove in Section 1 shall serve at the pleasure of the Mayor and Board of Aldermen for a four year term beginning July 6, 2009, and/or until their respective successors shall have been appointed and qualified.

SECTION 3. This resolution shall take effect and be in force from and after its adoption.

Alderman Parker seconded the motion to adopt the foregoing resolution, and the question being put a roll call vote by the Mayor, the result was as follows:

| | | |
|---|---|---|
| Alderman Bernie Parker | voted | Aye |
| Alderman Kaye Couvillon | voted | Aye |
| Alderman Gary Ponthieux | voted | Aye |
| Alderman Carolyn Anderson | voted | Aye |
| Alderman Leonard Carrubba, Sr. | voted | Aye |
| Alderman Mark Lishen | voted | Aye |
| Alderman Ronnie Hammons, Jr. | voted | Aye |

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution adopted and approved this the 7th day of July, 2009.

APPROVED:

Leonard G. Carrubba, Sr.
Mayor Pro-Tempore

ATTEST:

Rebecca E. Schruff, City Clerk

* *

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

**AN ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH APPOINTING A CITY ATTORNEY FOR THE CITY, PRESCRIBING HIS DUTIES AND FIXING HIS COMPENSATION, AND FOR RELATED PURPOSES.**

**BE IT ORDERED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:**

**SECTION 1.** That James C. Simpson, Jr., an attorney licensed to practice law in the State of Mississippi be, and hereby is appointed City Attorney of the City of Long Beach, Mississippi, for a term beginning July 6, 2009, and continuing to serve for four years, however, at the pleasure of the governing authorities of the City and until his successor shall have been appointed and qualified.

**SECTION 2.** That the duties of the City Attorney shall consist of advising the Mayor and Board of Aldermen in matters relating to the corporate and governmental municipal affairs of the City, representing the City in legal matters and litigation wherein the City may be or become involved, drafting appropriate laws, orders, resolutions and ordinances as required by the Mayor and Board of Aldermen and generally to perform those duties required of a city attorney of a Code Charter municipality under the Laws of the State of Mississippi, including borrowing of monies and issuance of notes, certificates of indebtedness and bonds of the City of Long Beach and of the Long Beach Separate School District, where applicable.

**SECTION 3.** That for his regular duties of attending regular meetings of the Mayor and Board of Aldermen and there advising said governing authority of the municipality in matters relating to the corporate and governmental municipal affairs of the City, James C. Simpson, Jr., shall be paid a non-refundable retainer of $1,000.00 per month, in advance, to be paid monthly out of the City Treasury on the first day of each month. In addition to the said monthly retainer, James C. Simpson, Jr., shall be paid and hourly fee of One Hundred Dollars ($100.00) per hour for services rendered out of Court, (exclusive of the aforesaid time expended in attendance at regular meetings of the governing authority), and One Hundred Twenty Five Dollars ($125.00) per hour for services rendered in Court, to be paid monthly upon billing thereof. In

addition, the City Attorney shall be paid a fee not to exceed one percent (1%) of the amount of any notes, certificates of indebtedness, or bonds, issued pursuant to any provision of any applicable law for or on behalf of the City of Long Beach. Fees do not include expenses, and for any expense incurred in the performance of his duties, the City Attorney shall be reimbursed as allowed by law.

**SECTION 4.** This Order shall not be constructed to limit in any way the power and authority of the City, acting by and through its Mayor and Board of Aldermen, to appoint or employ any special or additional counsel as authorized by law.

**SECTION 5.** This Order shall take effect and be in force from and after its adoption, and shall confirm said appointment effective July 7, 2009.

Alderman Carrubba moved the adoption of the above and foregoing Order, seconded by Alderman Anderson and the question being to a roll call vote by the Mayor, the result was as follows:

| | | |
|---|---|---|
| Alderman Bernie Parker | Voted | Aye |
| Alderman Kaye Couvillon | Voted | Aye |
| Alderman Gary Ponthieux | Voted | Aye |
| Alderman Carolyn Anderson | Voted | Aye |
| Alderman Mark E. Lishen | Voted | Aye |
| Alderman Leonard G. Carrubba | Voted | Aye |
| Alderman Ronnie Hammons, Jr. | Voted | Aye |

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried.

APPROVED:

Leonard G. Carrubba, Sr.
Mayor Pro-Tempore

ATTEST:

Rebecca E. Schruff, City Clerk

* * * * * * * * * * * * * * * * * * * * * * * * * *

Based upon the recommendation of the Mayor and members of the Board of Aldermen, Alderman Carrubba made motion seconded by Alderman Couvillon and unanimously carried for the appointment/reappointment of Planning Commissioners, July, 2009-July, 2011, as follows:

Mayor Skellie (At-Large) Tony Van Court

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

| | |
|---|---|
| | Frank Olaiver |
| Alderman Carrubba (At-Large) | Dale Hare |
| Alderman Ponthieux (Ward 1) | Danny Hansen |
| Alderman Parker (Ward 2) | Barney Hill |
| Alderman Anderson (Ward 6) | Tonda Yandell |

It was noted for the record that representatives for Wards 3, 4, and 5 will be appointed at the next regular meeting, July 21, 2009.

**********

There came on for consideration the matter of nominations to the Tree Board, July 2009 – July 2013, as follows:

Alderman Anderson nominated Marian Wideman;

Mayor Skellie nominated Roy Schultzman;

Alderman Parker nominated Marcia Kruse;

Alderman Couvillon nominated Charlene Jenner;

Alderman Ponthieux nominated Dyann Lantz;

Alderman Hammons nominated Sigrid Seiller;

After considerable discussion, Alderman Carrubba made motion seconded by Alderman Lishen and unanimously carried to confirm the nominations and appoint Tree Board members, as set forth above.

**********

Alderman Ponthieux made motion seconded by Alderman Lishen and unanimously carried to appoint members to the Municipal Election Commission, July 2009 – July 2013, as follows:

David Drye; Joe Fleming; and King Batey.

**********

Due to a possible conflict of interest, Alderman Anderson was recused from the open meeting.

* *

There came on for consideration an appointment to the Long Beach Library Board to fill the expiring term of Frank Valenti.

Upon discussion, Alderman Ponthieux made motion seconded by Alderman Couvillon and unanimously carried to appoint Renee Pennell, July 2009 – July 2014.

* *

Alderman Anderson returned to the open meeting.

**********

Alderman Hammons made motion seconded by Alderman Anderson and unanimously carried to appoint Sherry Lockey, July 2009 – October, 2009, to the Long Beach Recreation Board to fill the unexpired term of Kim Cartenelli.

**********

Alderman Anderson made motion seconded by Alderman Carrubba and unanimously carried to appoint Frank Castigilia, Jr., July 2009 – July 2013, to the Harrison County Development Commission.

**********

Due to a possible conflict of interest, Alderman Lishen was recused from the open meeting.

*  *

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

There came on for consideration by the Mayor and Board of Aldermen (the "Governing Body") of the City of Long Beach, Mississippi the matter of granting a construction easement to the Long Beach School District for the purpose of allowing the Long Beach School District to construct improvements under the Commission Road Improvements Project. After a discussion of the subject, Alderman Ponthieux offered and moved the adoption of the following resolution and order:

> A RESOLUTION OF THE CITY OF LONG BEACH AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONSTRUCTION EASEMENT TO THE LONG BEACH SCHOOL DISTRICT FOR THE COMMISSION ROAD IMPROVEMENTS PROJECT IN ORDER TO WIDEN AND IMPROVE THE ROADS AND ENTRANCES TO THE LONG BEACH SCHOOL DISTRICT PROPERTY ON COMMISSION ROAD AND PINEVILLE ROAD, AND FOR OTHER PURPOSES.

WHEREAS, the Long Beach School District has acquired property adjoining Commission Road and Pineville Road within the City of Long Beach on which location the Harper McCaughan Elementary School is currently under construction, and also upon which additional future school construction is planned; and

WHEREAS, in order to accommodate the growth of traffic and use of said property the City of Long beach will require the Long Beach School District to cause improvements to be constructed to Pineville Road and Commission Road in accordance with THE COMMISSION ROAD IMPROVEMENTS PROJECT plans and specifications, a copy of which is attached hereto and made a part hereof; and

WHEREAS, in order to perform such construction, the City must grant to the Long Beach School District a construction easement so as to allow the contractor hired by the Long Beach School District to enter upon and perform such construction project.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute and deliver the Construction Easement attached hereto forthwith, in order to allow for the Long Beach School District and its contractors to construct the improvements to Pineville Road and Commission Road as detailed and describe in the COMMISSION ROAD IMPROVEMENTS PROJECT, a copy of which is attached

hereto and made a pert hereof.

Alderman Parker seconded the motion to adopt the foregoing resolution and, the question being put to a roll call vote, the result was as follows:

| BOARD OF ALDERMEN | | VOTED |
|---|---|---|
| Alderman Gary J. Ponthieux | Voted | Aye |
| Alderman Bernie Parker | Voted | Aye |
| Alderman Kaye H. Couvillon | Voted | Aye |
| Alderman Ronnie Hammons, Jr. | Voted | Aye |
| Alderman Mark E. Lishen | Voted | Aye |
| Alderman Carolyn J. Anderson | Voted | Aye |
| Alderman Leonard G. Carrubba, Sr. | Voted | Aye |

The question having received the affirmation vote of all the Aldermen present and voting, the Mayor declared the motion carried.

APPROVED:

Leonard G. Carrubba, Sr.,
Mayor Pro-Tempore

ATTEST:

Rebecca E. Schruff, City Clerk

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

CONSTRUCTION EASEMENT

FOR AND IN CONSIDERATION of Ten Dollars ($10.00) the receipt and sufficiency of which is hereby acknowledged, the undersigned, CITY OF LONG BEACH does hereby grant, bargain, sell convey, and warrant unto the LONG BEACH SCHOOL DISTRICT, MISSISSIPPI, for public improvements, grading, sodding, and other construction purposes in accordance with the Commission Road Improvements Project, a construction easement through, over, on, and across the lands described on Exhibit "A".

It is understood and agreed, and it is the intention of the parties hereto, that the Grantee shall have the right to use, occupy, improve, grade, sod, ditch, drain, and otherwise use for construction purposes the above described land for so long as is necessary to complete the construction of said in accordance with the plans and specifications for said Commission Road Improvements Project, said plans and specifications however being subject to change by the state, federal, and municipal authorities, and in accordance with the representations made on behalf of the Grantee as expressed in the applicable construction document and related. Upon the completion of said work of construction and upon completion of the warranty period given the Long Beach School District by its contractor this easement shall terminate and all right, title, and interest in and to the above described land shall revert to the Grantor herein, their heirs, assigns, legal representatives, or grantees.

# Minutes of July 7, 2009
# Mayor and Board of Aldermen

All warranties of completion and performance granted or made to the Long Beach School District by its contractors are hereby also extended to the City of Long Beach. This easement shall continue in force so as to allow the completion, correction or repair of any construction project and any defects arising related to same under applicable warranties by the contractor for the Long Beach School District.

WITNESS MY SIGNATURE this the 7th day of July, 2009.

THE CITY OF LONG BEACH

BY:

LEONARD G. CARRUBBA, SR,
MAYOR PRO-TEMPORE

ATTEST:

REBECCA E. SCHRUFF, CITY CLERK

Grantee Address:
The Long Beach School District
19148 Commission Road
Long Beach, Mississippi 39560
Phone Number: (228) 864-1146

Grantor Address:
City of Long Beach
645 Klondyke Road
Long Beach, MS 39560
Phone Number: (228) 863 1556

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this the 7th day of July, 2009, within my jurisdiction, the within named Leonard G. Carrubba, Sr., Mayor Pro-Tempore of the City of Long Beach, and Rebecca E. Schruff, City Clerk of the City of Long Beach who acknowledged that they executed, signed, and delivered the above and foregoing instrument on the day and year therein set forth and mentioned

NOTARY PUBLIC

My commission Expires:

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 4842 STACEY DAHL Commission Expires Dec. 5, 2011 HARRISON COUNTY

* *

Alderman Lishen returned to the open meeting.

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There were no public comments regarding general matters.

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There being no further business to come before the Mayor and Board of Aldermen at this time, Alderman Anderson made motion seconded by Alderman

Minutes of July 7, 2009
Mayor and Board of Aldermen

Carrubba and unanimously carried to adjourn until the next regular meeting in due course.

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APPROVED:

Alderman Leonard G. Carrubba, Sr., At-Large

Alderman Gary J. Ponthieux, Ward 1

Alderman Bernie Parker, Ward 2

Alderman Kaye H. Couvillon, Ward 3

Alderman Ronnie Hammons, Jr., Ward 4

Alderman Mark E. Lishen, Ward 5

Alderman Carolyn J. Anderson, Ward 6

July 21, 2009
Date

ATTEST:

Rebecca E. Schruff, City Clerk