

1308



# Hidalgo County Border Colonias Access Program

## MEMORANDUM

TO: Laura Moya, BCAP Purchaser

CC: Marty Salazar, Hidalgo County Purchasing Agent  
 Sylvia Handy, Hidalgo County Precinct No.1 Commissioner  
 John Paul Lugo, BCAP Coordinator Precinct No.1  
 Rosanna Schettino, CAP Auditor  
 Colonias Project file

FROM: Agapito Vargas, Jr., Hidalgo County BCAP Director

DATE: 20 November 2006

Subject: CAP Agenda Item – Application Payment NO 5 & Final Payment (Retainage) for Capisallo Park Subdivision (IOC Company, LLC)

Laura, please place the following agenda items on Commissioner's Court agenda for 28<sup>th</sup> November 2006: Authority to pay Application Payment No.5 and Application Payment No. 6 Final Payment (Retainage) to IOC Company, LLC. in the amount of \$16,007.46 and \$33,667.74 respectively for construction of Capisallo Park Subdivision (Round II CAP Project, Contract #C-CAP-06-001-02-08). The project is being carried by TEDSI Infrastructure Group.

If you have any questions, please advice.

Thanks,

6-1311-206-60-000-001-0-000

Agapito  
11/28

**APPLICATION FOR PAYMENT NO. 5**

To: Hidalgo County (OWNER)  
 From: IOC COMPANY L.L.C. (CONTRACTOR)  
 Contract: C-CAP - 06-001-02-28  
 Project: Border Colonia Access Project  
 OWNER's Contract No. C-CAP-06-001-02-28 ENGINEER's Project No. 26881-1  
 For Work accomplished through the date of: 10-20-06

1. Original Contract Price:	\$ <u>315,524.87</u>
2. Net change by Change Orders and Written Amendments (+ or -):	\$ <u>21,152.54</u>
3. Current Contract Price (1 plus 2):	\$ <u>336,677.41</u>
4. Total completed and stored to date:	\$ <u>336,677.41</u>
5. Retainage (per Agreement):	
<u>10</u> % of completed Work:	\$ <u>33,667.74</u>
_____ % of stored material:	\$ <u>0.00</u>
Total Retainage:	\$ <u>33,667.74</u>
6. Total completed and stored to date less retainage (4 minus 5):	\$ <u>303,009.67</u>
7. Less previous Application for Payments:	\$ <u>287,002.21</u>
8. DUE THIS APPLICATION (6 MINUS 7):	\$ <u>16,007.46</u>

Accompanying Documentation:

*[Handwritten signature]* 11.20.06

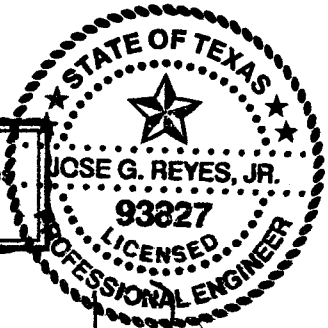
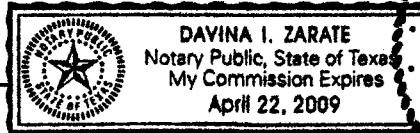
CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 5 inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated 11/16/06 IOC Company LLC  
 CONTRACTOR  
 By: *[Handwritten signature]*

State of Texas  
 County of Hidalgo  
 Subscribed and sworn to before me this 16  
 day of November, 2006

*[Handwritten signature]*  
 Notary Public  
 My Commission expires: 4/22/09



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated Nov. 15. 06

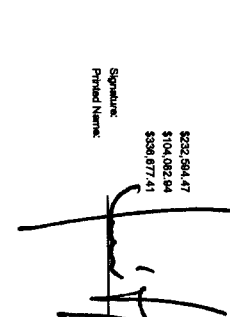
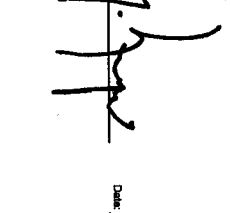
TEDSI Infrastructure Group  
 ENGINEER  
 By: *[Handwritten signature]*, P.E.

**Estimate Quantity Update Worksheet**  
 Date: November 6, 2006  
 Location: Capitan Park  
 Owner: Eborn St., Haskberry St., Maple St., Oak St. and Palm St.  
 Contractor: IOC Company, L.L.C.  
 Contract Price: \$39,677.41  
 Contract No.: C-06-001-02-28  
 Work Dates to Date: \$39,677.41  
 Project No.: C-06-001-02-28  
 Work Dates to Date: \$17,781.06  
 County: Hidalgo County, Precinct No. 1  
 Work Dates to Date: \$100.00%  
 E.A. No.: 5  
 % Complete: 100.00%

Work Type: Paving and Drainage  
 From: Mile 1 East  
 To: Mile 8 North

ITEM NO.	DESCRIPTION	UNIT	PROJECT QTY	Unit Price	JUNE				JULY				AUGUST				OCTOBER				NOVEMBER			
					MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date	MONTHLY QTY to Date		
<b>(001) ADMINISTRATIVE</b>																								
<b>(002) PRELIMINARY ENGINEERING</b>																								
<b>(003) CONSTRUCTION ENGINEERING</b>																								
<b>(004) RIGHT-OF-WAY</b>																								
<b>(005) ROADWAY CONSTRUCTION</b>																								
100	PREP R.O.W.	STA	56.15	\$304.80	\$17,103.29	44.82	44,020	\$15,882.63	11.23	56.150	\$3,453.86	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
114	Gravel (TY B)	CY	56.15	\$56.59	\$3,288.63	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
217	FLS (Ready Built) 12 GRB (CL4)	CY	1787	\$13.78	\$24,546.26	0	0	\$0.00	1787	1787.000	\$24,546.26	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
310	FLS (Ready Built) 12 GRB (CL4)	GAL	2985	\$3.47	\$10,360.85	0	0	\$0.00	0	0	\$0.00	2985	2985.000	\$10,362.65	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
340	ASPH MAINT (MC-30)	TON	1280	\$61.78	\$79,025.80	0	0	\$0.00	0	0	\$0.00	1280	1280.000	\$79,032.50	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
500	ASPH Concrete (TY D)	LS	5	\$250.00	\$1,250.00	5	5,000	\$2,500.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
502	Asphalt	MO	1	\$800.00	\$800.00	1	1,000	\$800.00	1	3,000	\$800.00	1	3,000	\$800.00	1	2,000	\$800.00	1	2,000	\$800.00	1	2,000	\$800.00	
530	Barbed Wire and Traffic Handling	SY	688	\$12.48	\$8,578.02	0	0	\$0.00	0	0	\$0.00	688	688.000	\$8,578.02	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
530	Turfing (ASPH-CONC-PAV/PR-2)	SY	15006	\$4.34	\$64,722.32	0	0	\$0.00	15006	15006.000	\$64,722.32	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
2500	BN-1 TREATED FLEX BASE	GAL	80	\$72.50	\$5,800.00	0	0	\$0.00	80	80.000	\$5,800.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
5240	BN-1 ROADBED	LF	200	\$3.78	\$752.00	0	0	\$0.00	0	0	\$0.00	200	200.000	\$752.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
5240	Temporary Student Control Fence (Remove)	LF	200	\$1.86	\$372.00	0	0	\$0.00	0	0	\$0.00	200	200.000	\$372.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
					\$2,066.29				\$11,610.72					\$2,066.29						\$11,610.72				
<b>(006) DRAINAGE</b>																								
444	2" RCP (CL III)	LF	18	\$28.13	\$506.34	0	0	\$0.00	182	182.000	\$5,141.36	16	16.000	\$450.58	72	284.000	\$2,025.36	0	0	\$0.00	0	0	\$0.00	
447	SAFETY END TREAT (TY)(B)(RCP)(K1)	EA	6	\$600.00	\$3,600.00	0	0	\$0.00	8	8.000	\$4,800.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
466	SAFETY END TREAT (TY)(B)(RCP)(K1)	LF	278	\$28.13	\$7,818.14	0	0	\$0.00	278	278.000	\$7,818.14	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
530	Drainage (CONC/CL)	SY	1081	\$15.47	\$16,682.06	0	0	\$0.00	278	278.000	\$4,281.86	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
530	Drainage (ASPH-CONC-PAV/PR-1)	SY	2102	\$11.00	\$23,122.00	1051	1051.000	\$11,561.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
530	Drainage (ASPH-CONC-PAV/PR-1)	SY	2102	\$11.00	\$23,122.00	1051	1051.000	\$11,561.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	0	0	\$0.00	
					\$43,900.60				2280	2280.000	\$30,090.80	400	2880.000	\$5,324.00	600	3260.000	\$7,068.00	0	0	\$0.00	0	0	\$0.00	
					\$58,824.23				\$20,330.70					\$125,040.12						\$11,4378.30				\$17,788.06

ADMINISTRATIVE (001)	\$58,824.23
PRELIMINARY ENGINEERING (002)	\$20,330.70
CONSTRUCTION ENGINEERING (003)	\$125,040.12
RIGHT-OF-WAY (004)	\$11,4378.30
Drainage (004)	\$17,788.06
<b>Total</b>	<b>\$323,984.47</b>

Prepared and Checked By:   
 Signature:   
 Printed Name: J. W. Obitz  
 Date: 11/06/06

IOC Company/L.L.C. Contractor Name  
 08/06/06 Starting Date  
 Project Ending Date  
 10% Retainage Percent

Application No.: 5  
 Application Date: 11/06/06  
 Period To: 10/20/06  
 Engineer Firm: TEDSI

Summary											
CSJ #	CSJ Name	Schedule Value	Revised Schedule/Value	Work Completed	This Period	Total Complete to Date	Balance To Finish	Retainage	Net	Payments to Date	Payment Due
2C-108-137-21	Capitallio Park Ebony, Hackberry, Maple, Oak and Palm	\$ 315,524.87	\$ 336,677.41	\$ 318,891.35	\$ 17,786.06	\$ 336,677.41	\$ -	\$ 33,667.74	\$ 303,009.67	\$ 287,002.21	\$ 16,007.46
		\$ 336,677.41	\$ 318,891.35	\$ 17,786.06	\$ 336,677.41	\$ -	\$ 33,667.74	\$ 303,009.67	\$ 287,002.21	\$ 16,007.46	

As per Approved Change Order # 1

IOC Company L.L.C. Contractor Name  
 06/08/06 Starting Date  
 Capisallo Park - Ebony St. ect. Project Ending Date  
 Engineers / County Project Description  
 Engineers / County Project No.: 2C-108-137-21  
 Application No.: 5  
 Application Date: 11/06/06  
 Period To: 10/20/06

No	Item Code	Description	Unit	Rate	Schedule Value		Work Completed		This Period		Total Completed To Date		Balance To Finish	
					Quan.	Dollars	Quan.	Dollars	Quan.	Dollars	Quan.	Dollars	Quan.	Dollars
1	100	502 Preparing ROW	STA	\$ 304.60	56.15	\$ 17,103.29	56.15	\$ 17,103.29	0.00	\$ -	56.15	\$ 17,103.29	0.00	\$ -
2	134	502 Backfill (TY B)	STA	\$ 58.59	56.15	\$ 3,289.83	56.15	\$ 3,289.83	0.00	\$ -	56.15	\$ 3,289.83	0.00	\$ -
3	247	699 FL BS (Rowdy Del)(TYD, GR6, CL4)	CY	\$ 13.78	1767	\$ 24,349.26	1,767.00	\$ 24,349.26	0.00	\$ -	1,767.00	\$ 24,349.26	0.00	\$ -
4	310	501 ASPH Material (MC-30)	GAL	\$ 3.47	2995	\$ 10,392.65	2,995.00	\$ 10,392.65	0.00	\$ -	2,995.00	\$ 10,392.65	0.00	\$ -
5	340	ASPH Concrete (TY D)	TON	\$ 61.76	1280	\$ 79,052.80	1,280.00	\$ 79,052.80	0.00	\$ -	1,280.00	\$ 79,052.80	0.00	\$ -
6	484	503 18" RCP (CL III)	LF	\$ 28.13	264	\$ 7,426.32	264.00	\$ 7,426.32	0.00	\$ -	264.00	\$ 7,426.32	0.00	\$ -
7	464	504 24" RCP (CL III)	LF	\$ 37.13	16	\$ 594.08	16.00	\$ 594.08	0.00	\$ -	16.00	\$ 594.08	0.00	\$ -
8	467	676 Safety End Treatment (TY II)(18"RCP)(4:1)	EA	\$ 600.00	8	\$ 4,800.00	8.00	\$ 4,800.00	0.00	\$ -	8.00	\$ 4,800.00	0.00	\$ -
9	496	2003 Reove & Re-lay Pipe (18")	LF	\$ 28.13	276	\$ 7,763.88	276.00	\$ 7,763.88	0.00	\$ -	276.00	\$ 7,763.88	0.00	\$ -
10	500	501 Mobilization	LS	\$ 500.00	5	\$ 2,500.00	5.00	\$ 2,500.00	0.00	\$ -	5.00	\$ 2,500.00	0.00	\$ -
11	502	501 Barricades, Signs and Traffic Handling	MO	\$ 800.00	5	\$ 4,000.00	4.00	\$ 3,200.00	1.00	\$ 800.00	5.00	\$ 4,000.00	0.00	\$ -
12	530	540 Driveway (CONC)(4")	SY	\$ 15.47	1098	\$ 16,986.06	0.00	\$ -	1,098.00	\$ 16,986.06	1,098.00	\$ 16,986.06	0.00	\$ -
13	530	542 Driveways (ASPH-CONC-PAV)(PB-1)	SY	\$ 11.00	2102	\$ 23,122.00	2,102.00	\$ 23,122.00	0.00	\$ -	2,102.00	\$ 23,122.00	0.00	\$ -
14	530	655 Turnout (ASPH-CONC-PAV)(PBS-2)	SY	\$ 12.49	698	\$ 8,718.02	698.00	\$ 8,718.02	0.00	\$ -	698.00	\$ 8,718.02	0.00	\$ -
15	556	15" ADS Corrugated Pipe	LF	\$ 13.31	3280	\$ 43,390.60	3,280.00	\$ 43,390.60	0.00	\$ -	3,280.00	\$ 43,390.60	0.00	\$ -
16	2500	EN-1 Treated Flexbase	SY	\$ 4.54	15908	\$ 72,222.32	15,908.00	\$ 72,222.32	0.00	\$ -	15,908.00	\$ 72,222.32	0.00	\$ -
17	2500	EN-1 Road Bond	GAL	\$ 72.50	90	\$ 6,525.00	90.00	\$ 6,525.00	0.00	\$ -	90.00	\$ 6,525.00	0.00	\$ -
18	5249	501 Temporary Sediment Control Fence	LF	\$ 3.76	200	\$ 752.00	200.00	\$ 752.00	0.00	\$ -	200.00	\$ 752.00	0.00	\$ -
19	5249	503 Temporary Sediment Control Fence (REMOVE)	LF	\$ 1.56	200	\$ 312.00	200.00	\$ 312.00	0.00	\$ -	200.00	\$ 312.00	0.00	\$ -
20		Bond (4%)	LS			\$ 711.01		\$ 711.01				\$ 711.01		
21		Overhead and Profit (15%)	LS			\$ 2,666.29		\$ 2,666.29				\$ 2,666.29		
						\$ 336,677.41		\$ 318,891.35		\$ 17,786.06		\$ 336,677.41		\$ -

As per Approved Change Order # 1

# Requisition

Req # 00090677

PO # 568045

Date: 05/31/06

Bill To: x  
x

Vendor : 330205  
IOC COMPANY, LLC  
2516 FATIMA, #2  
EDINBURG TX 78541  
FAX (956)380-4085

Ship To: HIDALGO CO. PCT 1  
1902 Joe Stephens Ave  
WESLACO TX 78596

Contact: NOE/JOHN PAUL  
956-968-8733

Contract No: CAP-06-001-02-28

**Special Instructions:**

2112  
DO NOT DUPLICATE ORDER

QUANTITY	UOM	DESCRIPTION	UNIT PRICE	AMOUNT
1	EACH	ROADWAY CONSTRUCTION (CAPISALLO PARK SUBDV)	229,217.17	229,217.17
1	EACH	DRAINAGE (CAPISALLO PARK SUBDV)	86,307.70	86,307.70
1		09/19/06 PO INCR B#2757 OBJ 733	21,152.54	21,152.54
1		11/03/06 P.O. INCREASE B#3598 3377.30	3,377.30	3,377.30
		<u>Account No</u>	<u>Encumbrance</u>	
		6-1311-431-00-121-137-0-733	86,307.70	
		6-1311-431-00-121-137-0-734	229,217.17	
			Freight	.00
			Total	340,054.71
		REPORT ROAD HAZARDS 1-866-HCR-SAFE OR 1-866-427-7233		

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

**FINAL APPLICATION FOR PAYMENT NO. 6  
(RELEASE OF RETAINAGE)**

To: Hidalgo County (OWNER)  
 From: IOC COMPANY L.L.C. (CONTRACTOR)  
 Contract: C-CAP - 06-001-02-28  
 Project: Border Colonia Access Project  
 OWNER's Contract No. C-CAP-06-001-02-28 ENGINEER's Project No. 26881-1  
 For Work accomplished through the date of: 10-20-06

1. Original Contract Price:	\$ <u>315,524.87</u>
2. Net change by Change Orders and Written Amendments (+ or -):	\$ <u>21,152.54</u>
3. Current Contract Price (1 plus 2):	\$ <u>336,677.41</u>
4. Total completed and stored to date:	\$ <u>336,677.41</u>
5. Retainage (per Agreement):	
<u>0</u> % of completed Work:	\$ <u>0.00</u>
_____ % of stored material:	\$ <u>0.00</u>
Total Retainage:	\$ <u>0.00</u>
6. Total completed and stored to date less retainage (4 minus 5):	\$ <u>336,677.41</u>
7. Less previous Application for Payments:	\$ <u>303,009.67</u>
8. DUE THIS APPLICATION (6 MINUS 7):	\$ <u>33,667.74</u>

Accompanying Documentation:

*[Handwritten signature]* 11-20-06

CONTRACTOR'S Certification:

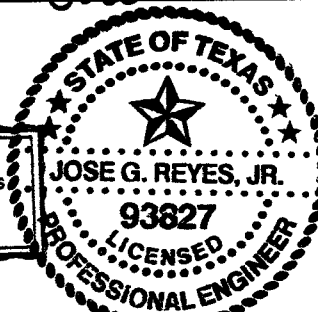
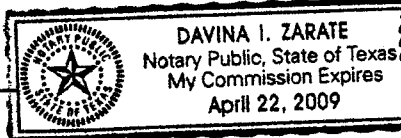
The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through \_\_\_\_\_ inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated 11/16/06 IOC Company LLC  
 CONTRACTOR

By: *[Handwritten signature]*

State of Texas  
 County of Hidalgo  
 Subscribed and sworn to before me this 16  
 day of November, 2006

*[Handwritten signature]*  
 Notary Public  
 My Commission expires: 4/22/09



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated Nov. 15. 06

TEDSI Infrastructure Group  
 ENGINEER

By: *[Handwritten signature]*, P.E.