

APPLICATION FOR PAYMENT NO. 1

To: HIDALGO COUNTY PRECINCT NO. 2 (OWNER)
 From: IOC Company (CONTRACTOR)
 Contract: C-CAP-07-009-03-13
 Project: Country Living Estates No.1 Subdivision Paving Improvements
 OWNER's Contract No. C-CAP-07-009-03-13 ENGINEER's Project No. ENG05.012C
 For Work accomplished through the date of: 5/29/2007

1. Original Contract Price:	\$	265,110.71
2. Net change by Change Orders and Written Agreements (+ or -):	\$	(35,453.00)
3. Current Contract Price (1 plus 2):	\$	229,657.71
4. Total completed and stored to date:	\$	15,417.91
5. Retainage (per Agreement):		
<u>10</u> % of completed Work:	\$	1,541.79
_____ % of stored material:	\$	-
Total Retainage:	\$	1,541.79
6. Total completed and stored to date less retainage (4 minus 5):	\$	13,876.12
7. Less previous Application for Payments:	\$	-
8. Balance to Finish:	\$	214,239.80
9. AMOUNT DUE THIS APPLICATION (6 MINUS 7):	\$	13,876.12


Accompanying Documentation:

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 1 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 6/6/07

IOC Company
CONTRACTOR

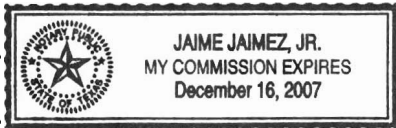
By: 

State of Texas

County of Hidalgo

Subscribed and sworn to before me this 6th day of _____


 Notary Public
 My Commission expires: 12/16/07



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 6/5/07

R. GUTIERREZ ENGINEERING CORPORATION
ENGINEER

By: 

IOC Company	Contractor Name
5/7/2007	Starting Date
8/12/2007	Project Ending Date
10%	Retainage Percent

Application No.:	1
Application Date:	5/29/2007
Period To:	5/29/2007
Engineer Firm	R. Gutierrez Eng. Corp.

Summary										
Contract Number	Description	Original Schedule Value	Revised Schedule Value	Application #1	Total To Date	Balance To Finish	Retainage	Net	Payments to Date	Payment Due
C-CAP-07-009-03-13	Country Living Paving Improvements	\$ 265,110.71	\$ 229,657.71	\$ 15,417.91	\$ 15,417.91	\$ 214,239.80	\$ 1,541.79	\$ 13,876.12	\$ -	\$ 13,876.12
TOTALS:		\$ 265,110.71	\$ 229,657.71	\$ 15,417.91	\$ 15,417.91	\$ 214,239.80	\$ 1,541.79	\$ 13,876.12	\$ -	\$ 13,876.12

IOC Company	Contractor Name
5/7/2007	Starting Date
8/12/2007	Project Ending Date
Country Living Paving Improvements	Engineer's / County Project Description

Application No.:	1
Application Date:	5/29/2007
Period To:	5/29/2007
Engineer's / County Project No.:	ENG05.012C

No.	Item Code	Description	Unit	Original Rates	Original Schedule Value		Revised Rates	Revised Schedule Value		Application #1			Balance To Finish		
					Quan	Dollars		Quan	Dollars	Monthly Quan	QTY to Date	Item Cost (Monthly)	Total to Date	Quan	Dollars
(905) ROADWAY															
1	110	Excavation	CY	\$ 5.95	4,621.00	\$ 27,494.95	\$ 5.95	4,621.00	\$ 27,494.95	-	-	\$ -	\$ -	4,621.000	\$ 27,494.95
2	132	Embankment	CY	\$ 7.00	493.00	\$ 3,451.00	\$ 7.00	493.00	\$ 3,451.00	-	-	\$ -	\$ -	493.000	\$ 3,451.00
3	164	Cell Fiber Seeding (Temp)(Warm)	SY	\$ 0.80	3,163.00	\$ 2,530.40	\$ 0.80	3,163.00	\$ 2,530.40	-	-	\$ -	\$ -	3,163.000	\$ 2,530.40
4	164	Cell Fiber Seeding (Temp)(Cool)	SY	\$ 0.80	3,163.00	\$ 2,530.40	\$ 0.80	3,163.00	\$ 2,530.40	-	-	\$ -	\$ -	3,163.000	\$ 2,530.40
5	164	Cell Fiber Seeding (Perm)(Urban)(Clay)	SY	\$ 0.80	6,326.00	\$ 5,060.80	\$ 0.80	6,326.00	\$ 5,060.80	-	-	\$ -	\$ -	6,326.000	\$ 5,060.80
6	166	Fertilizer (16-8-8)	TON	\$ 3,500.00	0.080	\$ 280.00	\$ 3,500.00	0.080	\$ 280.00	-	-	\$ -	\$ -	0.080	\$ 280.00
7	247	Flexible Base (6")(Labor Only)	CY	\$ 34.87	1,411.000	\$ 49,201.57	\$ 15.95	1,411.000	\$ 22,505.45	-	-	\$ -	\$ -	1,411.000	\$ 22,505.45
8	260	Lime Treated Base (6")	SY	\$ 2.75	8,229.00	\$ 22,629.75	\$ 2.75	8,229.00	\$ 22,629.75	-	-	\$ -	\$ -	8,229.000	\$ 22,629.75
9	260	Lime (Ty A or B)	TON	\$ 150.00	23.80	\$ 3,570.00	\$ 150.00	23.80	\$ 3,570.00	-	-	\$ -	\$ -	23.800	\$ 3,570.00
10	310	Prime Coat (MC-30)	GAL	\$ 3.75	1,442.20	\$ 5,408.25	\$ 3.75	1,442.20	\$ 5,408.25	-	-	\$ -	\$ -	1,442.200	\$ 5,408.25
11	310	Prime Coat (MC-30)(Driveways)	GAL	\$ 3.75	183.40	\$ 687.75	\$ 3.75	183.40	\$ 687.75	-	-	\$ -	\$ -	183.400	\$ 687.75
12	340	Asph. Conc. Pav. Ty "D"	TON	\$ 84.33	617.00	\$ 52,031.61	\$ 84.33	617.00	\$ 52,031.61	-	-	\$ -	\$ -	617.000	\$ 52,031.61
13	340	Asph. Conc. Pav. Ty "D" (1") Driveway	TON	\$ 100.00	50.90	\$ 5,090.00	\$ 100.00	50.90	\$ 5,090.00	-	-	\$ -	\$ -	50.900	\$ 5,090.00
14	502	Barricades, Signs & Traffic Handling	MO	\$ 4,000.00	2.00	\$ 8,000.00	\$ 4,000.00	2.00	\$ 8,000.00	-	-	\$ -	\$ -	2.000	\$ 8,000.00
15	529	Concrete Curb & Gutter (Ty A)(Barrier)	LF	\$ 7.98	4,578.00	\$ 36,532.44	\$ 7.98	4,578.00	\$ 36,532.44	-	-	\$ -	\$ -	4,578.000	\$ 36,532.44
16	530	Driveways (CONCRETE)	SY	\$ 25.00	386.60	\$ 9,665.00	\$ 25.00	386.60	\$ 9,665.00	-	-	\$ -	\$ -	386.600	\$ 9,665.00
17	530	Driveways (TY PRB-1)(Flexbase)(4")	CY	\$ 40.00	68.30	\$ 2,732.00	\$ 40.00	68.30	\$ 2,732.00	-	-	\$ -	\$ -	68.300	\$ 2,732.00
18	644	Small Rdsd Sgn Assm (Ty A)	EA	\$ 500.00	4.00	\$ 2,000.00	\$ 500.00	4.00	\$ 2,000.00	-	-	\$ -	\$ -	4.000	\$ 2,000.00
19	5010	Construction Exits (Ty II)(Install)	SY	\$ 13.00	84.00	\$ 1,092.00	\$ 13.00	84.00	\$ 1,092.00	-	-	\$ -	\$ -	84.000	\$ 1,092.00
20	5010	Construction Exits (Ty II)(Remove)	SY	\$ 7.00	84.00	\$ 588.00	\$ 7.00	84.00	\$ 588.00	-	-	\$ -	\$ -	84.000	\$ 588.00
21	5249	Temp Sediment Control Fence (Install)	LF	\$ 3.75	96.00	\$ 360.00	\$ 3.75	96.00	\$ 360.00	-	-	\$ -	\$ -	96.000	\$ 360.00
Total Roadway						\$ 240,935.92			\$ 214,239.80			\$ -	\$ -		\$ 214,239.80
(906) DRAINAGE															
22	402	Trench Excavation Protection	LF	\$ 2.50	332.00	\$ 830.00	\$ 2.50	277.00	\$ 692.50	277.00	277.00	\$ 692.50	\$ 692.50	0.000	\$ -
23	464	RCP (CLIII)(18")	LF	\$ 36.75	140.00	\$ 5,145.00	\$ 36.75	0.00	\$ -	-	-	\$ -	\$ -	0.000	\$ -
24	464	RCP (CLIII)(24")	LF	\$ 42.33	163.00	\$ 6,899.79	\$ 42.33	277.00	\$ 11,725.41	277.00	277.00	\$ 11,725.41	\$ 11,725.41	0.000	\$ -
25	465	Inlet (TY A)	EA	\$ 2,500.00	2.00	\$ 5,000.00	\$ 2,500.00	0.00	\$ -	-	-	\$ -	\$ -	0.000	\$ -
26	465	Manhole (TY A)	EA	\$ 1,500.00	2.00	\$ 3,000.00	\$ 1,500.00	2.00	\$ 3,000.00	2.00	2.00	\$ 3,000.00	\$ 3,000.00	0.000	\$ -
27	467	Safety End Treatment (6:1)	EA	\$ 825.00	4.00	\$ 3,300.00	\$ 825.00	0.00	\$ -	-	-	\$ -	\$ -	0.000	\$ -
Total Drainage						\$ 24,174.79			\$ 15,417.91			\$ 15,417.91	\$ 15,417.91		\$ -
TOTAL BASE AMOUNTS:						\$ 265,110.71			\$ 229,657.71			\$ 15,417.91	\$ 15,417.91		\$ 214,239.80

Prepared and Checked By:

JAVIER GUTIERREZ

Date:

05-JUN-07





Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

NAME OF CONTRACTOR OR SUBCONTRACTOR ADDRESS P.O. BOX 4737 EDINBURG, TEXAS 78540 PROJECT OR CONTRACT NO. 07-1008

IOE COMPANY, LLC

PROJECT AND LOCATION HIDALGO COUNTY PCT# 2 COUNTRY LIVING ESTATES

OMB No.: 1215-0149 Expires: 04/30/2009

PAYROLL NO. 1 FOR WEEK ENDING 05/13/2007

(1) NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS			(9) NET WAGES PAID FOR WEEK	
			HOURS WORKED EACH DAY										FICA	WITH-HOLDING TAX	OTHER		TOTAL DEDUCTIONS
			M	T	W	T	F	S	S								
Alfonso Caballero 104 Rio Grande Alamo, Texas 78516 (465-61-1596)	2	FRONT END LOADER OPERATOR	O	10.00	10.00	10.00	10.00	10.00	10.00	50.00	\$9.00	\$450.00	\$30.69	\$21.00	\$7.18	\$58.87	\$391.13
Anastacio Ochoa 823 W. Montecristo Edinburg, Texas 78539 (453-71-7706)	0	LABOR	O	10.00	10.00	10.00	10.00	10.00	10.00	50.00	\$8.25	\$412.50	\$28.13	\$53.00	\$6.58	\$87.71	\$324.79
Obiel Cavazos 3504 Raquel Ave. McAllen, Texas 78503 (559-61-0388)	0	SERVICE MAN	O	12.00						12.00	\$11.25	\$135.00					\$135.00
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The Copeland Act (40 U.S.C. 3145) requires contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) Regulations 29 CFR Part 5.5(a)(3)(i) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. Compliance with these requirements is mandatory. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

We estimate that it will take an average of 56 minutes to complete this collection of information, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U. S. Department of Labor, Room S3502, 200 Constitution Avenue, N. W., Washington, D. C. 20210.

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions, Form WH-347 Inst.)

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.



Rev. April 2006

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>		ADDRESS		OMB No.: 1215-0149
IOC COMPANY, LLC		P.O. BOX 4737 EDINBURG, TEXAS 78540		Expires: 04/30/2009
PAYROLL NO. 2	FOR WEEK ENDING 05/20/2007	PROJECT AND LOCATION HIDALGO COUNTY PCT# 2 COUNTRY LIVING ESTATES	PROJECT OR CONTRACT NO. 07-1008	

(1) NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
				M	T	W	T	F	S	S				FICA	WITH- HOLDING TAX	OTHER	TOTAL DEDUCTIONS			
				HOURS WORKED EACH DAY																
Adrian Cavazos Route 5 Box 200 Weskaco, Texas (650-01-0631)	4	PIPE LAYER	o	10.00	10.00						20.00	\$10.50	\$210.00							\$210.00
			s																	
Alfonso Caballero 104 Rio Grande Alamo, Texas 78516 (465-61-1596)	2	FRONT END LOADER OPERATOR	o	10.00	10.00	10.00	10.00	8.50			48.50	\$9.00	\$436.50	\$29.44	\$19.00		\$6.89	\$55.33	\$381.17	
			s																	
Anastacio Ochoa 823 W. Montecristo Edinburg, Texas 78539 (453-71-7706)	0	LABOR	o	6.00	10.00	10.00	10.50	8.50			45.00	\$8.25	\$371.25	\$24.30	\$44.00		\$5.68	\$73.98	\$297.27	
			s																	
Isaias Ibarra 104 Rio Grande St. Alamo, Texas 78516 (563-29-3782)	2	LABOR	o	10.00	10.00	10.00	10.00	10.00			50.00	\$8.00	\$400.00	\$32.12	\$43.00		\$7.51	\$82.63	\$317.37	
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The Copeland Act (40 U.S.C. 3145) requires contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) Regulations 29 CFR Part 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. Compliance with these requirements is mandatory. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

We estimate that it will take an average of 56 minutes to complete this collection of information, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U. S. Department of Labor, Room S3502, 200 Constitution Avenue, N. W., Washington, D. C. 20210.

Date 05/25/2007

I, NANCY CUELLAR MEMBER
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

IOC COMPANY, LLC

(Contractor or Subcontractor)

on the

Hidalgo County Pct#2-Country Living Estates; that during the payroll period commencing on the

(Building or Work)

14 day of 5, 2007, and ending the 20 day of 5, 2007,

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

IOC COMPANY, LLC

(Contractor or Subcontractor)

from the full

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. 276c), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

- in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

- Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE

Nancy Cuellar

SIGNATURE

Nancy Cuellar

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.



LIST OF MATERIAL VENDORS & SUBCONTRACTORS

May 29, 2007

Hidalgo County
100 E. Cano
Edinburg, TX 78539

Re: Country Living Estates

Material Vendors

Rio Valley Pipe
7301 W. Expressway 83
Mission, TX 78572

Subcontractors

None



Invoice

P.O. Box 4737
Edinburg, TX 78540

Date	Invoice #
5/29/2007	195

Bill To
Hidalgo County Martha Salazar 100 E. Cano Edinburg, TX 78539

P.O. No.	Terms	Project
		Country Living Estat...

Item	Description	Est Amt	Prior Amt	Prior %	Qty	Rate	Curr %	Total %	Amount
TRENC...	TRENCH EXCAVATION PROTECTION	692.50			277	2.50	100.00%	100.00%	692.50
RC PIPE...	RC PIPE CL III (24")	11,725.41			277	42.33	100.00%	100.00%	11,725.41
MANH...	MANHOLE (Ty A)	3,000.00			2	1,500.00	100.00%	100.00%	3,000.00
	~~~~~ CHANGE ORDER ~~~~~ April 26, 2007 > Decreased unit cost of FLEX BASE from \$34.87 to \$15.95. (-\$26,696.12) > Decreased quantity of TRENCH EXC from 332 to 277. (-\$137.50) > Decreased quantity of RC PIPE CL III from 140 to 0. (-\$5,145.00) > Increased quantity of RC PIPE CL III from 163 to 277. (+\$4,825.62) > Decreased quantity of INLETS from 2 to 0. (-\$5,000.00) > Decreased quantity of Safety								

**Total**

**Payments/Credits**

**Balance Due**

Phone #	Fax #
9562279327	9563804085



# Invoice

P.O. Box 4737  
Edinburg, TX 78540

Date	Invoice #
5/29/2007	195

Bill To
Hidalgo County Martha Salazar 100 E. Cano Edinburg, TX 78539

P.O. No.	Terms	Project
		Country Living Estat...

Item	Description	Est Amt	Prior Amt	Prior %	Qty	Rate	Curr %	Total %	Amount
	End Treatments from 4 to 0. (-\$3,300.00) Net change to estimate -\$35,453.00 ~~~~~ ~								
<b>Total</b>									\$15,417.91
<b>Payments/Credits</b>									\$0.00
<b>Balance Due</b>									\$15,417.91

Phone #	Fax #
9562279327	9563804085