

Hidalgo County
Border Colonias Access Program

MEMORANDUM

TO: Marty Salazar, Hidalgo County Purchasing Agent
Attn: Laura R. Moya, HCCAP Buyer II

CC: Commissioner Hector "Tito" Palacios, Hidalgo County Precinct 2
Rosanna Schettino, HCCAP Auditor
HCCAP County Wide Files

FROM: Agapito Vargas, Jr., Hidalgo County BCAP Director (*signature on file*)

DATE: 10 August 2007

Subject: Application for Payment No.3 Country Living Estates

Marty, please place the above-mentioned item on Commissioner's Court for Tuesday, 21st August 2007.

Precinct 2 is requesting approval of Application for Payment No.3 for the above-referenced Round II CAP Project in the amount of \$72,969.22. The contractor is IOC Company, LLC. The project is carried by R. Gutierrez Engineering, Inc.

Account number 7-1311-431-00-122-199-1-841/1733

If you have any questions, please advice.

Thanks,

memo purchasing reg req for payment 3 country living estates 1 aug07

APPLICATION FOR PAYMENT NO. 3

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: 7/24/2007

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:		\$	142,693.50
5. Retainage (per Agreement):			
	<u>10</u> % of completed Work:	\$	<u>14,269.35</u>
	% of stored material:	\$	
	Total Retainage:	\$	<u>14,269.35</u>
6. Total completed and stored to date less retainage (4 minus 5):		\$	<u>128,424.15</u>
7. Less previous Application for Payments:	585172	\$	<u>(55,454.93)</u>
8. Balance to Finish:	7-1311-431-00-122-199-1-841	\$	<u>86,964.21</u>
9. AMOUNT DUE THIS APPLICATION (8 MINUS 7):	Req. #110432	\$	<u>72,969.22</u>

Accompanying Documentation:

[Handwritten signature] 8.9.07
ed.

CONTRACTOR'S Certification:

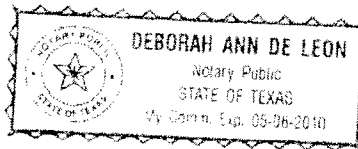
The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 3 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 7-31-2007

[Handwritten signature]
 IOC Company
 CONTRACTOR
 By: Oscar Cuellar, managing member

State of Texas
 County of Hidalgo
 Subscribed and sworn to before me this 31st
 day of July, 2007

[Handwritten signature]
 Notary Public
 My Commission expires: 5-6-2010



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 8/6/2007

R. GUTIERREZ ENGINEERING CORPORATION
 ENGINEER
 By: *[Handwritten signature]* P.E.

INVOICE RECEIVED BY: [Handwritten signature] ON 8/6/07
 GOODS/SERVICES RECEIVED BY: [Handwritten signature] ON 8/7/07



LIST OF MATERIAL VENDORS & SUBCONTRACTORS

July 31, 2007

Hidalgo County
100 E. Cano
Edinburg, TX 78539

Re: Country Living Estates

Material Vendors

Frontera Materials
P.O. BOX 1917
Weslaco, Tx. 78596

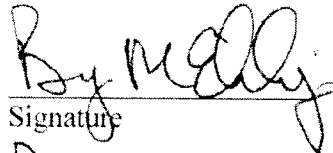
Subcontractors

None

PARTIAL RELEASE OF CLAIM

The undersigned, has received payment of materials, services, supplies, or equipment supplied to IOC COMPANY, LLC, on the construction or repair of the improvements of property for COUNTRY LIVING ESTATES. This release covers all claims and rights through JULY 31, 2006. This does not cover any retention or items furnished after said date.

Frontera Materials



Signature

Barry M Ehlinger

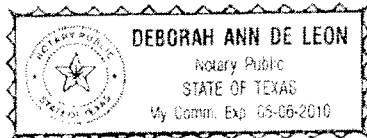
Print Name

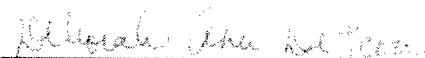
Materials Manager

Title

STATE OF TEXAS
COUNTY OF HIDALGO

SWORN TO AND SUBSCRIBED BEFORE ME this 2nd day of August 2006, to
which witness my hand and seal of office.




Notary Public in and for the State of Texas

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8901
Harling

Jesus C.
1925 Sem
Edinburg,

Obiel Cavaz
3504 Raquel
McAllen, Tex

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IOC Company
 05-07-2007
 08/12/2007
 10%

Contractor Name
 Starting Date
 Project Ending Date
 Retainage Percent

Application No. 3
 Application Date 07/24/2007
 Period To 07/24/2007
 Engineer Firm R. Gutierrez Eng. Corp.

Summary												
Contract Number	Description	Original Schedule Value	Revised Schedule Value	Application #1	Application #2	Application #3	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	\$ 45,198.68	\$ 81,076.91	\$ 142,693.50	\$ 86,964.21	\$ 14,269.35	\$ 128,424.15	\$ 55,454.93	\$ 72,969.22
TOTALS:		\$ 265,110.71	\$ 229,657.71	\$ 15,417.91	\$ 45,198.68	\$ 81,076.91	\$ 142,693.50	\$ 86,964.21	\$ 14,269.35	\$ 128,424.15	\$ 55,454.93	\$ 72,969.22

R Gutierrez Engineering Corp Schedule of Values

07/30/2007

Page 1

Contractor Name: R Gutierrez Engineering Corp
 Standing Date: 08/12/2007
 Project Ending Date: 07/24/2007
 County/Living Paving/Improvements: Country Living Paving/Improvements

Application No.: 3
 Application Date: 07/24/2007
 Engineer's / County Project No.: ENG05.012C

Item No / Code	Description	Unit	Original Rates	Original Schedule Value		Revised Rates	Revised Schedule Value	Application #1		Application #2		Application #3		Balance To Finish		
				Quan	Dollars			Monthly Quan	Item Cost (Monthly)	QTY to Date	Item Cost (Monthly)	Monthly Quan	Item Cost (Monthly)	QTY to Date	Item Cost (Monthly)	Total to Date
1	110 Excavation	CY	5.94	4,027.00	\$ 27,494.95	5.94	4,027.00	4,621.00	\$ 27,494.95	4,621.00	\$ 27,494.95	4,621.00	\$ 27,494.95	27,494.95	0.00	\$ -
2	132 Encasement	CY	7.00	403.00	\$ 2,821.00	7.00	403.00	493.00	\$ 3,451.00	493.00	\$ 3,451.00	493.00	\$ 3,451.00	3,451.00	0.00	\$ -
3	184 Cell Fiber Sweeding Temp/Warm	SY	0.80	3,183.00	\$ 2,546.40	0.80	3,183.00	3,183.00	\$ 2,546.40	3,183.00	\$ 2,546.40	3,183.00	\$ 2,546.40	2,546.40	0.00	\$ -
4	184 Cell Fiber Sweeding Temp/Cool	SY	0.80	3,183.00	\$ 2,546.40	0.80	3,183.00	3,183.00	\$ 2,546.40	3,183.00	\$ 2,546.40	3,183.00	\$ 2,546.40	2,546.40	0.00	\$ -
5	184 Cell Fiber Sweeding Permit/Mess/Clay	SY	0.80	6,366.00	\$ 5,092.80	0.80	6,366.00	6,366.00	\$ 5,092.80	6,366.00	\$ 5,092.80	6,366.00	\$ 5,092.80	5,092.80	0.00	\$ -
6	186 Fertilizer (16-8-8)	TON	3,500.00	0.00	\$ 0.00	3,500.00	0.00	0.00	\$ 0.00	0.00	\$ 0.00	0.00	\$ 0.00	0.00	0.00	\$ 0.00
7	247 Flexible Base (6") (Lattice Only)	CY	34.87	1,411.00	\$ 49,201.57	15.55	1,411.00	705.50	\$ 24,252.73	705.50	\$ 24,252.73	705.50	\$ 24,252.73	24,252.73	0.00	\$ -
8	256 Lime Treated Base (6")	TON	150.00	23.90	\$ 3,513.30	2.75	8,229.00	8,229.00	\$ 22,629.75	8,229.00	\$ 22,629.75	8,229.00	\$ 22,629.75	22,629.75	0.00	\$ -
9	290 Lime (1/2" A or B)	TON	100.00	23.90	\$ 3,513.30	150.00	23.90	23.90	\$ 3,513.30	23.90	\$ 3,513.30	23.90	\$ 3,513.30	3,513.30	0.00	\$ -
10	310 Prime Coat (MC 300/Driveways)	GAL	3.75	1,842.00	\$ 6,937.50	3.75	1,842.00	1,842.00	\$ 6,937.50	1,842.00	\$ 6,937.50	1,842.00	\$ 6,937.50	6,937.50	0.00	\$ -
11	310 Prime Coat (MC 300/Driveways)	TON	84.33	617.00	\$ 5,031.61	84.33	617.00	617.00	\$ 5,031.61	617.00	\$ 5,031.61	617.00	\$ 5,031.61	5,031.61	0.00	\$ -
12	349 Asphalt Conc Pav. 1/2" D	TON	100.00	50.90	\$ 5,090.00	100.00	50.90	50.90	\$ 5,090.00	50.90	\$ 5,090.00	50.90	\$ 5,090.00	5,090.00	0.00	\$ -
13	352 Asphalt Conc Pav. 1/2" D (+) Driveway	TON	4,000.00	2.00	\$ 8,000.00	4,000.00	2.00	2.00	\$ 8,000.00	2.00	\$ 8,000.00	2.00	\$ 8,000.00	8,000.00	0.00	\$ -
14	502 Bitulastic Strip & Traffic Handling	LF	7.68	4,718.00	\$ 36,532.44	7.68	4,718.00	4,718.00	\$ 36,532.44	4,718.00	\$ 36,532.44	4,718.00	\$ 36,532.44	36,532.44	0.00	\$ -
15	509 Concrete Curb & Gutter (1/2" Asphalt)	CY	25.00	396.00	\$ 9,950.00	25.00	396.00	396.00	\$ 9,950.00	396.00	\$ 9,950.00	396.00	\$ 9,950.00	9,950.00	0.00	\$ -
16	530 Driveways (CONCRETE)	CY	40.00	68.90	\$ 2,755.20	40.00	68.90	68.90	\$ 2,755.20	68.90	\$ 2,755.20	68.90	\$ 2,755.20	2,755.20	0.00	\$ -
17	530 Driveways (TPRB-1/2" Excavation)	CY	40.00	68.90	\$ 2,755.20	40.00	68.90	68.90	\$ 2,755.20	68.90	\$ 2,755.20	68.90	\$ 2,755.20	2,755.20	0.00	\$ -
18	544 Small Rises Spn Assm (1/2" A)	EA	13.00	84.00	\$ 1,092.00	13.00	84.00	84.00	\$ 1,092.00	84.00	\$ 1,092.00	84.00	\$ 1,092.00	1,092.00	0.00	\$ -
19	5010 Construction Eas (1/2" (H/24))	SY	7.00	84.00	\$ 588.00	7.00	84.00	84.00	\$ 588.00	84.00	\$ 588.00	84.00	\$ 588.00	588.00	0.00	\$ -
20	5010 Construction Eas (1/2" (H/24))	LF	3.75	96.00	\$ 360.00	3.75	96.00	96.00	\$ 360.00	96.00	\$ 360.00	96.00	\$ 360.00	360.00	0.00	\$ -
21	5046 Temp Seurement Control Fence (Instal)	LF	3.75	96.00	\$ 360.00	3.75	96.00	96.00	\$ 360.00	96.00	\$ 360.00	96.00	\$ 360.00	360.00	0.00	\$ -
Total Roadway					\$ 240,935.92		\$ 240,935.92		\$ 46,184.63		\$ 46,184.63		\$ 81,078.91	127,273.99		\$ 86,964.21
22	407 Trench Excavator Protection	LF	2.50	332.00	\$ 830.00	2.50	332.00	332.00	\$ 830.00	332.00	\$ 830.00	332.00	\$ 830.00	830.00	0.00	\$ -
23	494 RCP (CL/1/2")	LF	36.75	140.00	\$ 5,145.00	36.75	140.00	140.00	\$ 5,145.00	140.00	\$ 5,145.00	140.00	\$ 5,145.00	5,145.00	0.00	\$ -
24	464 RCP (CL/1/2")	LF	42.33	163.00	\$ 6,997.79	42.33	163.00	163.00	\$ 6,997.79	163.00	\$ 6,997.79	163.00	\$ 6,997.79	6,997.79	0.00	\$ -
25	465 Manhole (1/2" A)	EA	2,600.00	2.00	\$ 5,000.00	2,600.00	2.00	2.00	\$ 5,000.00	2.00	\$ 5,000.00	2.00	\$ 5,000.00	5,000.00	0.00	\$ -
26	465 Manhole (1/2" A)	EA	1,500.00	2.00	\$ 3,000.00	1,500.00	2.00	2.00	\$ 3,000.00	2.00	\$ 3,000.00	2.00	\$ 3,000.00	3,000.00	0.00	\$ -
27	467 Safety End Treatment (S 1)	EA	825.00	4.00	\$ 3,300.00	825.00	4.00	4.00	\$ 3,300.00	4.00	\$ 3,300.00	4.00	\$ 3,300.00	3,300.00	0.00	\$ -
Total Drainage					\$ 24,742.79		\$ 24,742.79		\$ 15,417.91		\$ 15,417.91		\$ 15,417.91	15,417.91		\$ 15,417.91
TOTAL BASE AMOUNTS					\$ 285,110.71		\$ 285,110.71		\$ 15,417.91		\$ 15,417.91		\$ 81,078.91	142,693.60		\$ 96,984.21

Prepared and Checked By: Javier Gutierrez

Date: 30-Jul-07

Amount rounded down manually

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 OR SUBCONTRACTOR ADDRESS P.O. BOX 4737 EDINBURG, TEXAS 78540
 PAYROLL NO. 6 FOR WEEK ENDING 06/17/2007 PROJECT AND LOCATION HIDALGO COUNTY PCT#2 COUNTRY LIVING ESTATES
 PROJECT OR CONTRACT NO. 07-1008
 OMB No.: 1215-0149
 Expires: 04/30/2009

(1) NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) HOLDING #	(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										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								46.00	\$9.25	\$425.50				\$453.20
Arturo Cipriano 115 Viento Dorado Mission, Texas 78572 (643-66-6538)	4	Motograder Operator, Rough								57.00	\$14.00	\$917.00	\$56.86	\$13.30	\$130.16	\$786.84
Eduardo Avalos 8901 W. Bus. 83 Harrington, Texas 78552 (641-96-7456)	2	Labor								57.00	\$8.00	\$456.00				\$524.00
Jesus C. Silva 1925 Seminary Aurora St. Edinburg, Texas 78541 (356-81-6854)	3	Roller Operator								57.00	\$7.80	\$444.60	\$31.67	\$7.41	\$55.08	\$455.82
Obiel Cavazos 3504 Raquel Ave. McAllen, Texas 78503 (559-61-0388)	0	Servicer								12.00	\$11.50	\$138.00				\$138.00

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 S3602, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

PAYROLL

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



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Rev. April 2006

NAME OF CONTRACTOR OR SUBCONTRACTOR **IOC COMPANY, LLC** ADDRESS **P.O. BOX 4737 EDINBURG, TEXAS 78540** PROJECT OR CONTRACT NO. **07-1008**
 PAYROLL NO. **7** FOR WEEK ENDING **06/24/2007** HIDALGO COUNTY PCT#2 COUNTRY LIVING ESTATES
 OMB No.: 1215-0149 Expires: 04/30/2009

(1) NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) HOURS OF HOLDINGS	(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										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	0	11.50	9.50	11.50	11.50	5.00		49.00	\$9.25	\$453.25	\$30.69	\$21.00	\$7.17	\$58.86	\$436.07
Arturo Cipriano 115 Viento Dorado Mission, Texas 78572 (643-66-6538)	4	Motor Grader Operator, Rough	0	11.50	9.50	11.50	11.50	5.00		44.00	\$14.00	\$616.00	\$54.25	\$54.00	\$12.69	\$120.94	\$523.06
Jesus C. Silva 1925 Seminary Aurora Street Edinburg, Texas 78541 (356-81-6854)	3	Roller Operator	0	11.50	9.50			8.00		29.00	\$7.80	\$226.20					\$226.20
Juan M. Trevino 1108 Orfote Alamo, Texas 78516 (629-03-5012)	3	Labor	0	11.00	11.50	11.00		5.00		38.50	\$8.25	\$317.63					\$317.63
Obiel Cavazos 3504 Raquel Ave. McAllen, Texas 78503 (559-61-0388)	0	Servicer	0	12.00				11.50		23.50	\$11.50	\$270.25					\$270.25
			0														
			0														
			0														
			0														

The Copeland Act (40 U.S.C. 3145) requires contractors and subcontractors performing work on Federally financed or assisted construction contracts to "turnish 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)(e) 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 06/29/2007

I, Nancy Cuellar Member (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

25 day of 6 2007, and ending the 1 day of 7 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

Table with 2 columns: EXCEPTION (CRAFT) and EXPLANATION. The table is currently empty.

REMARKS:

NAME AND TITLE Nancy Cuellar Member

SIGNATURE

Handwritten signature of 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.

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

PAYROLL

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



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NAME OF CONTRACTOR OR SUBCONTRACTOR ADDRESS P.O. BOX 4737 EDINBURG, TEXAS 78541

Rev April 2006

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

PAYROLL NO. 10 FOR WEEK ENDING 07/15/2007 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) WITHHOLDING OR EMPLOYER'S IDENTIFICATION NUMBER	(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	WITHHOLDING TAX	OTHER		TOTAL DEDUCTIONS
			M	T	W	T	F	S	S								
Alfonso Caballero 104 Rio Grande Alamo, Texas 78516 (465-61-1596)	O	FRONT END LOADER OPERATOR	10.00	10.00	10.00	10.00	10.00	10.00	20.00	\$9.25	\$185.00	\$22.00	\$31.54	\$7.38	\$60.92	\$447.88	
												\$508.80					
Arturo Cipriano 115 Viento Dorado Mission, Texas 78572 (643-66-6538)	O	MOTOR GRADER OPERATOR ROUGH	10.00	10.00	10.00	10.00	10.00	10.00	58.00	\$14.00	\$812.00	\$64.00	\$58.16	\$13.61	\$135.77	\$802.23	
												\$938.00					
Francisco Rodriguez 1108 Oriole Alamo, Texas 78516 (372-74-0867)	O	Labor	10.00	10.00	11.50	10.00	10.00	8.00	59.50	\$8.75	\$520.63	\$26.00	\$37.57	\$8.79	\$72.36	\$533.68	
												\$606.04					
Jesus C. Silva 1925 Aurora St. Edinburg, Texas 78541 (356-81-6854)	O	Roller Operator	10.00						10.00	\$7.80	\$78.00	\$22.00	\$35.30	\$8.26	\$65.56	\$503.84	
												\$509.40					

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 07/13/2007

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

9 day of 7, 2007, and ending the 15 day of 7, 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

Table with 2 columns: EXCEPTION (CRAFT) and EXPLANATION

REMARKS

NAME AND TITLE: Nancy Cuellar Member; SIGNATURE: [Signature]; THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION SEE SECTION 1901 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.

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.
 NAME OF CONTRACTOR OR SUBCONTRACTOR ADDRESS P.O. BOX 4737 EDINBURG, TEXAS 78541
 PAYROLL NO. 11 FOR WEEK ENDING 07/22/2007 PROJECT AND LOCATION HIDALGO COUNTY PCT# 2 COUNTRY LIVING ESTATES
 OMB No. 1215-0149 Expires: 04/30/2009
 Rev. April 2006

(1) NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) CLASSIFICATION OF WORK PERFORMED	(3) FOR WEEK ENDING							(4) TOTAL HOURS	(5) RATE OF PAY	(6) GROSS AMOUNT EARNED	(7) DEDUCTIONS			(8) NET WAGES PAID FOR WEEK	
		(9) DAYS WORKED EACH DAY										FICA	WITH- HOLDING TAX	OTHER DEDUCTIONS		TOTAL DEDUCTIONS
		M	T	W	T	F	S	S								
Alfonso Caballero 104 Rio Grande Alamo, Texas 78516 (465-61-1596)	2								24.50	\$9.25	\$226.63	\$14.06	\$3.24	\$17.34	\$209.29	
Arturo Cipriano 115 Viento Dorado Mission, Texas 78572 (643-66-6538)	4								16.00	\$14.00	\$224.00	\$14.00	\$8.12	\$56.84	\$803.16	
Francisco Rodriguez 1108 Oriole Alamo, Texas 78516 (372-74-0867)	3								19.00	\$8.75	\$166.25	\$10.31	\$2.41	\$12.72	\$153.53	
Isaias Ibarra 104 Rio Grande Alamo, Texas 78516 (663-29-3782)	2								17.50	\$8.00	\$140.00	\$3.00	\$3.13	\$19.52	\$196.48	
Jesus C. Silva 1925 Aurora Street Edinburg, Texas 78541 (356-81-6854)	3								10.00	\$7.80	\$78.00	\$4.84	\$0.00	\$5.97	\$72.03	
Juan M. Trevino 1108 Oriole Alamo, Texas 78516 (629-03-5012)	3								4.00	\$8.50	\$34.00	\$2.11	\$0.50	\$2.61	\$31.39	
Luis H. Resendez P.O. Box 1235 La Joya, Texas (453-61-1868)	2								18.00	\$12.00	\$216.00	\$29.76	\$8.00	\$14.72	\$405.28	
Obiel Cavazos 3504 Raquel Ave. McAllen, Texas 78503 (559-61-0388)	0								12.50	\$11.75	\$146.88	\$20.14	\$0.82	\$68.96	\$401.04	

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.

07/20/2007

Nancy Cuellar Member (Title)

(Name of Signatory Party)

That I pay or supervise the payment of the persons employed by

IOC COMPANY, LLC (Contractor or Subcontractor) on the

go County Pct#2 Country Living Estates, that during the payroll period commencing on the

Building or Work) day of 7 2007, and ending the 22 day of 7 2007. Persons employed on said project have been paid the full weekly wages earned, that no rebates have

will be made either directly or indirectly to or on behalf of said IOC COMPANY, LLC (Contractor or Subcontractor) from the full

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

That any payrolls otherwise under this contract required to be submitted for the above period are 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 conditions set forth therein for each laborer or mechanic conform with the work he performed.

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 registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

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

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.

(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

Table with 2 columns: EXCEPTION (CRAFT) and EXPLANATION. The table is currently empty.

REMARKS

NAME AND TITLE: Nancy Cuellar Member. SIGNATURE: [Handwritten Signature]. 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)



Contract Time Statement

ESTIMATE NO. 2 CONTRACTOR IOC COMPANY, LLC
 PROJECT NO. G-CAP-07-009-03-13 COUNTY HIDALGO
 DATE WORK BEGAN 05/07/2007 DATE WORK COMPLETED 08/12/2007
 TIME COMPUTED FROM Daily log

MONTH	DATE OR DAYS CHARGED	WORKING DAYS	DAYS CREDITED AND REASONS THEREFORE
MAY	30	1	Working on street
JUNE	1	1	Working on street
	2	1	Weekend
	3	1	Weekend
	4	1	Working on street
	5	1	Working on street
	6	1	Working on street
	7	1	Working on street
	8	1	Working on street
	9	1	Weekend
	10	1	Weekend
	11	1	Working on street
	12	1	Working on street
	13	1	Working on street
	14	1	Working on street
	15	1	Working on street
	16	1	Weekend
	17	1	Weekend
	18	1	Working on street
	19	1	Working on street
	20	1	Working on street
	21	1	Working on street
	22	1	Working on street
	23	1	Weekend
	24	1	Weekend
	25	1	Working on street
	26	1	Working on street
	27	1	Working on street
	28	1	Working on Curb abd Gutter
	29	1	Working on Curb abd Gutter
	30	1	Weekend
July	1	1	Weekend
	2	1	Working on Curb abd Gutter
	3	1	Working on Curb abd Gutter
	35	23	From last payment application
TOTALS	23	58	0

NO. OF CONTRACT WORKING DAYS 105
 ASSESSED LIQUIDATED DAMAGES: NO. DAYS 0 PER DAY \$ 200.00 TOTAL 0.00
 CERTIFIED AS CORRECT (ONE COPY HAS BEEN GIVEN TO THE CONTRACTOR) MR. OSCAR CUELLAR
 RESIDENT ENGINEER

INSTRUCTIONS: PROJECT IDENTIFICATION SHOULD COVER CONTRACT, TIME CREDITED AND REASONS THEREFORE MUST CONFORM TO PROVISIONS OF CONTRACT. NO HOLIDAY CREDIT ALLOWED FOR DAYS PRECEDING OR FOLLOWING LEGAL HOLIDAYS. TIME SUSPENDED AND REASONS MUST BE SUPPORTED BY COPY EACH OF LETTERS TO CONTRACTOR DATED ON OR BEFORE EFFECTIVE DATES. TIME EXTENSION MUST BE INDICATED AND REFERENCED TO RELATED PROVISION OF CONTRACT. SEE BOOKLET OF INSTRUCTIONS. CONSTRUCTION ESTIMATES DATED SEPTEMBER 1 1996