




Hidalgo County
Border Colonias Access Program

MEMORANDUM

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

CC: Commissioner Sylvia Handy, Hidalgo County Precinct 1
John Paul Lugo, HCCAP Precinct 1 Coordinator
Rosanna Schettino, HCCAP Auditor
HCCAP County Wide Files

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

DATE: 10 October 2007

Subject: Request for Payment No. 1 and Retainage – Mel C Gray CSJ: 2C1080897

Marty, please place the above-mentioned item on Commissioner's Court for Tuesday, 23rd October, 2007.

Precinct 1 is requesting approval to pay Application for Payment No.1 and Application No.2 (Retainage) for the above-referenced Round II CAP Project in the amount of \$184,050.99 and \$20,450.11 respectively.

Request authority for County Judge to sign the Certificate of Completion for the above-reference project. The project contractor is IOC Company, LLC. The project is carried by TEDSI.

Account number: 7-1311-431-00-121-897-1-733 & 734

If you have any questions, please advice.

Thanks,

memo purchasing req for payment 1 and retainage mel c gray oct07

APPLICATION FOR PAYMENT NO. 1

To: Hidalgo County (OWNER)
From: IOC COMPANY LLC (CONTRACTOR)
Contract: COLONIA ACCESS PROGRAM
Project: "ROAD & DRAINAGE CONSTRUCTION OF MEL C. GRAY"
OWNER's Contract No. C-CAP-07-020-06-12 ENGINEER's Project No. 2C-1080-897
For Work accomplished through the date of: 9-20-07

1. Original Contract Price:	\$ <u>163,670.50</u>
2. Net change by Change Orders and Written Amendments (+ or -):	\$ <u>(+) 40,830.60</u>
3. Current Contract Price (1 plus 2):	\$ <u>204,501.10</u>
4. Total completed and stored to date:	\$ <u>204,501.10</u>
5. Retainage (per Agreement):	
<u>10</u> % of completed Work:	\$ <u>20,450.11</u>
_____ % of stored material:	\$ <u>0.00</u>
Total Retainage:	\$ <u>20,450.11</u>
6. Total completed and stored to date less retainage (4 minus 5):	\$ <u>184,050.99</u>
7. Less previous Application for Payments:	\$ <u>0.00</u>
8. DUE THIS APPLICATION (6 MINUS 7):	\$ <u>184,050.99</u>

Accompanying Documentation:

CONTRACTOR'S Certification:

[Handwritten Signature] 10-10-07
OK

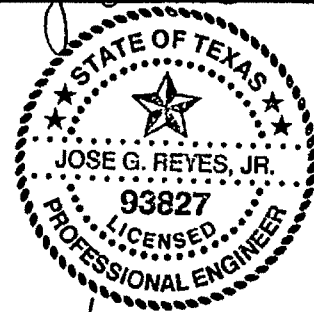
The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for 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 10/02/07 IOC COMPANY LLC
CONTRACTOR

By: *[Handwritten Signature]*

State of Texas
County of Hidalgo
Subscribed and sworn to before me this 2nd
day of October, 2007

[Handwritten Signature]
Notary Public
My Commission expires: 5/16/2010

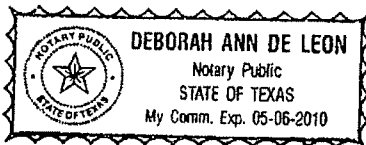


Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 10-1-07

TEDSI Infrastructure Group
ENGINEER

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



**FINAL APPLICATION FOR PAYMENT NO. 2
(RELEASE OF RETAINAGE)**

To: Hidalgo County (OWNER)
 From: IOC COMPANY LLC (CONTRACTOR)
 Contract: COLONIA ACCESS PROGRAM
 Project: "ROAD & DRAINAGE CONSTRUCTION OF MEL C. GRAY"
 OWNER's Contract No. C-CAP-07-020-06-12 ENGINEER's Project No. 2C-1080-897
 For Work accomplished through the date of: 9-20-07

1. Original Contract Price:	\$ <u>163,670.50</u>
2. Net change by Change Orders and Written Amendments (+ or -):	\$ <u>(+) 40,830.60</u>
3. Current Contract Price (1 plus 2):	\$ <u>204,501.10</u>
4. Total completed and stored to date:	\$ <u>204,501.10</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>204,501.10</u>
7. Less previous Application for Payments:	\$ <u>184,050.99</u>
8. DUE THIS APPLICATION (6 MINUS 7):	\$ <u>20,450.11</u>

Accompanying Documentation:

CONTRACTOR'S Certification:

[Handwritten Signature] 10.10.07
OK

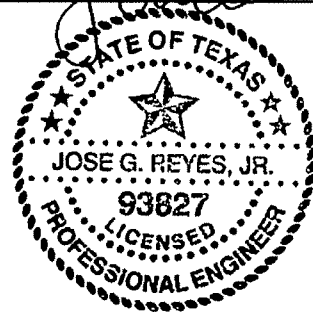
The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for 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 10/02/07 IOC COMPANY, LLC
CONTRACTOR

By: *[Handwritten Signature]*

State of Texas
 County of Hidalgo
 Subscribed and sworn to before me this 2nd
 day of October, 2007

[Handwritten Signature]
 Notary Public
 My Commission expires: 5/6/2010

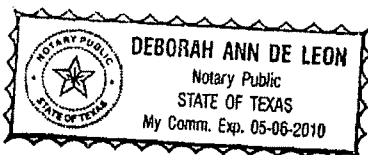


Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated Oct 1-07

TEDSI Infrastructure Group
ENGINEER

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



CERTIFICATE OF CONSTRUCTION COMPLETION

THIS IS TO CERTIFY THAT ON 1 DAY OCTOBER 2007, A FINAL INSPECTION was made of the project herein described:

CONTRACT

DATE: 10-01-07

OWNER: Hidalgo County Precinct #1

CONSTRUCTION CONTRACTOR: IOC COMPANY LLC OF THE CITY OF McALLEN
STATE OF TEXAS.

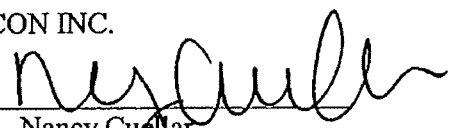
PROJECT DESCRIPTION

CONSTRUCTION OF Border Colonia Access Project
CONTRACT #: C-CAP-07-020-06-12
Located in or near the City/Pct. of Hidalgo County Precinct #1

THIS IS TO VERIFY:

1. That the work has been completed in accordance with the plans and specifications and all addenda, change orders, supplemental agreements thereto, and with the following exception: NONE
2. That the sum of (\$0), deducted from final payment of the IOC Company LLC, is a fair and equitable settlement for the forgoing except work.
3. That IOC Company LLC, has presented a "Certificate of Release" stating under oath, that all claims arising out of the performance of work have been fulfilled, and the Owner is released from all claims arising under or by virtue of said contract.
4. That IOC Company LLC., has presented in behalf of itself and its sureties, satisfactory evidence that it is bound to repair, replace, and make good faulty workmanship and/or materials discovered in the work within a period of one year from date of final inspection, as provided in said contract.
5. Amount of Original Contract: \$163,670.50
Present Amount of Contract: \$204,501.10
Less: previous payments: \$184,050.99
Balance: \$20,450.11
Authorized deductions \$0.0
AMOUNT OF FINAL PAYMENT: \$20,450.11
6. That the final payment in the amount of (\$20,450.11) is now due and payable.

CONCURRED BY:
SASCON INC.

BY: 
Nancy Cuellar
Managing Member

BY:  P.E.
Engineer's Signature
TEDS Infrastructure Group

OWNER:

BY: _____
Juan D. Salinas III
Hidalgo County Judge