




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 

DATE: 19 October 2007

Subject: Request Authority to pay Final Payment and Retainage and approval of Change Order No.3 for Primavera 1; CSJ: 2C1080568.

Marty, please place the above-referenced item on Commissioner's Court agenda for Tuesday 30th October 2007:

Precinct No.2 is requesting authority to pay Final Payment and Retainage on the above-referenced Round II Border Colonias Access Program project. The project engineer is R. Gutierrez Engineering, Inc. and the project contractor is J. M. Construction. The amount of the final payment is \$14,219.01.

Additionally, Precinct 2 is requesting approval of Change Order No.3 for the above-referenced project. The change order calls for \$64.25 increase.

Finally, Precinct 2 is requesting authority to pay Retainage on the above-referenced project and signature from the County Judge on Certificate of Completion. The amount of Retainage is \$21,962.51

The Account number is 7-1311-431-00-568-0-733 & 734. Interlocal amendment with the City of San Juan for \$60,000.00

If you have any questions, please advice.

Thanks,

memo purchasing req for final payment and retainage change ord 3 primavera 1

CHANGE ORDER NUMBER THREE (3)

PROJECT: PRIMAVERA # 1 SUBDIVISION

DATE OF ISSUANCE: September 25, 2007 EFFECTIVE DATE: September 25, 2007

OWNER: HIDALGO COUNTY PRECINCT NO. 2

OWNER's Contract No.: C-CAP-06-005-11-28

CONTRACTOR: JM Construction ENGINEER: R. Gutierrez Engineering Corporation

3701 Jade Street 130 E. Park Ave.

Mercedes, TX 78570 Pharr, TX 78577

You are directed to make the following changes in the Contract Documents.

- Description:**
1. 164 ITEM 1,337 SY of Cell Fiber Seeding (Temp)(Warm) were deleted
 2. 164 ITEM 1,337 SY of Cell Fiber Seeding (Temp)(Cool) were deleted
 3. 164 ITEM 2,674 SY of Cell Fiber Seeding (Perm)(Urban)(Clay) were deleted
 4. 166 ITEM 0.013 TN of Fertilizer (16-8-8) were deleted
 5. 262 ITEM 1.43 CY of Driveway Flexible Base were reduced
 6. 310 ITEM 0.12 GAL of Prime coat (MC-30) for Driveways were reduced
 7. 340 ITEM 76.13 TN of Conc. Asphalt TY "D" were added
 8. 340 ITEM 0.70 TN of Conc. Asph. For Driveways were added
 9. 530 ITEM 61.79 SY of Concrete Driveways were added
 10. 560 ITEM 1 Single and 9 Multiple Mail boxes were deleted
 11. 644 ITEM 6 Small Roadside Signs were deleted

- Reason for Change Order:**
1. This item was not applied during the construction time
 2. This item was not applied during the construction time
 3. This item was not applied during the construction time
 4. This item was not applied during the construction time
 5. This item was decreased to adjust final construction quantities
 6. This item was decreased to adjust final construction quantities
 7. This item was increased to adjust final construction quantities
 8. This item was increased to adjust final construction quantities
 9. This item was increased to adjust final construction quantities
 10. These items were removed by Hidalgo County Precinct No.2
 11. This item was removed by Hidalgo County Precinct No.2

Attachments:

| Change in Contract Price: | | CHANGE IN CONTRACT TIME: | |
|--|---|---|---------------------------------------|
| Original Contract Price | | Original Contract Time for | |
| \$ 198,766.90 | | Substantial Completion: | 120 |
| | | | <small>calendar days or dates</small> |
| Net Changes from previous Change Order | | Net change from previous Change Orders | 0 |
| \$ 12,852.93 | | | <small>calendar days</small> |
| Contract Price prior to this Change Order | | Contract Time prior to this Change Order | |
| \$ 219,660.83 | | Substantial Completion: | 120 |
| | | | <small>calendar days or dates</small> |
| Net Increase (decrease) of this Change Order | | Net Increase (decrease) of this Change Order | 0 |
| \$ 64.25 | | | <small>calendar days</small> |
| Contract Price with all approved Change Orders | Net % increase (decrease) from original contract price: | Contract Time with all approved Change Orders | |
| \$ 219,825.08 | 10.50 % | Substantial Completion: | 120 |
| | | | <small>calendar days or dates</small> |

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 10/16/07

APPROVED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 10/16/07

CHANGE ORDER NO.3 TABULATION
 HIDALGO COUNTY PRECINCT NO. 2
 PRIMAVERA #1 SUBDIVISION
 BID NUMBER C-CAP-06-005-11-28

| Item Number | Original Plan Quantity | Change Order #1 Quantities | Change Order #2 Quantities | Change Order #3 Quantities | Unit | Item Description | Unit Price | Original Contract Cost | Change In Contract Cost of C.O.#1 | Revised Contract Cost after C.O.#1 | Change In Contract Cost after C.O.#2 | Revised Contract Cost after C.O.#2 | Change In Contract Cost of C.O.#3 | Revised Contract Cost after C.O.#3 |
|----------------------------|------------------------|----------------------------|----------------------------|----------------------------|------|---|------------|------------------------|-----------------------------------|------------------------------------|--------------------------------------|------------------------------------|-----------------------------------|------------------------------------|
| (805) ROADWAY | | | | | | | | | | | | | | |
| 164 | 1,337.00 | 1,337.00 | 1,337.00 | 0.00 | SY | Cell Fiber Seeding (Temp/Warm) | 0.75 | 1,002.75 | 0.00 | 1,002.75 | 0.00 | 1,002.75 | (1,002.75) | 0.00 |
| 164 | 1,337.00 | 1,337.00 | 1,337.00 | 0.00 | SY | Cell Fiber Seeding (Temp/Cool) | 0.80 | 1,069.60 | 0.00 | 1,069.60 | 0.00 | 1,069.60 | (1,069.60) | 0.00 |
| 164 | 2,674.00 | 2,674.00 | 2,674.00 | 0.00 | SY | Cell Fiber Seeding (Temp/Clay) | 0.95 | 2,540.30 | 0.00 | 2,540.30 | 0.00 | 2,540.30 | (2,540.30) | 0.00 |
| 166 | 0.013 | 0.013 | 0.013 | 0.000 | TON | Fertilizer (16-8-8) | 130,000 | 1,300.00 | 0.00 | 130,000 | 0.00 | 130,000 | (130,000) | 0.00 |
| 202 | 51.60 | 51.60 | 65.43 | 0.00 | CY | Driveways Flexible Base (4" (TY PRB-1)) | 41.00 | 2,115.60 | 0.00 | 2,115.60 | 567.03 | 2,682.63 | (567.03) | 2,682.63 |
| 260 | 43.00 | 0.00 | 0.00 | 0.00 | TON | Lime (TY A or B) | 165.00 | 7,095.00 | (7,425.00) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 260 | 7,815.00 | 0.00 | 0.00 | 0.00 | SY | Lime Treated Base (6") | 5.00 | 39,075.00 | (39,075.00) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 310 | 1,389.00 | 1,389.00 | 1,389.00 | 0.00 | GAL | Prime Coat (MC-30) | 7.25 | 10,070.25 | 0.00 | 10,070.25 | 0.00 | 10,070.25 | (10,070.25) | 0.00 |
| 310 | 91.20 | 91.20 | 116.12 | 0.00 | TON | Prime Coat (MC-30)(Driveways) | 7.25 | 661.20 | 0.00 | 661.20 | 180.67 | 841.87 | (180.67) | 841.87 |
| 340 | 594.00 | 594.00 | 32.30 | 0.00 | MO | Barrierces, Signs & Traffic Handling | 91.00 | 54,054.00 | 0.00 | 54,054.00 | 0.00 | 54,054.00 | (54,054.00) | 0.00 |
| 340 | 25.20 | 25.20 | 2.00 | 0.00 | TON | Asph. Conc Pav. Ty "D" (1" Driveway) | 91.00 | 2,293.20 | 0.00 | 2,293.20 | 646.10 | 2,939.30 | (646.10) | 2,939.30 |
| 502 | 2.00 | 2.00 | 2.00 | 0.00 | MO | Barrierces, Signs & Traffic Handling | 1,500.00 | 3,000.00 | 0.00 | 3,000.00 | 0.00 | 3,000.00 | (3,000.00) | 0.00 |
| 529 | 3,898.00 | 3,898.00 | 768.21 | 0.00 | SY | Concrete Curb & Gutter (TY A)(Barrierc) | 9.00 | 35,082.00 | 0.00 | 35,082.00 | 0.00 | 35,082.00 | (35,082.00) | 0.00 |
| 536 | 557.00 | 557.00 | 1.00 | 0.00 | EA | Manholes (Single) | 225.00 | 125,250.00 | 0.00 | 125,250.00 | 0.00 | 125,250.00 | (125,250.00) | 0.00 |
| 560 | 1.00 | 1.00 | 1.00 | 0.00 | EA | Manholes (Multiple) | 225.00 | 225.00 | 0.00 | 225.00 | 0.00 | 225.00 | (225.00) | 0.00 |
| 644 | 6.00 | 6.00 | 6.00 | 0.00 | EA | Small Rigid Sgr Asm (TY A) | 300.00 | 1,800.00 | 0.00 | 1,800.00 | 0.00 | 1,800.00 | (1,800.00) | 0.00 |
| 5010 | 84.00 | 84.00 | 84.00 | 0.00 | SY | Construction Exits (TY II)(Install) | 15.00 | 1,260.00 | 0.00 | 1,260.00 | 0.00 | 1,260.00 | (1,260.00) | 0.00 |
| 5010 | 84.00 | 84.00 | 84.00 | 0.00 | SY | Construction Exits (TY II)(Remove) | 15.00 | 1,260.00 | 0.00 | 1,260.00 | 0.00 | 1,260.00 | (1,260.00) | 0.00 |
| 5249 | 384.00 | 384.00 | 384.00 | 0.00 | LF | Temp Seclusion Control Fence (Install) | 8.00 | 3,072.00 | 0.00 | 3,072.00 | 0.00 | 3,072.00 | (3,072.00) | 0.00 |
| (806) DRAINAGE | | | | | | | | | | | | | | |
| 464 | 0.00 | 683.00 | 683.00 | 0.00 | LF | RCP (CL.III)(18") | 28.00 | 19,124.00 | 19,124.00 | 19,124.00 | 0.00 | 19,124.00 | 0.00 | 19,124.00 |
| 464 | 0.00 | 741.00 | 741.00 | 0.00 | LF | RCP (CL.III)(24") | 37.00 | 27,417.00 | 27,417.00 | 27,417.00 | 0.00 | 27,417.00 | 0.00 | 27,417.00 |
| 464 | 0.00 | 158.00 | 158.00 | 0.00 | LF | RCP (CL.III)(30") | 50.00 | 7,900.00 | 7,900.00 | 7,900.00 | 0.00 | 7,900.00 | 0.00 | 7,900.00 |
| Total Drainage : | | | | | | | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Total Roadway : | | | | | | | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| TOTAL BASE AMOUNTS: | | | | | | | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |

APPLICATION FOR FINAL PAYMENT

To: HIDALGO COUNTY PRECINCT NO. 2 (OWNER)
 From: J. M. Construction (CONTRACTOR)
 Contract: C-CAP-06-005-11-28
 Project: Primavera I Subdivision Paving Improvements
 OWNER's Contract No. C-CAP-06-005-11-28 ENGINEER's Project No. ENG06.027
 For Work accomplished through the date of: 10/16/2007

| | | |
|---|--------------|---------------------|
| 1. Original Contract Price: | | \$ 198,766.90 |
| 2. Net change by Change Orders and Written Agreements (+ or -): | | \$ 20,858.18 |
| 3. Current Contract Price (1 plus 2): | | \$ 219,625.08 |
| 4. Total completed and stored to date: | | \$ 219,625.08 |
| 5. Retainage (per Agreement): | | |
| 10 % of completed Work: | \$ 21,962.51 | |
| % of stored material: | \$ - | |
| Total Retainage: | | \$ 21,962.51 |
| 6. Total completed and stored to date less retainage (4 minus 5): | | \$ 197,662.57 |
| 7. Less previous Application for Payments: | | \$ (183,443.56) |
| 8. Balance to Finish: | | \$ - |
| 9. AMOUNT DUE THIS APPLICATION (6 MINUS 7): | | \$ 14,219.01 |

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 FINAL 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 10/16/2007

J. M. Construction
CONTRACTOR

By: 

State of Texas

County of Hidalgo

Subscribed and sworn to before me this 19th
day of October 2007

Notary Public 

My Commission expires: 12/16/07



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 10/16/07

R. GUTIERREZ ENGINEERING CORPORATION
ENGINEER

By: 

APPLICATION FOR RETAINAGE RELEASE

To: HIDALGO COUNTY PRECINCT NO. 2 (OWNER)
 From: J. M. Construction (CONTRACTOR)
 Contract: C-CAP-06-005-11-28
 Project: Primavera I Subdivision Paving Improvements
 OWNER's Contract No. C-CAP-06-005-11-28 ENGINEER's Project No. ENG05.027
 For Work accomplished through the date of: 10/16/2007

| | | |
|---|------|---------------------|
| 1. Original Contract Price: | | \$ 198,766.90 |
| 2. Net change by Change Orders and Written Agreements (+ or -): | | \$ 20,858.18 |
| 3. Current Contract Price (1 plus 2): | | \$ 219,625.08 |
| 4. Total completed and stored to date: | | \$ 219,625.08 |
| 5. Retainage (per Agreement): | | |
| 0 % of completed Work: | \$ - | |
| % of stored material: | \$ - | |
| Total Retainage: | | \$ - |
| 6. Total completed and stored to date less retainage (4 minus 5): | | \$ 219,625.08 |
| 7. Less previous Application for Payments: | | \$ (197,662.57) |
| 8. Balance to Finish: | | \$ - |
| 9. AMOUNT DUE THIS APPLICATION (6 MINUS 7): | | \$ 21,962.51 |

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 retainage release 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.

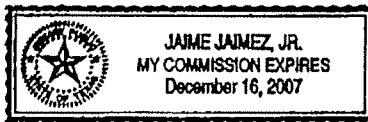
Dated 10/16/2007

J. M. Construction
CONTRACTOR

By: *[Signature]*

State of Texas
 County of Hidalgo
 Subscribed and sworn to before me this 19
 day of October 2007

[Signature]
 Notary Public
 My Commission expires: 12/16/07



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 10/16/07

R. GUTIERREZ ENGINEERING CORPORATION
ENGINEER

By: *[Signature]*