

laura.moya

10656

From: Marcie Jackson [marcie.jackson@co.hidalgo.tx.us]
Sent: Monday, August 11, 2008 5:29 PM
To: 'laura.moya'
Cc: Valde Guerra; humberto.garza@co.hidalgo.tx.us; 'Rossana Schettino'; dina.trevino@co.hidalgo.tx.us
Subject: Change order no 2 NorthSide Village
Attachments: Pct 2 Change Order No 2 NorthSide Village.doc; change order 2 northside village.PDF

Laura, please place the above-referenced item on Commissioner's Court agenda for Tuesday 19th August 2008.

Thanks,
Marcie Jackson
Colonia Access Program
Administrative Assistant
301 East State Street
Pharr, Tx. 78577
956-787-1891
marcie.jackson@co.hidalgo.tx.us

Monday, August 11, 2008

11/11/08



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
Valde Guerra, Commissioner's Court Executive Officer
Humberto Garza, Precinct 2 Chief Administrator
Rosanna Schettino, HCCAP Auditor
Dina Trevino, Budget Office
HCCAP County Wide Files

From: Agapito Vargas, Jr., Hidalgo County BCAP Director
Marcie Jackson, Hidalgo County BCAP Administrative Assistant

Date: 11 August 2008

Subject: Agenda Item – Approval of Change Order No.2 NorthSide Village
Subdivision CSJ: 2C1080503

Marty, please place the above-referenced item on Commissioner's Court agenda for Tuesday August 19, 2008

Precinct 2 is requesting approval of Change Order No.2 for the above-reference Round II Colonia Project. The dollar amount of the change order will decrease by \$9,037.84. Contract price after all change orders is \$73,793.36. The project engineer is R. Gutierrez and the contractor is JM Construction.

Account Number: 8-1311-431-00-122-503-1-734
8-1311-431-00-122-503-1-733
Purchase Order# 599401

Please insure that the correct contract number is included.

If you have any questions, please advice.

Thanks,

301 East State Street * Pharr, Texas 78577 * Telephone # 787-1891 *FAX 787-4683

CHANGE ORDER NUMBER TWO (2)

PROJECT: NORTHSIDE VILLAGE

DATE OF ISSUANCE: June 30, 2008 EFFECTIVE DATE: June 30, 2008

OWNER: HIDALGO COUNTY PRECINCT NO. 2
 OWNER's Contract No.: C-CAP-07-032-01-14

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. ITEM 164 - 1,404 SY of Cell Fiber Seeding (Temp)(Warm) were removed
2. ITEM 164 - 1,404 SY of Cell Fiber Seeding (Temp)(Cool) were removed
3. ITEM 164 - 1,050 SY of Cell Fiber Seeding (Perm)(Urban)(Clay) were removed
4. ITEM 506 - 84 SY Construction Exists (TY II) (Install) were removed
5. ITEM 506 - 84 SY Construction Exists (TY II) (Remove) were removed
6. ITEM 530 - Caliche base for Driveways were reduced on 15.79 Cy
7. ITEM 530 - MC-30 for Driveways were reduced on 28.33 Gal.
8. ITEM 530 - Asphalt for Driveways were reduced on 5.30 Ton.
9. ITEM 530 - Concrete for Driveways were reduced on 145.35 Cy.

Reason for Change Order:

1. Cell Fiber Seeding (Temp)(Warm) was never applied
2. Cell Fiber Seeding (Temp)(Cool) was never applied
3. Cell Fiber Seeding (Perm)(Urban) (Clay) was reduced because fences encroaching ROW
4. Construction Exists (TY II) were not installed.
5. Construction Exists (TY II) were not installed.
6. Caliche base for Driveways was reduced because fences encroaching ROW
7. MC-30 for Driveways was reduced because fences encroaching ROW
8. Asphalt for Driveways was reduced because fences encroaching ROW
9. Concrete for Driveways was reduced because fences encroaching ROW

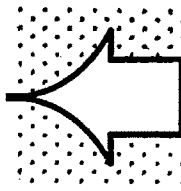
Attachments:

| Change In Contract Price: | | CHANGE IN CONTRACT TIME: | |
|--|---|---|-------------------------------|
| Original Contract Price | | Original Contract Time for | |
| \$ 82,831.20 | | Substantial Completion: | 60 calendar days or dates |
| Net Changes from previous Change Order | | Net change from previous Change Orders | 60 calendar days |
| \$ 0.00 | | | |
| Contract Price prior to this Change Order | | Contract Time prior to this Change Order | |
| \$ 82,831.20 | | Substantial Completion: | 120 calendar days or dates |
| Net Increase (decrease) of this Change Order | | Net Increase (decrease) of this Change Order | 0 calendar days |
| \$ (9,037.84) | | | |
| Contract Price with all approved Change Orders | Net % Increase (decrease) from original contract price. | Contract Time with all approved Change Orders | |
| \$ 73,793.36 | (10.90) % | Completion: | 120 calendar days or dates |

RECOMMENDED:
 By: [Signature]
 Engineer (Authorized Signature)
 Date: 8/8/08

APPROVED:
 By: _____
 Owner (Authorized Signature)
 Date: _____

ACCEPTED:
 By: [Signature]
 Contractor (Authorized Signature)
 Date: 8-8-08



INVOICE RECEIVED BY:
[Signature] ON 8/8/08
 GOODS/SERVICES RECEIVED BY:
[Signature] ON 6/30/08

laura.moya

From: Marcie Jackson [marcie.jackson@co.hidalgo.tx.us]
Sent: Wednesday, August 13, 2008 1:31 PM
To: Martha.Salazar@co.hidalgo.tx.us
Cc: 'laura.moya'; Valde Guerra; humberto.garza@co.hidalgo.tx.us; 'Rossana Schettino'; dina.trevino@co.hidalgo.tx.us
Attachments: appl for final northside village.PDF; appl for final northside village001.PDF; appl for final northside village002.PDF; retainage release northside vill.PDF; certificate of compl northside.PDF

Laura, please place the above-referenced items on Commissioner's Court Agenda for Tuesday August 19, 2008. Attached items are 1.) Application for Final Payment
2.) Retainage Release 3.) Certificate of Construction Completion. If you have any questions please, feel free to call me.

Thanks,
Marcie Jackson
Colonia Access Program
Administrative Assistant
301 East State Street
Pharr, Tx. 78577
956-787-1891
marcie.jackson@co.hidalgo.tx.us



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
Valde Guerra, Commissioner's Court Executive Officer
Humberto Garza, Precinct 2 Chief Administrator
Rosanna Schettino, HCCAP Auditor
Dina Trevino, Budget Office
HCCAP County Wide Files

From: Agapito Vargas, Jr., Hidalgo County BCAP Director
Marcie Jackson, Hidalgo County BCAP Administrative Assistant

Date: 13 August 2008

Subject: Request Approval to Pay Application for Final Payment – NorthSide
Village Subdivision CSJ:2C1080503 a 2nd Call Colonia Project.

Marty, please place the above-referenced item on Commissioner's Court agenda for Tuesday 19th August 2008.

Precinct 2 is requesting approval to pay Application for Final Payment for the above – subject 2nd Call Colonia Project. The amount of the request is \$23,525.42 as approved by the project engineer R. Gutierrez Engineering Corp and project contractor is J.M. Construction.

Account Number: 8-1311-431-00-122-503-1-734
8-1311-431-00-122-503-1-733
Purchase Order Number: 599401

Please insure that the correct contract number is included.

If you have any questions, please advice.
Thanks,

R. GUTIERREZ ENGINEERING CORPORATION
 R. Gutierrez
APPLICATION FOR FINAL PMT

To: HIDALGO COUNTY PRECINCT NO. 2 (OWNER)
 From: J.M. Construction (CONTRACTOR)
 Contract: C-CAP-07-032-01-14
 Project: North Side Village
 OWNER's Contract No. C-CAP-07-032-01-14 ENGINEER's Project No. ENG05.012p
 For Work accomplished through the date of: 23-Jun-2008

| | | |
|---|-------------|---------------------|
| 1. Original Contract Price: | | \$ 82,831.20 |
| 2. Net change by Change Orders and Written Agreements (+ or -): | | \$ (9,037.84) |
| 3. Current Contract Price (1 plus 2): | | \$ 73,793.36 |
| 4. Total completed and stored to date: | | \$ 73,793.36 |
| 5. Retainage (per Agreement): | | |
| 10% of completed Work: | \$ 7,379.34 | |
| 10% of stored material: | \$ - | |
| Total Retainage: | | \$ 7,379.34 |
| 6. Total completed and stored to date less retainage (4 minus 5): | | \$ 66,414.02 |
| 7. Less previous Application for Payments: | | \$ (42,888.60) |
| 8. Balance to Finish: | | \$ - |
| 9. AMOUNT DUE THIS APPLICATION (6 MINUS 7): | | \$ 23,525.42 |

Accompanying Documentation:

*P.O.# 599401 8-1311-431-00-122-503-1-734
 8-1311-431-00-122-503-1-733*

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 PMT 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 15-Jul-08

J.M. Construction
 CONTRACTOR

By: *[Signature]*

State of Texas

County of Hidalgo

Subscribed and sworn to before me this 8th day of August 2008



[Signature]
 Notary Public
 My Commission expires: 12/16/11

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 15-Jul-08

R. GUTIERREZ ENGINEERING CORPORATION
 ENGINEER

By: *[Signature]* P.E.



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
Valde Guerra, Commissioner's Court Executive Officer
Humberto Garza, Precinct 2 Chief Administrator
Rosanna Schettino, HCCAP Auditor
Dina Trevino, Budget Office
HCCAP County Wide Files

From: Agapito Vargas, Jr., Hidalgo County BCAP Director
Marcie Jackson, Hidalgo County BCAP Administrative Assistant

Date: 08 August 2008

Subject: Request Approval to Pay Application for Retainage Release and
Certificate of Construction Completion – NorthSide Village Subdivision
CSJ:2C1080503 a 2nd Call Colonia Project.

Marty, please place the above-referenced item on Commissioner's Court agenda for Tuesday August 19, 2008.

Precinct 2 is requesting approval to pay Application for Retainage Release and Certificate of Construction Completion for the above – subject 2nd Call Colonia Project. The amount of the request is \$7,379.34 as approved by the project engineer R. Gutierrez Engineering Corp. The project contractor is J.M. Construction.

Account Number: 8-1311-206-00-000-001-0-000

Please insure that the correct contract number is included.

If you have any questions, please advice.
Thanks,

APPLICATION FOR RETAINAGE RELEASE

To: HIDALGO COUNTY PRECINCT NO. 2 (OWNER)
 From: J.M. Construction (CONTRACTOR)
 Contract: C-CAP-07-032-01-14
 Project: North Side Village
 OWNER's Contract No. C-CAP-07-032-01-14 ENGINEER's Project No. ENG05.012p
 For Work accomplished through the date of: 23-Jun-2008

| | |
|---|--------------------|
| 1. Original Contract Price: | \$ 82,831.20 |
| 2. Net change by Change Orders and Written Agreements (+ or -): | \$ (9,037.84) |
| 3. Current Contract Price (1 plus 2): | \$ 73,793.36 |
| 4. Total completed and stored to date: | \$ 73,793.36 |
| 5. Retainage (per Agreement): | |
| <u>0% of completed Work:</u> | \$ - |
| <u>10% of stored material:</u> | \$ - |
| Total Retainage: | \$ - |
| 6. Total completed and stored to date less retainage (4 minus 5): | \$ 73,793.36 |
| 7. Less previous Application for Payments: | \$ (66,414.02) |
| 8. Balance to Finish: | \$ - |
| 9. AMOUNT DUE THIS APPLICATION (6 MINUS 7): | \$ 7,379.34 |

Accompanying Documentation:

8-1311-206-00-000-011-0-000

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 15-Jul-08

J.M. Construction
CONTRACTOR

By: *[Signature]*

State of Texas

County of Hidalgo

Subscribed and sworn to before me this 8th day of August 2008

[Signature]
Notary Public
My Commission expires: 12/16/11



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 15-Jul-08

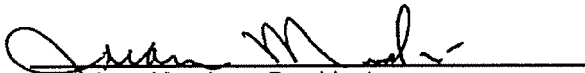
R. GUTIERREZ ENGINEERING CORPORATION
ENGINEER

By: *[Signature]* P.E.

CERTIFICATE OF COMPLETION
(By Contractor)

We hereby certify that the work on Project "Northside Village Subdivision CAP-07-032-11-28-LRM"
has been completed in substantial compliance with the Plans and Technical Specifications.

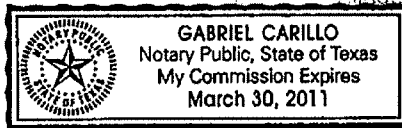
J.M. Construction
3701 Jade Street
Weslaco, Texas 78596



Juan Mendoza, President
7/2/2008

Subscribed and sworn to before me, the undersigned authority, on this the 2
day of July, 2008.





Notary Public in and for Hidalgo
County, Texas

AFFIDAVIT OF BILLS PAID

STATE OF TEXAS

COUNTY OF HIDALGO

Before me, the undersigned authority, on this day personally appeared Juan Mendoza party to that certain Contract entered into between Hidalgo County Precinct Two and J.M. Construction for the erection, construction, and completion of certain improvements and/or additions upon the following described premises, to wit:

" Northside Village Subdivision CAP-07-032-11-28-LRM "

Said party being by me duly sworn states upon oath that the said improvements have been erected and completed in full compliance with the above referred to Contract and the agreed plans and specificatins thereof.

Deponent further states that he has paid all bills and claims for materials furnished and labor performed on said Contract and that there are no outstanding bills or legal claims for labor performed or materials furnished upon said job.

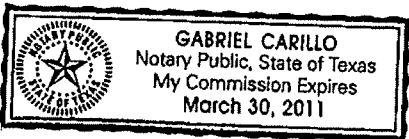
This affidavit is being made by the undersigned realizing that it is in reliance upon the truthfulness of statements contained herein that final and full settlement of the balance due on said Contract is being made, and in consideration of the disbursement of funds by Hidalgo County, deponent expressly waives and releases liens, claims and rights to assert a lien on said premises and agrees to indemnify and hold Owner safe and harmless from and against all losses, damages, costs and expenses of any character whatsoever specifically including court costs, bonding fees, and attorney fees, arising out of or in any way relating to claims for unpaid labor or material used or associated with construction fo improvements on the above described premises.

J.M. Construction
3701 Jade Street
Weslaco, Texas 78596

By: Juan Mendoza
Juan Mendoza, President

Subscribed and sworn to before me, the undersigned authority, on this the 2
day of July, 2008.

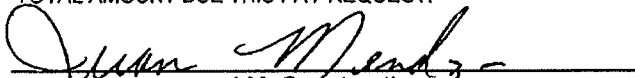
Gabriel Carillo
Notary Public in and for Hidalgo
County, Texas



Northside Village Final/Retainage Pay Request

| Item No. | Description | Unit | Contract Quantity | Quantity This Est. | Quantity To Date | Unit Price | Total Amount |
|----------|--|------|-------------------|--------------------|------------------|------------|--------------|
| 1 | Excavation (Roadway) | CY | 2189 | 0 | 2189 | \$3.00 | \$6,567.00 |
| 2 | Excavation (Channel) | CY | 206 | 0 | 206 | \$7.00 | \$1,442.00 |
| 3 | Embankment | CY | 4 | 0 | 4 | \$100.00 | \$400.00 |
| 4 | Cell Fiber Seeding (Temp - Warm) | SY | 1404 | 0 | 0 | \$0.25 | \$0.00 |
| 5 | Cell Fiber Seeding (Temp - Cool) | SY | 1404 | 0 | 0 | \$0.25 | \$0.00 |
| 6 | Cell Fiber Seeding (Perm) | SY | 2808 | 2808 | 2808 | \$0.90 | \$2,527.20 |
| 7 | Flexible Base (County Supplies Material) | CY | 722 | 0 | 722 | \$17.00 | \$12,274.00 |
| 8 | Prime Coat (MC-30) | Gal | 829 | 0 | 829 | \$7.00 | \$5,803.00 |
| 9 | 18" RCP | LF | 72 | 72 | 72 | \$29.00 | \$2,088.00 |
| 10 | Safety End Treatment | EA | 4 | 4 | 4 | \$400.00 | \$1,600.00 |
| 11 | Barricades, Signs and Traffic Handling | MO | 2 | 1 | 2 | \$3,000.00 | \$6,000.00 |
| 12 | Construction Exits (Install) | SY | 84 | 84 | 84 | \$7.00 | \$588.00 |
| 13 | Construction Exits (Remove) | SY | 84 | 84 | 84 | \$7.00 | \$588.00 |
| 14 | Temporary Sediment Control Fence | LF | 40 | 40 | 40 | \$8.00 | \$320.00 |
| 15 | Concrete Curb & Gutter | LF | 2424 | 0 | 2424 | \$7.00 | \$16,968.00 |
| 16 | Driveways (County Supplies Base) | CY | 60 | 0 | 60 | \$20.00 | \$1,200.00 |
| 17 | MC-30 (Driveways) | Gal | 106 | 106 | 106 | \$8.00 | \$848.00 |
| 18 | Driveways (ACP) | Ton | 28 | 28 | 28 | \$86.00 | \$2,408.00 |
| 19 | Driveways (Concrete) | SY | 423 | 0 | 423 | \$36.00 | \$15,228.00 |
| 20 | Mallboxes (Single) | EA | 29 | 29 | 29 | \$120.00 | \$3,480.00 |
| 21 | Small Sign | EA | 3 | 3 | 3 | \$600.00 | \$1,800.00 |

TOTAL AMOUNT OF CONTRACT: \$ 82,831.20
 TOTAL AMOUNT PLACED TO DATE: \$ 82,129.20
 LESS RETAINAGE (10%): \$ -
 LESS PREVIOUS PAY REQUESTS: \$ 56,593.80
 TOTAL AMOUNT DUE THIS PAY REQUEST: \$ 25,535.40


 J.M. Construction
 7/2/2008

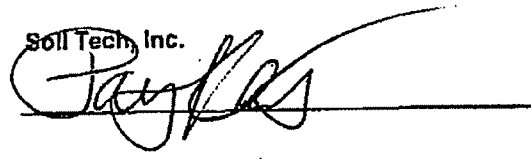
WAIVER OF LIEN

Hidalgo County Precinct #2
Hidalgo County, Texas
Northside Village Subdivision

Re: Northside Village Subdivision (Final/Retainage Pay Request)

In consideration of payment upon receipt of \$ 1,317.79 (invoice # NT-08-13) which is hereby acknowledged, Soil Tech, Inc. waives and releases any lien for materials furnished to J.M. Construction for use on the project commonly known as Northside Village Subdivision located in Hidalgo County, Texas. Soil Tech, Inc. acknowledges that all payments hereto received on amount of materials furnished to the project have been accepted in full satisfaction of the liens or right to lien, waived hereunder. Provided further, that this release shall not become effective until all checks given us as part of the consideration hereof, shall have been honored and paid in full.

WAIVER OF

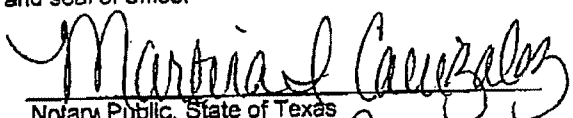
Soil Tech, Inc.


STATE OF TEXAS

COUNTY OF Hidalgo

Subscribed and sworn to before me, the undersigned authority, on this the 30th day of June, 2008 to certify which, witness my hand and seal of office.

My commission expires 1-10-09


Notary Public, State of Texas
Notary's Name, Printed: Martina I. Carrizalez

CERTIFICATE OF CONSTRUCTION COMPLETION

THIS IS TO CERTIFY THAT ON 27 DAY OF June 2008, A FINAL INSPECTION was made of the project herein described:

CONTRACT

DATE: July 15, 2008
OWNER: Hidalgo County Precinct No.2
CONSTRUCTION CONTRACTOR: JM CONSTRUCTION.

OF THE CITY OF MERCEDES STATE OF Texas

PROJECT DESCRIPTION

CONSTRUCTION OF NORTHSIDE VILLAGE SUBDIVISION

CONTRACT-NO.: CAP-07-032-01-14 located in or near the City/Pct. of Pct. 2

THIS IS TO CERTIFY:

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 exceptions:
None

2. That the sum of 0 dollars and 00 /100 dollars (\$ 0.00), deducted from the final payment of the Contractor
3. That the contractor 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 the CONTRACTOR has presented in behalf of itself and its sureties, satisfactory evidence that it is bound to repair, replace, and make good any faulty workmanship and/or materials discovered in the work within a period of one year from this date, as provided in said contract.

| | | |
|----|--------------------------------|-------------|
| 5. | Amount of Original Contract | \$82,831.20 |
| | Present Amount of Contract | \$73,793.36 |
| | Total Amount of earned to date | \$73,793.36 |
| | Less: previous payments | \$42,888.60 |
| | Balance | \$30,904.76 |
| | Authorized deductions | \$ 0.000.00 |
| | AMOUNT OF FINAL PAYMENT | \$30,904.76 |

6. That the final payment in the amount of \$ Thirty thousand nine hundred four dollars and seventy six cents (\$ 30,904.76) is now due and payable.



 Engineer's Signature

CONCURRED BY:

CONCURRED BY:

J.M. Construction

 CONTRACTOR'S NAME

 Hidalgo County

BY: [Handwritten Signature]

 TITLE: President

That the final payment in the amount of \$ Thirty
thousand nine hundred four dollars and
seventy six cents (\$ 30,904.76) is now due and payable.