

# JAVIER HINOJOSA ENGINEERING/Consulting Engineers

September 15, 2008

Commissioner Joe M. Flores  
Hidalgo County Precinct 3  
724 N. Breyfogle  
Mission, Texas 78572

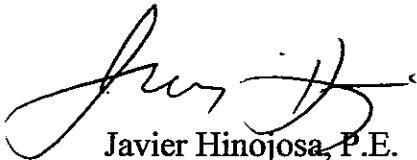
**Re: Colonia Access Program Contract No. C-CAP-08-009-05-13-LRM  
Casa De Los Vecinos Drainage Improvements**

Dear Commissioner Flores,

Attached please find Payment Request No. 1 and Final for the referenced project as submitted by The 5125 Company. This invoice is for work performed through August 4, 2008. The work involved with this invoice consists of installation of all drainage improvements for the Casa De Los Vecinos Subdivision along with the outfall drainage line connecting to the County's Drainage Ditch. We recommend payment of this invoice in the amount of \$213,742.80. A 10% retainage is being held within this invoice and will be billed separately. No testing is required for this Invoice. If you have any questions or require further information, please feel free to contact me at your convenience.

Sincerely,

**JAVIER HINOJOSA ENGINEERING**



Javier Hinojosa, P.E.

cc: Mr. Agapito Vargas, Director, Colonia Access Program

416 E. Dove Avenue

McAllen, Texas 78504

Tel: (956) 668-1588

Fax: (956) 994-8102

APPLICATION FOR PAYMENT NO. 1

To: Hidalgo County (OWNER)

From: The 5125 Company (CONTRACTOR)

Contract: C-CAP-08-009-05-13-LRM

Project: Hidalgo County Precinct No. 3 - Border Colonia Access Program - Casa De Los Vecinos Subdivision  
Drainage Improvements

OWNER'S Contract No. C-CAP-08-009-05-13-LRM

For Work Accomplished through the date of: August 4, 2008

1. Original Contract Price:	<u>\$237,492.00</u>
2. Net Change by Change Orders and Written Amendments (+ or -):	<u>\$ 0.00</u>
3. Current Contract Price (1 and plus 2):	<u>\$237,492.00</u>
4. Total complete and stored to date:	<u>\$ 237,492.00</u>
5. Retainage (per Agreement):	
<u>10</u> % of completed Work:	<u>\$23,749.20</u>
_____ % of stored material:	<u>\$ _____</u>
Total Retainage:	<u>\$ 23,749.20</u>
6. Total complete and stored to date less retainage (4 minus 5):	<u>\$213,742.80</u>
7. Less previous Application for Payments:	<u>\$ 0.00</u>
8. DUE THIS APPLICATION (6 MINUS 7):	<u>\$213,742.80</u>

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 8/26/08

Pat Espericueta

By: Pat Espericueta, President  
The 5125 Company

State of Texas

County of Hidalgo

Subscribed and sworn to before me this 26<sup>th</sup>  
day of August, 2008



[Signature]

Notary Public

My Commission expires: 1/7/2012

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 9/15/08

[Signature]  
By: Javier Hinojosa, P.E.  
JAVIER HINOJOSA ENGINEERING

INVOICE RECEIVED BY:

[Signature] ON 9/15/08

GOODS/SERVICES RECEIVED BY:

[Signature] ON 8/4/08

The 5125 Company  
 6/19/2008  
 10%

Contractor Name  
 Starting Date  
 Project Ending Date  
 Retainage Percent

Application No.: 1  
 Application Date: 9/11/2008  
 Period To: 8/4/2008  
 Engineer Firm: Javier Hinojosa Engineering

Summary										
CSJ #	CSJ Name	Schedule Value	Work Previously Completed	This Period	Total Complete to Date	Balance To Finish	Retainage	Net	Payments to Date	Payment Due
2C-1080-141	Casa De Los Vecinos Subdivision Drainage Imps.	\$ 237,492.00	-	\$ 237,492.00	\$ 237,492.00	-	\$ 23,749.20	\$ 213,742.80	-	\$ 213,742.80
		\$ 237,492.00	-	\$ 237,492.00	\$ 237,492.00	-	\$ 23,749.20	\$ 213,742.80	-	\$ 213,742.80

Signature:   
 Printed Name: Javier Hinojosa, P.E.

Prepared and Checked By: \_\_\_\_\_  
 Date: 9/15/08

The 5125 Company Contractor Name  
 06/19/08 Starting Date  
 Project Ending Date  
 Casa De Los Vecinos Subdivision Drainage Imps. Engineer's / County Project Description  
 Application No.: 1  
 Application Date: 09/11/08  
 Period To: 08/04/08  
 Engineer's / County Project No: 2C-1080-141

No.	Item Code	Description	Unit	Rate	Schedule Value		Work Previously Completed		This Period		Total Completed To Date		Balance To Finish	
					Quan.	Dollars	Quan.	Dollars	Quan.	Dollars	Quan.	Dollars	Quan.	Dollars
1	530	Driveway (ASPH-CONC-PAV) (PB-1)	SY	\$ 16.00	560.00	\$ 8,960.00	0.00	\$ -	560.00	\$ 8,960.00	560.00	\$ 8,960.00	0.00	\$ -
2	530	Driveway (Concrete 3000 PSI)	SY	\$ 30.00	46.00	\$ 1,380.00	0.00	\$ -	46.00	\$ 1,380.00	46.00	\$ 1,380.00	0.00	\$ -
3	556	15" RCP Culvert Pipe	LF	\$ 20.00	472.00	\$ 9,440.00	0.00	\$ -	472.00	\$ 9,440.00	472.00	\$ 9,440.00	0.00	\$ -
4	556	18" RCP Culvert Pipe	LF	\$ 22.00	1176.00	\$ 25,872.00	0.00	\$ -	1,176.00	\$ 25,872.00	1,176.00	\$ 25,872.00	0.00	\$ -
5	556	24" RCP Culvert Pipe	LF	\$ 28.00	1456.00	\$ 40,768.00	0.00	\$ -	1,456.00	\$ 40,768.00	1,456.00	\$ 40,768.00	0.00	\$ -
6	556	30" RCP Culvert Pipe	LF	\$ 40.00	464.00	\$ 18,560.00	0.00	\$ -	464.00	\$ 18,560.00	464.00	\$ 18,560.00	0.00	\$ -
7	556	36" RCP Culvert Pipe	LF	\$ 48.00	56.00	\$ 2,688.00	0.00	\$ -	56.00	\$ 2,688.00	56.00	\$ 2,688.00	0.00	\$ -
8	556	42" RCP Culvert Pipe	LF	\$ 64.00	1160.00	\$ 74,240.00	0.00	\$ -	1,160.00	\$ 74,240.00	1,160.00	\$ 74,240.00	0.00	\$ -
9	556	Type"CC" Inlets	EA	\$ 2,000.00	16.00	\$ 32,000.00	0.00	\$ -	16.00	\$ 32,000.00	16.00	\$ 32,000.00	0.00	\$ -
10	556	5' Dia. Manhole	EA	\$ 2,000.00	3.00	\$ 6,000.00	0.00	\$ -	3.00	\$ 6,000.00	3.00	\$ 6,000.00	0.00	\$ -
11	556	Concrete Down Drain (Poured in Place)	EA	\$ 3,500.00	1.00	\$ 3,500.00	0.00	\$ -	1.00	\$ 3,500.00	1.00	\$ 3,500.00	0.00	\$ -
12	556	Patch Paving	LF	\$ 15.00	400.00	\$ 6,000.00	0.00	\$ -	400.00	\$ 6,000.00	400.00	\$ 6,000.00	0.00	\$ -
13	556	Silt Fencing On Inlets	EA	\$ 200.00	16.00	\$ 3,200.00	0.00	\$ -	16.00	\$ 3,200.00	16.00	\$ 3,200.00	0.00	\$ -
14	556	Safety End Treatments	EA	\$ 1.00	4884.00	\$ 4,884.00	0.00	\$ -	4,884.00	\$ 4,884.00	4,884.00	\$ 4,884.00	0.00	\$ -
15														
16														
17														
18														
19														
20														
21														
22														
23														
24														
25														
											\$ 237,492.00	\$ 237,492.00	\$ -	\$ -

Prepared and Checked By:   
 Printed Name: Javier Hinojosa, P.E.

Date: 7/15/08

PARTIAL ~~WARRANT~~ WAIVER OF LIEN

THE STATE OF TEXAS

COUNTY OF Hidalgo

The undersigned contracted with Hidalgo County  
to furnish Casa de los Vecinos Subdivision Drainage Improvements  
in connection with certain improvements to real property located in Hidalgo  
County, Texas, and owned by Hidalgo County Pct. #3  
Which improvements are described as follows:

Casa de los Vecinos Subdivision Drainage Improvements  
\_\_\_\_\_  
\_\_\_\_\_

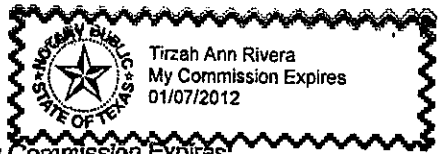
In consideration of Pay Estimate No. 1 in the amount of Two hundred thirteen thousand seven hundred forty-two dollars and eighty cents DOLLAR (\$ 213,742.80 ) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned does hereby waive and release any mechanic's lien or materialmen's lien or claims of lien that the undersigned has or hereafter has on the above mentioned real property on account of any labor performed or materials furnished or to be furnished or labor performed and materials furnished by the undersigned pursuant to the above-mentioned contract or any constitutional lien that the undersigned may have.

Undersigned hereby guarantees that all bids for labor performed and/or materials furnished in the erection and construction of such improvements on the Property have been fully paid and satisfied and Undersigned does further guarantee that if for any reason a lien or liens are filed for material or labor against said Property arising out of any bills for material or labor in connection with the erection or construction of said improvements thereon, Undersigned will obtain a settlement of such lien or liens and a proper release thereof shall be obtained.

[Signature]  
CONTRACTOR

By: \_\_\_\_\_  
President  
TITLE

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 3 day of September, 2008, to certify which witness my hand and seal of office.



My Commission Expires.

11/7/2012

[Signature]  
NOTARY PUBLIC in and for the State of Texas

# THE COMPANY

*DBE CERTIFIED UTILITY CONTRACTOR*

1008 Doherty  
Mission, TX 78572

Office: (956) 583-5125  
Fax: (956) 585-1633  
E-mail: [pe5125@aol.com](mailto:pe5125@aol.com)

August 22, 2008


Javier Hinojosa Engineering  
Attn.: Javier Hinojosa, P.E.  
416 East Dove Avenue  
McAllen, TX 78504

RE: Casa de los Vecinos Subdivision Drainage Improvements  
Material Suppliers

Dear Mr. Hinojosa,

The following is a list of material suppliers for the above referenced project. Please let me know if you have any questions.

1. Rio Valley Pipe, Ltd.  
7301 W. Expressway 83  
Mission, TX 78572  
956-584-5770

Respectfully,  
  
Pat Esparicueta  
President

*Serving you is our Business!!!*

**PARTIAL ~~LEASE~~ WAIVER OF LIEN**

**THE STATE OF TEXAS**

COUNTY OF HIDALGO

The undersigned contracted with THE 5125 COMPANY  
to furnish DRAINAGE PIPE in  
connection with certain improvements to real property located in HIDALGO County,  
Texas, and owned by \_\_\_\_\_

Which improvements are described as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

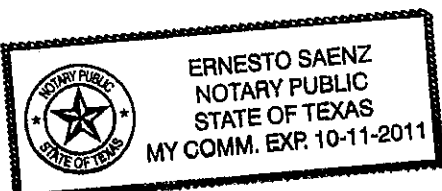
In consideration of Pay Estimate No. \_\_\_\_\_ in the amount of Seventy four thousand  
four hundred thirty eight <sup>64/100</sup> — DOLLAR(\$ 74,438.64 ) and other good and valuable  
consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned does  
hereby waive and release any mechanic's lien or material men's lien or claims of lien that the undersigned has  
or hereafter has on the above mentioned real property on account of any labor performed or materials  
furnished or to be furnished or labor performed and materials furnished by the undersigned pursuant to the  
above mentioned contract or any constitutional lien that the undersigned may have.

Undersigned hereby guarantees that all bids for labor performed and/or materials furnished in the erection and  
construction of such improvements on the Property have been fully paid and satisfied and Undersigned does  
further guarantee that if for any reason a lien or liens are filed for material or labor against said Property  
arising out of any bills for material or labor in connection with the erection or construction of said  
improvements thereon, Undersigned will obtain a settlement of such lien or liens and a proper release thereof  
shall be obtained.

**SUPPLIER**

Rio Valley Pipe  
By: [Signature] / Controller  
TITLE

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 27<sup>th</sup> day of August, 2008, to  
certify which witness my hand and seal of office.



[Signature]  
NOTARY PUBLIC in and for the State of Texas

My Commission Expires:

10-11-2011

ERNESTO SAENZ

