

*Agenda Item 11674
10/21/08*

APPLICATION FOR PAYMENT NO. 1

To: Hidalgo County (OWNER)
 From: J.M. CONSTRUCTION (CONTRACTOR)
 Contract: COLONIA ACCESS PROGRAM
 Project: "ROAD & DRAINAGE CONSTRUCTION OF BERNAL-HIGHLAND SUBDIVISION"
 OWNER's Contract No. C-CAP-08-004-02-20 ENGINEER's Project No. 2C-1080-105 & 2713/8
 For Work accomplished through the date of: 9-04-08

1. Original Contract Price:	\$ <u>168,786.50</u>
2. Net change by Change Orders and Written Amendments (+ or -):	\$ <u> </u>
3. Current Contract Price (1 plus 2):	\$ <u>168,786.50</u>
4. Total completed and stored to date:	\$ <u>56,645.50</u>
5. Retainage (per Agreement):	
<u>10</u> % of completed Work:	\$ <u>5,664.55</u>
<u> </u> % of stored material:	\$ <u>0.00</u>
Total Retainage:	\$ <u>5,664.55</u>
6. Total completed and stored to date less retainage (4 minus 5):	\$ <u>50,980.95</u>
7. Less previous Application for Payments:	\$ <u>0.00</u>
8. DUE THIS APPLICATION (6 MINUS 7):	\$ <u>50,980.95</u>

Accompanying Documentation: 8-1311-431-00-121-105-1-733 =
8-1311-431-00-121-105-1-734 =
 CONTRACTOR'S Certification: 8-1311-431-00-121-318-1-733 = \$ 44,545.50 - (<\$ 4,454.55) = \$ 40,090.95
8-1311-431-00-121-318-1-734 = \$ 12,100.00 - (<\$ 1,210.00) = \$ 10,890.00
\$ 50,980.95

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 10-1-08

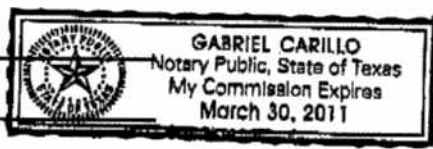
 CONTRACTOR

By: Juan Mendez - President

State of Texas
 County of Hidalgo
 Subscribed and sworn to before me this 1
 day of October, 2008

INVOICE RECEIVED BY:
Marcus Jackson ON 10/8/08
 GOODS/SERVICES RECEIVED BY:
Marcus Jackson ON 10/8/08

[Signature]
 Notary Public
 My Commission expires: _____



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated _____
TEDSI Infrastructure Group
 ENGINEER
 By: [Signature]

Prevailing Wage Rates Certification Statement

Date October 15, 2008

Project Name Bernal - Highland Subd.

CSJ# 2C1080105 + 2C1080318

Contractor J.M. Construction

Application# NO. 1

I, Agapito Vayas Jr do hereby state:
(Name of Project Director)

1. That a payroll (form WH-347 or similar form) was submitted for contract work Performed for the period covered by the attached application.
2. That a statement of compliance(form WH-347 or similar form) was submitted with the payroll.
3. The certified payroll complies with the classifications and minimum wage rates Stipulated in the contract.
4. That a minimum of one interview was conducted with laborers using Form HUD-11 or similar.

Agapito Vayas Jr
Signature

Estimate Quantity Update Worksheet
 Column: Bernal and Highland Subdivision
 Roadway: Central Ave (Highland Subdivision)
 Control: 26' Right of Way
 Project No: C-CAP-08-004-02-20
 County: Hidalgo County Precinct No. 1
 Est. No: 1

Date: October 14, 2008
 Contractor: J.M. Construction
 Contract Price: \$109,333.50
 Work Done this Mo.: \$56,645.50
 % Complete: 51.81%


Date Began: July 3, 2008
 Contract Time: 120
 Time Charged: 63
 % Time Used: 52.50%

Work Type: Paving and Drainage
 Units: From: Bernal & Highland Subdivision

ITEM NO.	DESCRIPTION	UNIT	PROJECT QTY	Unit Price	Project Amount	July			August			September		
						MONTHLY QUANTITY	QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY	QTY to Date	Item Cost (Monthly)	MONTHLY QUANTITY	QTY to Date	Item Cost (Monthly)
(901) ADMINISTRATIVE														
(902) PRELIMINARY ENGINEERING														
(903) CONSTRUCTION ENGINEERING														
(904) RIGHT-OF-WAY														
(905) ROADWAY CONSTRUCTION														
100	PREP R.O.W.	STA	16.00	\$400.00	\$6,400.00	16.00	16.00	\$6,400.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00
134	Backfill (TY B)	STA	16.00	\$2,000.00	\$32,000.00	0.00	0.00	\$0.00	16.00	16.00	\$32,000.00	0.00	0.00	\$0.00
247	FLBS (Rwy Dsh)(TY D, GR & CL 4)	CY	831	\$20.00	\$16,620.00	0.00	0.00	\$0.00	831.00	831.00	\$16,620.00	0.00	0.00	\$0.00
310	ASPH MATL (AC-30)	GAL	881	\$5.00	\$4,405.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00
340	ASPH Concrete (TY D)	TON	365	\$41.00	\$15,005.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00
500	Mobilization	LS	1	\$1,000.00	\$1,000.00	1.00	1.00	\$1,000.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00
502	Barriers, Signs and Traffic Handling	MO	1	\$2,000.00	\$2,000.00	1.00	1.00	\$2,000.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00
530	Turnouts (ASPH-CONC-PAV)(PB-2)	SY	202	\$21.00	\$4,242.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00
2500	EN-1 TREATED FLEX BASE	SY	4987	\$2.50	\$12,467.50	0.00	0.00	\$0.00	0.00	0.00	\$0.00	4987.00	4987.00	\$12,467.50
2500	EN-1 ROADBOND	GAL	28	\$90.00	\$2,520.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00	28.00	28.00	\$2,520.00
5249	Temporary Sediment Control Fence	LF	80	\$4.00	\$320.00	80.00	80.00	\$320.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00
5249	Temporary Sediment Control Fence (Remove)	LF	80	\$3.00	\$240.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00
(906) DRAINAGE														
464	18" RCP (CL J)	LF	60	\$30.00	\$2,400.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00	60.00	60.00	\$2,400.00
467	SET (TY)(18")RCP@P	EA	2	\$900.00	\$1,800.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00	2.00	2.00	\$1,800.00
530	Driveways (CONC)(4')	SY	82	\$30.00	\$2,460.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00
530	Driveways (ASPH-CONC-PAV)(PB-1)	SY	451	\$28.00	\$12,628.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00
550	15" Corrugated Pipe	LF	500	\$17.00	\$8,500.00	0.00	0.00	\$0.00	0.00	0.00	\$0.00	500.00	500.00	\$8,500.00

Monthly Totals:	\$9,732.00	\$31,928.00	\$14,987.50
ADMINISTRATIVE (901)			
PRELIMINARY ENGINEERING (902)			
CONSTRUCTION ENGINEERING (903)			
RIGHT-OF-WAY (904)			
Roadway (903):	\$9,732.00	\$19,928.00	\$14,987.50
Drainage (904):	\$0.00	\$12,100.00	\$0.00

Total to Date
 Roadway (903): \$44,545.50
 Drainage (904): \$12,100.00
 Total: \$56,645.50

Signature: 
 Printed Name: Jose A. Sanchez
 Date: 10.14.2008

Prepared and Checked By:

J.M. CONSTRUCTION

3701 Jade Street
Weslaco, Texas 78596
956-565-5222
956-514-4955 (FAX)
jm4955@aol.com

9/10/2008

To: TEDSI Infrastructure Group
1201 E. Expressway 83
Mission, Texas 78572
Proj: Road & Drainage Construction for Highland and Bernal Subdivisions - CAP-08-004-01-09-LRM
Attn: Joe Vasquez

Re: Highland and Bernal Subdivisions
Materials Suppliers Pay Request 1

Dear Joe,

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

1. Martin Marietta Materials
P.O. Box 30013
Raleigh, NC 27622
1-361-853-7331
2. HD Supply Waterworks
100 N. 1st Street
McAllen, Texas 78501
1-956-631-3341
3. Rio Valley Pipe
7301 W. Expressway 83
Mission, Texas 78572
956-584-5770

Sincerely,



Juan Mendoza
President

Sep 23 2008 12:53PM Martin Marietta
09/22/2008 00:47 9565144955

210-208-4280

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WAIVER OF LIEN

Hidalgo County Precinct #1
Hidalgo County, Texas
Highland and Bernal Subdivisions CAP-08-004-01-09-LRM

Re: Highland and Bernal Subdivisions (Pay Request 1)

In consideration of payment upon receipt of \$ 2,297.79 (Invoice # 7023276, 7023283, n 7048268) which is hereby acknowledged, Martin Marietta Materials waives and releases any lien for materials furnished to J.M. Construction for use on the project commonly known as Highland & Bernal Subdivisions located in Hidalgo County, Texas. Martin Marietta Materials 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.

Martin Marietta Materials

Karen Jansz

STATE OF TEXAS

COUNTY OF Brewer

Subscribed and sworn to before me, the undersigned authority, on this the 23RD day of

Sept., 2008 to certify which, witness my hand and seal of office.

Linda L Thiele

Notary Public, State of Texas

Notary's Name Printed:

LINDA L. THIELE

My commission expires 2-24-2012.



WAIVER OF LIEN

Hidalgo County Precinct #1
Hidalgo County, Texas
Highland and Bernal Subdivisions CAP-08-004-01-09-LRM

Re: Highland and Bernal Subdivisions (Pay Request 1)

In consideration of payment upon receipt of \$ 3,680.00 (invoice # 7733190) which is hereby acknowledged, HD Supply Waterworks waives and releases any lien for materials furnished to J.M. Construction for use on the project commonly known as Highland & Bernal Subdivisions located in Hidalgo County, Texas. HD Supply Waterworks 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.

HD Supply Waterworks

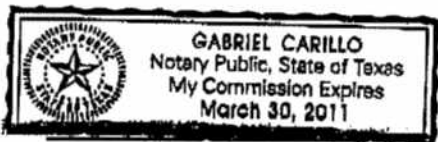
Felipe Garcia

STATE OF TEXAS

COUNTY OF Hidalgo

Subscribed and sworn to before me, the undersigned authority, on this the 11 day of

Sept, 2008 to certify which, witness my hand and seal of office.



My commission expires

[Signature]

Notary Public, State of Texas
Notary's Name Printed:

Sep. 16. 2008 9:27AM Rio Valley Pipe, LLC

No. 2201 P. 1E 02/02

WAIVER OF LIEN

Hidalgo County Precinct #1
Hidalgo County, Texas
Highland and Bernal Subdivisions CAP-08-004-01-09-LRM

Re: Highland and Bernal Subdivisions (Pay Request 1)

In consideration of payment upon receipt of \$1,706.40 (invoice # 73671) which is hereby acknowledged, Rio Valley Pipe, LLC waives and releases any lien for materials furnished to J.M. Construction for use on the project commonly known as Highland & Bernal Subdivisions located in Hidalgo County, Texas. Rio Valley Pipe, LLC 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.

Rio Valley Pipe, LLC

Edgar Morales

STATE OF TEXAS

COUNTY OF HIDALGO

Subscribed and sworn to before me, the undersigned authority, on this the 16th day of

SEPTEMBER, 2008 to certify which, witness my hand and seal of office.

Ernesto Saenz
Notary Public, State of Texas
Notary's Name Printed:
ERNESTO SAENZ

My commission expires 10-11-2011

