

AI-13176 11/13/09

APPLICATION FOR PAYMENT NO. 1

To: Hidalgo County (OWNER)  
 From: Valley Paving Inc 03-26 (CONTRACTOR)  
 Contract: CAP-08-008-03-26 LRM  
 Project: Road and Drainage Construction of Villa Capri Subdivision  
 OWNER's Contract No. CAP-08-008-03-06 03-26 ENGINEER's Project No. 06-167  
 For Work accomplished through the date of: 11/17/2008

1. Original Contract Price:		\$	98,217.37
2. Net change by Change Orders and Written Agreements (+ or -):		\$	2,437.50
3. Current Contract Price (1 plus 2):		\$	100,654.87
4. Total completed and stored to date:		\$	44,531.00
5. Retainage (per Agreement):			
<u>10%</u> of completed Work:	\$	4,453.10	
<u>0%</u> of stored material:	\$		
Total Retainage:	\$	4,453.10	
6. Total completed and stored to date less retainage (4 minus 5):	\$	40,077.90	
7. Less previous Application for Payments:	\$		
8. AMOUNT DUE THIS APPLICATION (6 MINUS 7):	\$	40,077.90	

*Handwritten:* 12.01.08  
 P.O. 605351

Accompanying Documentation      8-1311-431-00-123-784-1-733      8-1311-431-00-123-784-1-734  
 $S3,431.00 < -343.10 > = S3,087.90$        $S41,100.00 < -4,110.00 > = S36,990.00$   
 FOR PAYMENT      \$40,077.90

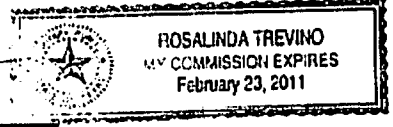
CONTRACTOR'S Certification:  
 The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 2 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 11/19/08 Valley Paving Inc.  
 CONTRACTOR

State of Texas  
 County of Hidalgo

Subscribed and sworn to before me this 19th  
 day of November, 2008

Rosalinda Trevino  
 Notary Public  
 My Commission expires: 12-23-11



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.  
 Dated 11-20-08 HINOJOSA ENGINEERING INC  
 ENGINEER

By: Rh H.

INVOICE RECEIVED BY:  
AT JACOBI ON 11/25  
 GOODS/SERVICES RECEIVED BY:  
AT JACOBI ON 11/25



**HINOJOSA ENGINEERING, INC.** Structural Engineering • Civil Engineering • Land Surveying

December 29, 2008

Mr. Agapito Vargas Jr.  
Executive Director  
Hidalgo County Border Colonias Access Program  
301 East State  
Pharr, TX 78589

**RE: Time of Construction for Villa de Capri**

**PROJECT: Villa de Capri Subdivision  
CAP-08-008-03-26-LRM**

Dear Mr. Vargas,

On June 30<sup>th</sup>, 2008, the notice to proceed was sent out to Valley Paving, Inc., contractor for the above referenced project. During the construction staking, it was noticed that 3 Mile Road was improved by Tx DOT and no longer had road side ditches. The plans for Villa de Capri proposed a road section with roadside ditches tied into 3 Mile Road. Therefore the plans had to be revised and approved by Tx DOT. This process took approximately one month. The revised plans were given to the contractor on July 31, 2008. Our office did the construction staking for the contractor shortly after this date. August 14, 2008 was the first of many rain days throughout August and September which further delayed the project. Due to some of the heavy rains in this time period, the soils were too saturated to be worked for days after the rain stopped. Due to these conditions the project completion date was delayed.

Respectfully submitted,  
Hinojosa Engineering, Inc.

Ricardo Hinojosa, P.E.  
President

cc: Hinojosa Engineering, Inc. File



Estimate Quantity Update Worksheet  
 Villa Capri Subdivision  
 Colonia Access Program Project - Precinct No.3  
 CAP-08-008-03-26-03-26  
 Contractor: Valley Paving

Item No.	Description	Quantity	Unit	Unit Price	Project Amount	RFP 1		
						Monthly Quantity	Quantity to Date	Item Cost (Monthly)
<b>Roadway</b>								
100	Preparing ROW	10.63	STA	\$855.00	\$9,088.65	10.63	10.63	\$9,088.65
110	Excavation	1445	CY	\$4.20	\$6,069.00	1445	1445	\$6,069.00
247	Flex Base	735	CY	\$21.45	\$15,765.75	367.5	367.5	\$7,882.88
251	Reworking Base Material (DC)(TY D CL2)	735	CY	\$5.80	\$4,263.00	315	315	\$1,827.00
262	Lime Treated Base (6")	2835	SY	\$1.50	\$4,252.50	1417.5	1417.5	\$2,126.25
262	Lime for Base (Ty A or B)	15.73	TON	\$127.86	\$2,011.24	7.86	7.86	\$1,004.98
310	Prime Coat (MC-30)	570	GAL	\$3.95	\$2,251.50	0	0	\$0.00
340	Asphalt Concrete Pavment Type "D"	242.36	TON	\$66.05	\$16,007.88	0	0	\$0.00
502	Barricades, Signs & Traffic Handling	1.5	MO	\$1,500.00	\$2,250.00	1.5	1.5	\$2,250.00
506	Construction Exits (TY 2) (Install)	145	SY	\$40.00	\$5,800.00	72	72	\$2,880.00
506	Construction Exits (TY 2) (Remove)	145	SY	\$20.00	\$2,900.00	72	72	\$1,440.00
529	Concrete Curb and Gutter	0	LF	\$5.25	\$0.00	1145	1145	\$6,011.25
5249	Temp Sediment Control Fence	260	LF	\$4.00	\$1,040.00	130	130	\$520.00
5249	Temp Sediment Control Fence (Remove)	260	LF	\$1.50	\$390.00	0	0	\$0.00
530	Turnouts (Asph-Conc-Pav)	145	SY	\$11.20	\$1,624.00	0	0	\$0.00
644	Small Road Sign Assm (Ty A)	2	EA	\$500.00	\$1,000.00	0	0	\$0.00
<b>Drainage</b>								
464	RCP (CL III) (15")	345	LF	\$15.50	\$5,347.50	0	0	\$0.00
464	RCP (CL III) (18")	108	LF	\$17.50	\$1,890.00	0	0	\$0.00
467	Safety End Treatment	4	EA	\$600.00	\$2,400.00	0	0	\$0.00
530	Driveways (Ty PRB-1) (ACP) (1")	73	SY	\$11.20	\$817.60	0	0	\$0.00
530	Driveways (Ty PRB-1) (Concrete)	357.5	SY	\$36.50	\$13,048.75	94	94	\$3,431.00
<b>TOTAL</b>					<b>\$98,217.37</b>	<b>Totals: \$44,531.00</b>		

Totals to Date:

Roadway: \$41,100.00  
 Drainage: \$3,431.00  
 Total: \$44,531.00

Roadway: \$41,100.00  
 Drainage: \$3,431.00

Prepared and Checked by:

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

Date:

11-20-08

**Tabulation of Change Order No.1**

Villa Capri Subdivision

Colonia Access Program Project - Precinct No.3

CAP-08-008-03-26 *2* 03-26

Contractor: Valley Paving

Item No.	Description	Original Bid				Change Order No.1			(+)Increase/ (-)decrease
		Quantity	Unit	Unit Price	Total	Quantity	Unit Price	Total	
<b>Roadway</b>									
100	Preparing ROW	10.63	STA	\$855.00	\$9,088.85	10.63	\$855.00	\$9,088.85	\$0.00
110	Excavation	1445	CY	\$4.20	\$6,069.00	1445	\$4.20	\$6,069.00	\$0.00
247	Flex Base	735	CY	\$21.45	\$15,765.75	735	\$21.45	\$15,765.75	\$0.00
251	Reworking Base Material (DC)(TY D CL2)	735	CY	\$5.80	\$4,263.00	735	\$5.80	\$4,263.00	\$0.00
262	Lime Treated Base (6")	2835	SY	\$1.50	\$4,252.50	2835	\$1.50	\$4,252.50	\$0.00
262	Lime for Base (Ty A or B)	15.73	TON	\$127.86	\$2,011.24	15.73	\$127.86	\$2,011.24	\$0.00
310	Prime Coat (MC-30)	570	GAL	\$3.95	\$2,251.50	570	\$3.95	\$2,251.50	\$0.00
340	Asphalt Concrete Pavment Type "D"	242.36	TON	\$66.05	\$16,007.88	242.36	\$66.05	\$16,007.88	\$0.00
502	Barricades, Signs & Traffic Handling	1.5	MO	\$1,500.00	\$2,250.00	1.5	\$1,500.00	\$2,250.00	\$0.00
506	Construction Exits (TY 2) (Install)	145	SY	\$40.00	\$5,800.00	145	\$40.00	\$5,800.00	\$0.00
506	Construction Exits (TY 2) (Remove)	145	SY	\$20.00	\$2,900.00	145	\$20.00	\$2,900.00	\$0.00
5249	Temp Sediment Control Fence	260	LF	\$4.00	\$1,040.00	260	\$4.00	\$1,040.00	\$0.00
5249	Temp Sediment Control Fence (Remove)	260	LF	\$1.50	\$390.00	260	\$1.50	\$390.00	\$0.00
529	Concrete Curb and Gutter	0	LF	\$5.25	\$0.00	2300	\$5.25	\$12,076.00	\$12,076.00
530	Turnouts (Asph-Conc-Pav)	145	SY	\$11.20	\$1,624.00	145	\$11.20	\$1,624.00	\$0.00
644	Small Road Sign Assm (Ty A)	2	EA	\$500.00	\$1,000.00	2	\$500.00	\$1,000.00	\$0.00
<b>Drainage</b>									
464	RCP (CL III) (16")	346	LF	\$16.60	\$5,347.50	0	\$16.60	\$0.00	-\$5,347.50
464	RCP (CL III) (18")	108	LF	\$17.60	\$1,890.00	0	\$17.60	\$0.00	-\$1,890.00
467	Safety End Treatment	4	EA	\$600.00	\$2,400.00	0	\$600.00	\$0.00	-\$2,400.00
530	Driveways (Ty PRB-1) (ACP) (1")	73	SY	\$11.20	\$817.60	73	\$11.20	\$817.60	\$0.00
530	Driveways (Ty PRB-1) (Concrete)	357.5	SY	\$36.50	\$13,048.75	357.5	\$36.50	\$13,048.75	\$0.00
									\$2,437.50

Roadway: \$74,713.52  
 Drainage: \$23,503.85  
 TOTAL: \$98,217.37

Roadway: \$86,788.52  
 Drainage: \$13,866.35  
 TOTAL: \$100,654.87

Progress Estimate

03-26

04 27

Project: Hidalgo County Pct. No. 3  
Villa Capri Subdivision

Project No.: CAP-08-008-03-26-LRM Estimate No.1  
For Period from 10/08/08 to 11/17/08

Notice to Proceed Date: 05/12/08

Contract Completion Date: \_\_\_\_\_

Approved Time Extensions: \_\_\_\_\_

Revised Contract Completion Date: 12/30/08

Contract Date: 04/22/08

Original Contract Amount: \$ 98,217.37

Revised Contract Amount: \$ 100,654.87

TOTAL AMOUNT WORK DONE TO DATE: \$ 44,530.99

Less Amount Due Retained: (4,453.10)

Less Previous Payments: ( -0- )

AMOUNT DUE TO CONTRACTOR: \$ 40,077.89

Owner: Hidalgo County Pct. No. 3

Contractor: Valley Paving, Inc.

CERTIFICATE OF THE CONTRACTOR OR HIS DULY AUTHORIZED REPRESENTATIVE

To the best of my knowledge, I certify that all times, quantities and prices of work and materials shown on the face of this estimate are correct; that all work has been performed and materials supplied in full accordance to the terms and conditions of the corresponding construction contractual documents between the Owner and the Contractor, including all changes authorized thereto; that the foregoing is a true and correct statement of the contract amount up to and including the last day of the period covered by this estimate and that no part of the "AMOUNT DUE CONTRACTOR" has been received.

I further certify that all just and lawful bills against the below named Contractor, for labor, material and Expandable equipment employed in the performance of said contract have been paid in full accordance with the Contract requirements.

DATE: 11/17/08 BY:  TITLE: President

CERTIFICATE OF ENGINEER'S REPRESENTATIVE

I certify that a qualified project representative was present on the project on a continual basis to observe Construction and that all materials and work included in this statement have been performed in general accordance with the construction plans and specifications and authorized changes thereto. I further certify that I have verified this estimate and that, to the best of my knowledge and belief, it is a true and correct statement of work performed and materials supplied by the Contractor, that the amount due him is correct and just.

PROJECT MANAGER:  DATE: 11-20-08

OWNER'S ACCEPTANCE: \_\_\_\_\_ DATE: \_\_\_\_\_

VALLEY PAVING INC.  
 321 E. 2 MILE LINE  
 MISSION, TX. 78574

PHONE (956) 585-5908  
 PHONE (956) 581-1370  
 FAX (956) 584-0057

TO: HIDALGO CO. PCT.3  
 C/O HINOJOSA ENGINEERING  
 109 W. 16TH. ST.  
 MISSION, TX. 78572

PAYMENT  
 REQUEST #1

DATE: 11/17/2008

PROJECT: HIDALGO COUNTY PCT.3-VILLA CAPRI (ROADWAY CONSTRUCTION)

PAGE 1

ITEM NUMBER	DESCRIPTION	ESTIMATED QUANTITIES	UNIT	UNIT PRICE	CONTRACT TOTAL	COMP. TO DATE	TOTAL AMOUNT
100	PREPARING ROW	10.63	STA.	\$ 855.00	\$ 9,088.65	10.63	\$ 9,088.65
110	EXCAVATION	1445	CY	\$ 4.20	\$ 6,069.00	1445	\$ 6,069.00
247	FLEXIBLE BASE	735	CY	\$ 21.45	\$ 15,765.75	367.5	\$ 7,882.87
251	REWORKING BASE MATERIAL (DC) (TY D CL2)	735	CY	\$ 5.80	\$ 4,263.00	315	\$ 1,827.00
262	LIME TREATMENT FOR BASE (6")	2835	SY	\$ 1.50	\$ 4,252.50	1417.5	\$ 2,126.25
262	LIME FOR BASE (TY A OR B)	15.73	TON	\$ 127.86	\$ 2,011.24	7.86	\$ 1,004.97
310	PRIME COAT (MC-30)	570	GAL	\$ 3.95	\$ 2,251.50	0	\$ -
340	ASPHALT CONCRETE PAVEMENT TYPE "D"	242.36	TON	\$ 66.05	\$ 16,007.88	0	\$ -
502	BARRICADES SIGNS & TRAFFIC HANDLING	1.5	MO	\$ 1,500.00	\$ 2,250.00	1.5	\$ 2,250.00
506	CONSTRUCTION EXITS (TY2) (INSTALL)	145	SY	\$ 40.00	\$ 5,800.00	72	\$ 2,880.00
506	CONSTRUCTION EXITS (TY2) (REMOVE)	145	SY	\$ 20.00	\$ 2,900.00	72	\$ 1,440.00
5249	TEMP SEDIMENT CONTROL FENCE (INSTALL)	260	LF	\$ 4.00	\$ 1,040.00	130	\$ 520.00
5249	TEMP SEDIMENT CONTROL FENCE (REMOVE)	260	LF	\$ 1.50	\$ 390.00	0	\$ -
529	CONCRETE CURB & GUTTER	0	LF.	\$ 5.25	\$ -	1145	\$ 6,011.25
530	TURN-OUTS (ASPH CONC-PAV)	145	SY	\$ 11.20	\$ 1,624.00	0	\$ -
644	SMALL ROAD SIGN (TY A)	2	EA	\$ 500.00	\$ 1,000.00	0	\$ -
464	RCP (CL III) (15")	345	LF	\$ 15.50	\$ 5,347.50	0	\$ -
464	RCP (CL III) (18")	108	LF	\$ 17.50	\$ 1,890.00	0	\$ -
467	SAFETY END TREATMENT	4	EA	\$ 800.00	\$ 2,400.00	0	\$ -
530	DRIVEWAYS (TY PRB-1) (ACP) (1")	73	SY	\$ 11.20	\$ 817.60	0	\$ -
530	DRIVEWAYS (TY PRB-1) (CONCRETE)	357.5	LSY	\$ 36.50	\$ 13,048.75	94	\$ 3,431.00
TOTAL CONTRACT AMOUNT					\$ 98,217.37		
TOTAL AMOUNT DUE & COMPLETED TO DATE							\$ 44,630.99

# CHANGE ORDER

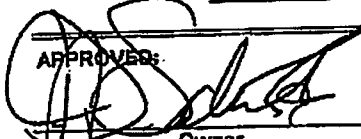
NO. 1


<b>PROJECT:</b> Villa Capri Subdivision <b>OWNER:</b> Hidalgo County Precinct No.3 <b>ADDRESS:</b> 301 East State Street Pharr, Tx 78577  <b>CONTRACTOR:</b> Valley Paving, Inc. <b>ADDRESS:</b> 321 E. 2 Mile Line Mission, TX 78572  <b>CONTRACT FOR:</b> \$98,217.37	<b>DATE OF ISSUANCE:</b> 7/30/2008 <b>OWNER'S PROJECT NO.:</b> CAP-08-008-03-26-LRM 04-82 03-26  <b>ENGINEER:</b> Hinojosa Engineering, Inc  <b>ENGINEER'S PROJECT NO.:</b> 06-167
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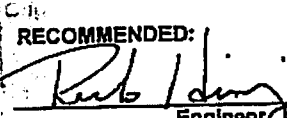
You are hereby directed to make the following changes in the Contract Documents.

**Description:** Curb and Gutter added to Roads  
**Purpose:** Final Quantitative Adjustments.  
**Attachments:** 1. Tabulation of items to be reconciled.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIME:
Original Contract Price: <u>                  \$98,217.37                  </u>	Original Contract Time: <u>                  90 working days                  </u> days
Previous Change Order No.s: <u>          0          </u> <u>                  \$0.00                  </u>	Change from Previous Change Orders <u>                  0 working days                  </u> days
Contract Price prior to this Change Order <u>                  \$98,217.37                  </u>	Contract Time prior to this Change Order <u>                  0 working days                  </u> days
Net Increase of this Change Order <u>                  \$2,437.50                  </u>	Net Increase of this Change Order <u>                  0 working days                  </u> days
Contract Price with all approved Change Orders <u>                  \$100,654.87                  </u>	Contract Time with all approved Change Orders <u>                  90 working days                  </u> days

APPROVED:  8/26/08  
 Owner Date  
 Hidalgo County Judge

APPROVED:  7/30/08  
 Contractor Date  
 Valley Paving, Inc.

RECOMMENDED:  7-31-08  
 Engineer Date  
 Hinojosa Engineering, Inc.

INVOICE RECEIVED BY:           Dolui           ON 7/31/08  
 GOODS/SERVICES RECEIVED BY:           Vargas           ON 7/30/08



**CONTRACT CHANGE ORDER No.1**


03-26  
04-22


Contract No. CAP-08-008-03-26-LRM Date: July 30, 2008  
Change Order No. 1 Project: Villa Capri Subdivision  
To: Valley Paving, Inc. Location: Hidalgo County, TX

You are hereby requested to comply with the following changes from the contract plans and/or specifications:

Item No.	Description of Changes	Decrease in Contract	Increase in Contract
464	RCP CL III (15")	\$5,347.50	
464	RCP CL III (18")	\$1,890.00	
467	Safety End Treatment	\$2,400.00	
529	Concrete Curb and Gutter		\$12,075.00
	Total Decrease	\$9,637.50	
	Total Increase		\$ 00,000.00
	Net Increase in Contract Price		\$ 2,437.50

The sum of \$ 2,437.50 is hereby added to the total contract price of \$ 98,217.37, and the total adjusted contract price to date is \$ 100,654.87. The time for completion of the contract is 90 calendar days. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

Accepted by:  Date: 7/30/08  
Valley Paving, Inc.

Recommended by:  Date: 7-31-08  
Hinojosa Engineering, Inc.

Approved by:  Date: \_\_\_\_\_  
Hidalgo County Judge

Note: Please refer to page 3 for description of changes in quantities and unit prices.



Form 252 (Rev. 12/82)  
Page 1 of 1  
(GSD-EPC Word 97)

### Contract Time Statement

ESTIMATE NO. 1 <sup>03-26</sup> <sub>04-22</sub> CONTRACTOR Valley Paving, Inc.  
 PROJECT NO. CAP-08-008-03-26 LRM COUNTY Hidalgo DATE WORK BEGAN 10/13/08  
 TIME COMPUTED FROM 7:00 A.M. DATE WORK COMPLETED \_\_\_\_\_

MONTH	DATE OR DAYS	WORKING DAYS CHARGED	DAYS CREDITED AND REASONS THEREFORE	
October	13	1	8 Hrs. Royal Dr. & King Dr. - Put up Traffic Control & Relocate mailboxes	
	14	1	8 Royal Dr. & King Dr. - Start to sawcut existing concrete Drives	
	15	1	8 Royal Dr. & King Dr. - Continued to sawcut & Demolish Drives	
	16	1	8 Rained out- Too wet	
	17	1	8 Royal Dr. & King Dr. - Clear Right-of-Ways to demolish Drives	
	20	1	8 Royal Dr. - Demolish Street to cut subgrade	
	21	1	8 Continued to demolish street to cut subgrade	
	22	1	8 King Dr. - Continued to Demolish Street to cut subgrade	
	23	1	8 - Air out subgrade	
	24	1/2	5 Hrs - Cut subgrade to air out	
	27	1	8 - Cut subgrade to air out	
	28	1	8 - Dumping Lime Material	
	29	1	8 - Mix Lime Subgrade	
	30	1	8 - Cut subgrade	
	31			No work
	November	3	1	8 Royal Dr. - Air out Subgrade
		4	1	8 Royal Dr. - air out subgrade Too wet & Spngy
5		1	8 King Dr. - Finish subgrade	
6		1	8 Royal Dr. - Cut subgrade	
7		1	4 1/2 Royal Dr. - Cut subgrade	
		1/2	4 1/2 King Dr. - Rty Caliche Drives for Asphalt Paving	
10		1	8 Dumping caliche	
11		1	8 Set Caliche & Densities before Curb, Tested Caliche & Passed	
12	1	8 Cut, Grade & Line & Subcontractor Poured Curb		
13	1	8 Backfill Curb & Caliche		
14	1/2	4 1/2 Poured Concrete Drives		
17	1	8 King Dr. - Dumping Caliche & backfill Concrete Drives		

TOTALS: 0 0  
 NO. OF CONTRACT WORKING DAYS \_\_\_\_\_ NO. WORKING DAYS CHARGED TO DATE 0  
 ASSESSED LIQUIDATED DAMAGES: NO. \_\_\_\_\_ PER DAY \$ \_\_\_\_\_ TOTAL \$ 0.00  
 CERTIFIED AS CORRECT (ONE COPY HAS BEEN GIVEN TO THE \_\_\_\_\_)  
 RESIDENT ENGINEER

INSTRUCTIONS: PROJECT IDENTIFICATION SHOULD COVER CONTRACT. TIME CREDITED AND REASONS THEREFORE MUST CONFORM TO PROVISIONS OF CONTRACT. NO HOLIDAY CREDIT ALLOWED FOR DAYS PRECEDING OR FOLLOWING LEGAL HOLIDAYS. TIME SUSPENDED AND RESUMED MUST BE SUPPORTED BY COPY EACH OF LETTERS TO CONTRACTOR DATED ON OR BEFORE EFFECTIVE DATES. TIME EXTENSION MUST BE INDICATED AND REFERENCED TO RELATED PROVISIONS OF CONTRACT. SEE BOOKLET OF INSTRUCTIONS CONSTRUCTION ESTIMATES DATED SEPTEMBER 1, 1992.

PARTIAL/FINAL WAIVER OF LIEN

THE STATE OF TEXAS

COUNTY OF HIDALGO

The undersigned contracted with Hidalgo County Precinct No. 3  
to furnish Construction Material and Labor  
in connection with certain improvements to real property in located in Mission, Texas, Hidalgo  
County, Texas and owned by Hidalgo County Precinct No. 3  
Which improvements are described as follows:

Roadway Paving and Drainage Construction for Villa Capri Subdivision

In consideration of Pay Estimate No. 1 in the amount of Forty Thousand, Five Hundred Thirty Dollars and 99/100 (\$ 40,530.99 ) 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 Undresigned 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 bill 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.

Valley Paving, Inc.

CONTRACTOR

By: [Signature] Oscar Cordova, President  
TITLE  
of which is  
tic.

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 17<sup>th</sup> day of November, 2008, to certify which witness my hand and seal of office.



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

My Commission Expires: 02/23/11

**Prevailing Wage Rates  
Certification Statement**

**Date:** November 26, 2008

**Project Name:** Villa Capri Subdivision

**CSJ#** M108078421

**Contractor:** Valley Paving Inc.

**Application#** 1

I, Agapito Vargas 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.

Signature

**Exhibit E-L**

Villa Capri Subdivision  
 Colonia Testing Requirements

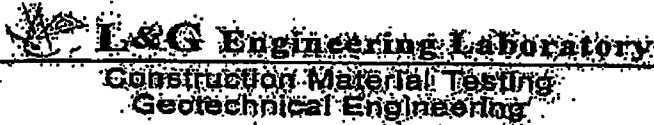
MATERIAL	TEST	DESCRIPTION	REQUIRED	REMARKS	Villa Capri Subdivision	
					Kings Drive	Royal Drive
					CSJ#2C10878421	CSJ#2C10878421
<b>FLEX. BASE</b>	Tex-101-E	Prep. Soils and Flex. Base	YES			
	Tex-103-E	Moisture Content	Optional			
	Tex-104-E	Determining Liquid Limit of Soils	YES			
	Tex-105-E	Determining Plastic Limit of Soils	NO			
	Tex-108-E	Calculating Plasticity Index	YES			
	Tex-110-E	Particle Size Analysis	YES			
	Tex-113-E	Moisture Density Relation of Base Materials (including lime)	YES			
	Tex-118-E	Wet Ball Mill Method	YES			
	Tex-117-E	Triaxial Compression for Base Material (includes lime)	YES			
	Tex-115-E	In-Place Density	YES			
		Thickness	YES			
<b>LIME</b>	Tex-600-J	Lime Testing Procedure	YES	Required for all flexible bases (Caliche)		
<b>HOT MIX</b>	Tex-207-F	Determining Density of Compacted Bituminous Mixtures	YES			
	Tex-208-F	Test for Stability Value of Bituminous Mixtures	Optional			
	Tex-210-F	Deter. Asph. Content of Bituminous Mixtures by Extraction	YES			
	Tex-228-F	Combined HMA/C Cold Belt Sampling and Testing Procedures	YES			
	Tex-238-F	Deter. Asph. Content from Asph. Paving Struct. By Ignition Method	Optional			
	Tex-212-E	Determining Moisture Content of Bituminous Mixtures	NO			
	Tex-213-E	Determining Hydrocarbon - Soluble Content of Bituminous Mixtures	NO			
<b>EMBANKMENTS</b>	Tex-114-E	Laboratory Compaction Charact. & Moist. - Density Relat. Of Subgrade & Embankments Soils	NO			
	Tex-115-E	In-Place Density	NO			
	Texas SDHPT Bulletin C-14		NO			
	ASTM-D-2950.76		NO			
	AASHTO-T-188		NO			

1) Testing for this procedure has been performed and passed.

Prepared and Checked By:

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

Date: 11-20-08



2100 W. Expressway 83 Mercedes, TX 78570 (956) 585-0780  
 900 S. Stewart Rd. Ste. 6 Mission, TX 78572 (956) 583-7117

**PROCTOR  
 TEST REPORT**

Project Description: Villa De Capri Subdv.  
 Client: Hidalgo County Pct. 3  
 Engineer: Hinojosa Engineering  
 Contractor: Valley Paving

L&G Project Number: L37811  
 L&G Report Number: R001  
 Sample Date: 10/28/2008  
 Date Reported: 10/30/2008

Field Number: LS # 1

Page 1 of 2

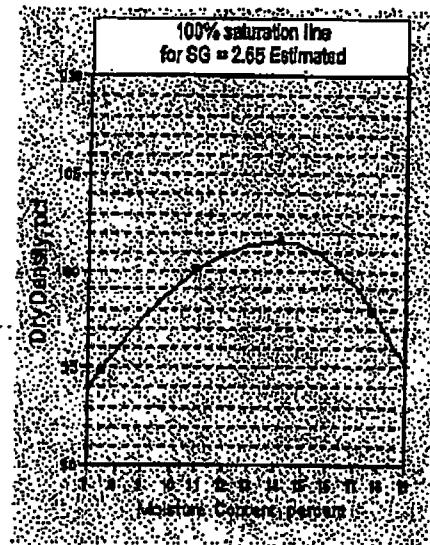
Compaction Method: TEX-114  
 Material Description: Lined Subgrade

Specific Gravity: 2.65

Liquid Limit: 37  
 Plastic Limit: 29  
 Plasticity Index: 8  
 % Passing No. 200: 0.0

Specimen No.:	1	2	3	4
Moisture, %:	7.5	11.1	14.3	17.8
Dry Density (pcf):	94.8	100.0	101.5	97.8

Maximum Dry Density in P.C.F.: 101.5  
 Optimum Moisture (%): 14.2



Remarks: \* -200 Not Performed  
 Test Method: TEX 114 Method-A, Tex 104-E, 105-E, 108-E

Orig: Hidalgo County Pct. 3 (Mission, TX)  
 (1-cc copy)  
 1-cc Hinojosa Engineering  
 1-cc Valley Paving  
 1-cc Laboratory

Respectfully Submitted,  
 L&G Engineering Laboratory

Ricardo A. Gil, Lab Manager

**L&G Engineering Laboratory**  
Construction Material Testing  
Geotechnical Engineering

2100 W. Expressway 83 Mercedes, TX 78570 (956) 585-0760  
900 S. Stewart Rd. Sta. 6 Mission, TX 78572 (956) 583-7117

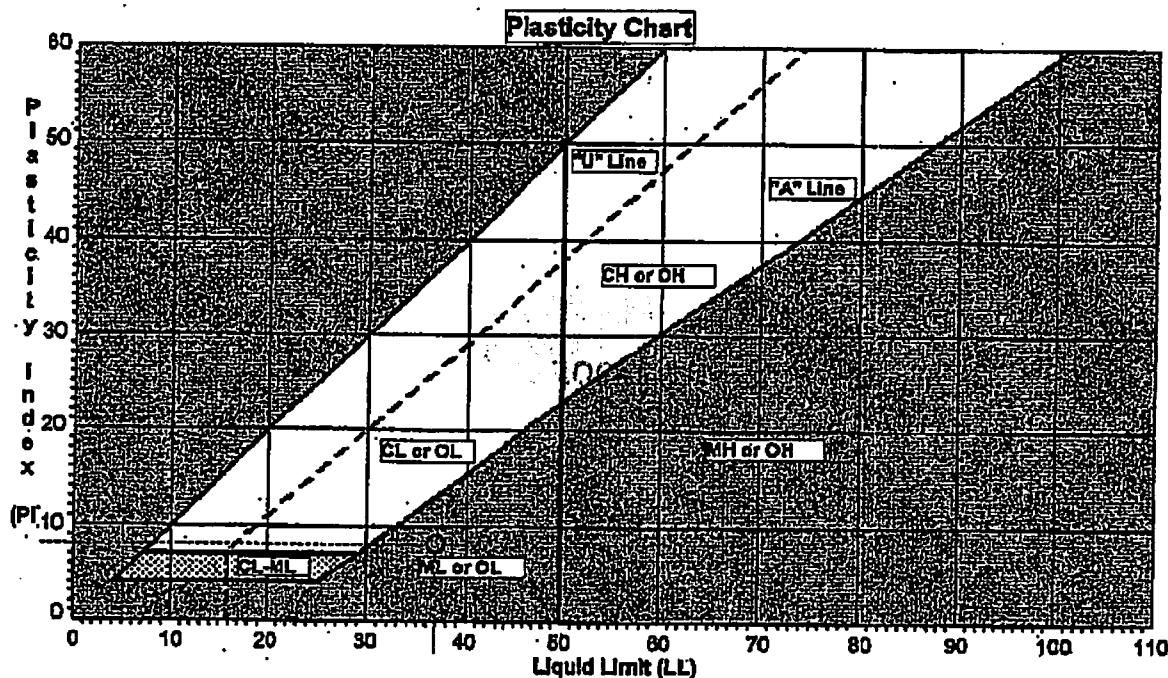
**PROCTOR  
TEST REPORT**

Project Description: Villa De Capri Subdv.  
Client: Hidalgo County Pct. 3  
Engineer: Hinojosa Engineering  
Contractor: Valley Paving

L&G Project Number: L37811  
L&G Report Number: R001  
Sample Date: 10/28/2008  
Date Reported: 10/30/2008

Field Number: LS # 1

Page 2 of 2



Orig: Hidalgo County Pct. 3 (Mission, TX)  
(1-cc copy)  
1-cc Hinojosa Engineering  
1-cc Valley Paving  
1-cc Laboratory

Respectfully Submitted,  
L&G Engineering Laboratory

Ricardo A. Gil, Lab Manager



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900 S. Stewart Rd. Sta. 6 Mission, TX 78572 (956) 583-7117

### SIEVE ANALYSIS TEST REPORT

Project Description: Villa De Capri Subdv.  
Client: Hidalgo County Pct. 3  
Engineer: Hinojosa Engineering  
Contractor: Valley Paving

L&G Project Number: L37811  
L&G Report Number: R003  
Sample Date: 10/28/2008  
Date Reported: 11/19/2008

Field Number: C - #1  
Description: Base Material

Page 1 of 1

Sieve	% Retained	Low	High
2 in	0	0	0
1/2 in	42	20	60
No. 4	61	40	75
No. 40	83	70	90

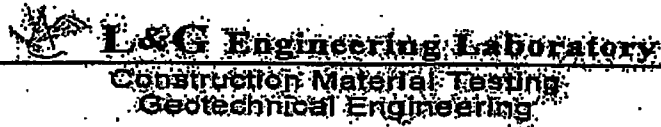
Remarks: Texas Wet Ball Mill Value - 50 %  
Test Method (As Applicable): Tex Method 401-A, Tex 116-E

Orig: Hidalgo County Pct. 3 (R&B) (Hidalgo County Pct. 3)  
(Mission, TX) (1-cc copy)  
1-cc Hinojosa Engineering  
1-cc Valley Paving  
1-cc Laboratory

Respectfully Submitted,  
L&G Engineering Laboratory

Ricardo A. Gil, Lab Manager





2100 W. Expressway 83 Mercedes, TX 78570 (956) 565-0760  
 900 S. Stewart Rd. Ste. 8 Mission, TX 78572 (956) 583-7117

**FIELD DENSITIES  
 TEST REPORT**

Project Description: Villa De Capri Subdv.  
 Client: Hidalgo County Pct. 3  
 Engineer: Hinojosa Engineering  
 Contractor: Valley Paving

L&G Project Number: L37811  
 L&G Report Number: R004  
 Sample Date: 10/30/2008  
 Date Reported: 10/30/2008

Page 1 of 1

Material Description	Limed Subgrade	
Required % Proctor	95	Moisture Tolerance -2+3
	Proctor No	Optimum % Moisture
	LS # 1	14.2
		Opt. Density, LB/CF
		101.5

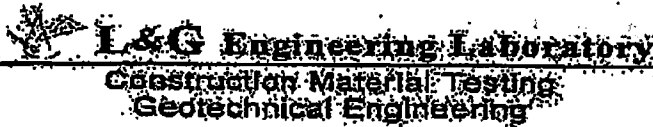
Test No.	Test Location	Proctor No	Moisture Content	Dry Density	Percent Compaction	Inches
1	King James P.O.C. Centerline	LS # 1	14.8%	109.8 pcf	108.0% (Pass)	6"
2	King James Sta. 3 + 50 4' S. of Centerline	LS # 1	14.6%	106.6 pcf	105.0% (Pass)	6"
3	King James Center of Cul-de-Sac Centerline	LS # 1	16.9%	105.8 pcf	104.2% (Pass)	6"

Remarks: Test results are in general compliance with the project specifications except as noted.  
 Test Methods: ASTM D2922, D3017

Orig: Hidalgo County Pct. 3 (R&B) (Hidalgo County Pct. 3)  
 (Mission, TX) (1-cc copy)  
 1-cc Hinojosa Engineering  
 1-cc Valley Paving  
 1-cc Laboratory

Respectfully Submitted,  
 L&G Engineering Laboratory

Ricardo A. Gil, Lab Manager



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 900 S. Stewart Rd. Ste. 6 Mission, TX 78572 (956) 583-7117

**FIELD DENSITIES  
TEST REPORT**

Project Description: Villa De Capri Subdv.  
 Client: Hidalgo County Pct. 3  
 Engineer: Hinojosa Engineering  
 Contractor: Valley Paving

L&G Project Number: L37811  
 L&G Report Number: R005  
 Sample Date: 11/11/2008  
 Date Reported: 11/11/2008

Page 1 of 1

Material Description	Kings Street Undercurb Caliche		
Required % Proctor	121.6	Moisture Tolerance	-2+3
	Proctor No	Optimum % Moisture	Opt. Density, LB/CF
	C- #1	9.5	121.6

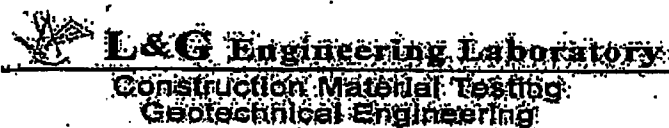
Test No.	Test Location	Proctor No	Moisture Content	Dry Density	Percent Compaction	Inches
1	King St. Station 0+80 Undercurb Eastside	C- #1	11.2%	138.4 pcf	113.8% (Pass)	4"
2	King St. Station 2+75 Undercurb Southside	C- #1	12.3%	136.8 pcf	112.5% (Pass)	4"
3	King St. Station 3+70 Undercurb Northside of Culdesac	C- #1	8.7%	133.1 pcf	109.5% (Pass)	4"

Remarks: Test results are in general compliance with the project specifications except as noted.  
 Test Methods: ASTM D2922, D3017

Orig: Hidalgo County Pct. 3 (R&B) (Hidalgo County Pct. 3)  
 (Mission, TX) (1-cc copy)  
 1-cc Hinojosa Engineering  
 1-cc Valley Paving  
 1-cc Laboratory

Respectfully Submitted,  
 L&G Engineering Laboratory.

Ricardo A. Gil, Lab Manager



2100 W. Expressway 83 Mercedes, TX 78570 (956) 685-0760  
 800 S. Stewart Rd. Ste. 6 Mission, TX 78572 (956) 683-7117

**REPORT OF SITE VISIT  
 TEST REPORT**

Project Description: Villa De Capri Subdv.  
 Client: Hidalgo County Pct. 3  
 Engineer: Hinojosa Engineering  
 Contractor: Valley Paving

L&G Project Number: L37811  
 L&G Report Number: R006  
 Sample Date: 11/12/2008  
 Date Reported: 11/12/2008

Page 1 of 1

On November 12th, 2008 a representative of L&G Engineering Laboratory was dispatched to Villa de Capri to perform inspection of the placement of ready-mix concrete on the curb & gutter.

Specimen Number 10 was obtained and tested at 1:15 PM, and the following were determined:

Concrete Temperature: 81°F                      Entrapped / Entrained Air Content: 2.2%  
 Ambient Temperature: 86°F    Slump: 1 1/4 inches

From Specimen Number 10, a total of three (3) 6x12 cylindrical test specimens were cast for Compressive Strength Testing at intervals of 7 and 28 days.

On November 13th 2008, a representative of L&G Engineering Laboratory was dispatched to the referenced project to collect the cylindrical specimens cast on the placement of curb & gutter. The specimens were delivered to the laboratory where they were stripped, labeled, and placed in a curing tank for testing at intervals of 7 & 28 days.

Test Methods (If Applicable): ASTM C-231, ASTM C-143, STM C-1064, ASTM C-31, ASTM C-172

Orig: Hidalgo County Pct. 3 (R&B) (Hidalgo County Pct. 3)  
 (Mission, TX) (1-cc copy)  
 1-cc Hinojosa Engineering  
 1-cc Valley Paving  
 1-cc Laboratory

Respectfully Submitted,  
 L&G Engineering Laboratory

Ricardo A. Gil, Lab Manager



**HINOJOSA ENGINEERING, INC.**  
 STRUCTURAL ENGINEERING • CIVIL ENGINEERING  
 LAND SURVEYING  
 108 W. 18TH ST. MISSION, TEXAS 78572



**TRANSMITTAL LETTER**

**PROJECT:** Villa Capri Subdivision **PROJECT #** C6-167  
**DATE:** 11/20/08

**TO:** Pct. No. 2  
**ATTN:** Mr. Agripito Vargas

If enclosures are not as noted, please  
 Inform us immediately.  
 If checked below, please,  
 Acknowledge receipt of enclosure.  
 Return enclosures to us.

**WE TRANSMIT:**  
 **HEREWITH**  **UNDER SEPERATE COVER VIA** \_\_\_\_\_  
 **IN ACCORDANCE WITH YOUR REQUEST** \_\_\_\_\_

**FOR YOUR:**  
 **APPROVAL**  **RECORD**  **INFORMATION**  
 **REVIEW & COMMENT**  **DISTRIBUTION TO PARTIES**

**THE FOLLOWING:**  
 **DRAWINGS**  **SHOP DRAWING REPRODUCIBLES**  **SAMPLES**  
 **SPECIFICATIONS**  **SHOP DRAWING PRINTS**  **PRODUCT LITERATURE**  
 **CHANGE ORDER**  **OTHER** \_\_\_\_\_

COPIES	DATE	DESCRIPTION
1		Receipt for Payment # No 1

**REMARKS:** Man Mac **RECEIVED**

NOV 21 2008

**COPIES TO:**  
 FILE

PHON...  
 11/27/08

Border Colonia Access Program  
Checklist for Documentation Required for Road Construction

Contractor: Valley Paving, Inc.  
 Contact Amount: \$98,217.37  
 Project/Precinct: Villa Capri Sub. / Pot. 3  
 Owner's Contract No.: C-CAP-08-008-04-22  
03-26-08

Item	Required Documents	Submitted & Reviewed	Approved	Comments:
	<b>INITIATION OF PROJECT:</b>			
1	Approval to Bid (Purchasing)			
2	Contract - Signed and Executed			
3	Gen. Liability Insurance - (Expiration Date)			
4	Automobile Liab. Insurance - (Expiration Date)			
5	Worker's Comp & Empl. Liab. (Expiration Date)			
6	Notice to Proceed			
7	Material Sample & Testing Table Sent to Auditor's Office			
	<b>PAYMENT REQUESTS, INCLUDING FINAL:</b>			
8	Application and Certification of Payment (A)	✓	✓	
9	Schedule of Values a/k/a 1257/1258	✓	✓	
10	Estimate Quantity Update Worksheet	✓	✓	
11	List of Suppliers and Sub-contractors	✓	✗	Missing
12	Partial Waiver of Liens (Sub-contractors/suppliers)	✓	✓	
13	TxDot Form 252 Contract Time Statement	✓	✓	
14	Payroll Report w/signed Wage Form	✓	✓	
15	Change Order (Requires TxDot Concurrence)	✓	✓	
	<b>RETAINAGE PAYMENT:</b>			
16	Punch List			
17	Certificate of Construction Completion			
18	Approval by Commissioner's Court			
19	Contractor's Affidavit of Release (Waiver) of Liens (with power of attorney)(B)			
20	Affidavit of Payment of Debts & Claims-Lien bond & indemnity bond (with power of attorney)(B)			
21	Consent of Surety to Final Payment (with power of attorney)(B)			
22	Final Blue Prints			