



# Hidalgo County Border Colonias Access Program

28 January 2009

Sharon Slagle, Colonia Project Manager  
Texas Department of Transportation  
600 West Expressway 83  
Pharr, TX 78577

Re: Bid Award Number CAP-08-033-12-31-LRM 2<sup>nd</sup> Call; Dimas I Subdivision CSJ:  
3C1080865 Award Recommendation

Dear Sharon:

Attached please find information regarding the award of the above-referenced 2<sup>nd</sup> Call Colonias Project for road construction and drainage.

Please be advised that the County will proceed to award the bid based on the following:

- 1). Engineers Recommendation
- 2) Bidder meets all County requirements
- 3) Bid is the lowest of bids received
- 4) Cost Breakdown

TEDSI Infrastructure Group has reviewed bids and tabulations and is recommending Valley Paving, Inc. as the low bidder for the above-referenced project. The amount budgeted for this project is \$53,179.00 for road construction and \$16,080.00 for drainage work for a grand total of \$69,259.00. Additional funds will be transferred in from Road and Bridge accounts. This project will be a turn-key project.

The award will be to the low bidder Valley Paving, Inc. for the bid in the amount of \$58,230.30. The bids received were as follows:

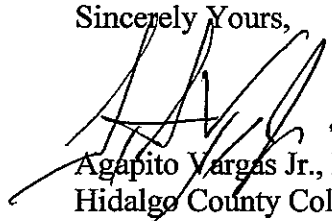
• Valley Paving, Inc.	\$58,230.30
• J.M. Construction	\$77,905.50
• Sascon, Inc.	\$97,774.00
• IOC Company	\$111,037.27

Commissioner Sylvia Handy concurs with the engineering firm's recommendation and will present the recommendation to Commissioner's Court for approval, once concurrence has been provided by TXDOT.

Please note that the County Commissioner's Court will award the contract pending TXDOT concurrence.

If you require additional information, please feel free to contact me at 787-1891 or on my cell phone at 207-9850.

Sincerely Yours,



Agapito Vargas Jr., Director  
Hidalgo County Colonias Access Program Director

Cc: Commissioner Sylvia Handy, Hidalgo County Precinct 1  
Valde Guerra, Commissioner's Court Executive Officer  
Joseph Palacios, Chief Administrator Precinct 1  
John Paul Lugo, HCCAP Precinct Coordinator  
Rossana Schettino, HCCAP Auditor  
Laura R. Moya, HCCAP Buyer II  
Project files



# TEDSI INFRASTRUCTURE GROUP

*Consulting Engineers*

1201 E. Expressway 83 ♦ Mission, Texas 78572

January 20, 2009

Mr. Agapito Vargas Jr  
Executive Director Colonia Access Program  
Hidalgo County Pct 2  
301 E. State St  
Pharr, Texas 78589

***RE: Dimas 1 Subdivision (CAP-08-033-12-31-LRM) Award Recommendation***

Dear Mr. Vargas:

The lowest bidder for above mentioned project is Valley Paving Inc.

We found no errors in Valley Paving Inc bid tabulations as submitted by Hidalgo County Purchasing Department.

Attached find the following documents:

- Bid tabulation analysis for all bidders.
- Valley Paving Inc. letter confirming ability to perform services as per bid documents submitted even though bid was lower than engineer's estimate and other bidders.
- Bid tabulations from all bidders.

It is our recommendation that Hidalgo County award Construction of Dimas 1 to Valley Paving Inc.

If you should have any questions, please do not hesitate to call me at 956.424.7898.

Thank you,



Jose A. Sanchez, P.E.  
Project Manager

Enclosures: as stated

Dimas #1  
 CSJ: 2C1080865  
 Cost Breakdown  
 Precinct 1

Bid Item No.	Item Description	Quantity	Unit	Unit Price	Amount Bid
<b>ROADWAY</b>					
100-502	ROW Preparation	8.89	STA	\$100.00	\$889.00
134-502	Backfill (TY B)	8.89	STA	\$100.00	\$889.00
247-699	FL BS (Rdwy Del) (TY D, GR 6, CL 4)	461	CY	\$39.70	\$18,301.70
310-501	ASPH Material (MC-30)	494	GAL	\$4.25	\$2,099.50
340-511	ASPH Concrete (TY D)	203	TON	\$73.90	\$15,001.70
500-501	Mobilization	1	LS	\$1,975.00	\$1,975.00
502-501	Barricades, Signs and Traffic Handling	1	MO	\$250.00	\$250.00
530-665	Turnouts (ASPH CONC PAV)(PBS-2)	107	SY	\$12.05	\$1,289.35
2500	EN -1 Treated Flexbase (DC)(6")	2766	SY	\$0.50	\$1,383.00
2500	EN - 1 Road Bond (Flexbase)	15	GAL	\$92.20	\$1,383.00
5249-501	Temporary Sediment Control Fence	40	LF	\$1.85	\$74.00
5249-503	Temporary Sediment Control Fence (Remove)	40	LF	\$1.00	\$40.00
			Total Roadwork		\$43,575.25
<b>Drainage</b>					
530-540	Driveways (CONC)(4")	171	SY	\$35.55	\$6,079.05
530-542	Driveways (ASPH CONC PAV)(PB-1)	296	SY	\$11.00	\$3,256.00
556	15" Corrugated ADS Pipe	380	LF	\$14.00	\$5,320.00
			Total Drainage		\$14,655.05
			Project Total		\$58,230.30

**ANALYSIS OF BIDS**  
**Bid No: CAP-08-033-12-31-LRM Road Drainage Construction for Dimas #1 Subdivision**

ITEM	QTY	UNIT	DESCRIPTION	APPARENT LOW BIDDER		J.M. Construction		Sascon		IOC Company	
				Valley Paving	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
100-502	8.89	STA	Preparing ROW	\$100.00	\$889.00	\$550.00	\$4,889.50	\$200.00	\$1,778.00	\$493.00	\$4,382.77
134-502	8.89	STA	Backfill (TY B)	\$100.00	\$889.00	\$500.00	\$4,445.00	\$1,000.00	\$8,890.00	\$520.00	\$4,622.80
247-699	461	CY	FL BS (Rdwy Del)(TY D, GR 6, CL 4)	\$39.70	\$18,301.70	\$24.00	\$11,064.00	\$19.00	\$8,759.00	\$35.00	\$16,135.00
310-501	494	GAL	ASPH Material (MC-30)	\$4.25	\$2,099.50	\$6.00	\$2,964.00	\$7.50	\$3,705.00	\$6.50	\$3,211.00
340-511	203	TON	ASPH Concrete (TY D)	\$73.90	\$15,001.70	\$85.00	\$17,255.00	\$100.00	\$20,300.00	\$100.00	\$20,300.00
500-501	1	LS	Mobilization	\$1,975.00	\$1,975.00	\$1,000.00	\$1,000.00	\$5,500.00	\$5,500.00	\$6,300.00	\$6,300.00
502-501	1	MO	Barricades, Signs and Traffic Handling	\$250.00	\$250.00	\$1,000.00	\$1,000.00	\$3,000.00	\$3,000.00	\$2,505.00	\$2,505.00
530-540	171	SY	Driveways (CONC)(4")	\$35.55	\$6,079.05	\$47.00	\$8,037.00	\$45.00	\$7,695.00	\$36.00	\$6,156.00
530-542	296	SY	Driveways (ASPH CONC PAV)(PB-1)	\$11.00	\$3,256.00	\$24.00	\$7,104.00	\$21.00	\$6,216.00	\$19.00	\$5,624.00
530-665	107	SY	Turnouts (ASPH CONC PAV)(PBS-2)	\$12.05	\$1,289.35	\$27.00	\$2,889.00	\$21.00	\$2,247.00	\$40.50	\$4,333.50
556	380	LF	15" Corrugated ADS Pipe	\$14.00	\$5,320.00	\$17.00	\$6,460.00	\$24.00	\$9,120.00	\$39.50	\$15,010.00
2500	2766	SY	EN-1 Treated Flexbase (DC)(6")	\$0.50	\$1,383.00	\$3.00	\$8,298.00	\$4.00	\$11,064.00	\$7.20	\$19,915.20
2500	15	GAL	EN-1 Road Bond (Flexbase)	\$92.20	\$1,383.00	\$140.00	\$2,100.00	\$100.00	\$1,500.00	\$152.00	\$2,280.00
5249-501	40	LF	Temporary Sediment Control Fence	\$1.85	\$74.00	\$5.00	\$200.00	\$100.00	\$4,000.00	\$4.40	\$176.00
5249-503	40	LF	Temporary Sediment Control Fence (Remove)	\$1.00	\$40.00	\$5.00	\$200.00	\$100.00	\$4,000.00	\$2.15	\$86.00
<b>TOTALS</b>				<b>\$58,230.30</b>		<b>\$77,905.50</b>		<b>\$97,774.00</b>		<b>\$111,037.27</b>	

Contractor's Unit Price OK, TOTAL is incorrect. Unit price rules, total adjusted.

Contractor's sum of column is incorrect. Correct sum rules. Sum of column adjusted.

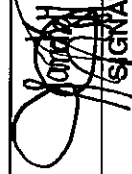
**Bid Documents: Instruction to Bidders ARTICLE 11 (page 5)**

11. Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the correct sum. Discrepancies between words and figures will be resolved in favor of the words.

CONSULTANT ANALYSIS OF BIDS:

Jose A. Sanchez, P.E. TEDSI Infrastructure Group

NAME



SIGNATURE

01.20.2009

DATE

# ANALYSIS OF BIDS

Bid No: CAP-08-033-12-31-LRM Road Drainage Construction for Dimas #1 Subdivision

APPARENT LOW BIDDER				Engineer's Estimate		Difference		
Valley Paving				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	%
100-502	8.89	STA	Preparing ROW	\$100.00	\$889.00	-\$250.00	-\$2,222.50	-71.4%
134-502	8.89	STA	Backfill (TY B)	<del>\$100.00</del>	<del>\$889.00</del>	<del>\$40.00</del>	<del>\$355.60</del>	66.7%
247-699	461	CY	FL BS (Rdwy Del)(TY D, GR 6, CL 4)	<del>\$397.00</del>	<del>\$183,017.00</del>	<del>\$197.00</del>	<del>\$9,081.70</del>	98.5%
310-501	494	GAL	ASPH Material (MC-30)	<del>\$425</del>	<del>\$2,099.50</del>	<del>\$150</del>	<del>\$74.00</del>	54.5%
340-511	203	TON	ASPH Concrete (TY D)	\$73.90	\$15,001.70	-\$1.85	-\$375.55	-2.4%
500-501	1	LS	Mobilization	\$1,975.00	\$1,975.00	-\$13,025.00	-\$13,025.00	-86.8%
502-501	1	MO	Barricades, Signs and Traffic Handling	\$250.00	\$250.00	-\$750.00	-\$750.00	-75.0%
530-540	171	SY	Driveways (CONC)(4")	<del>\$3555</del>	<del>\$607,905</del>	<del>\$555</del>	<del>\$949.05</del>	18.5%
530-542	296	SY	Driveways (ASPH CONC PAV)(PB-1)	\$11.00	\$3,256.00	-\$2.00	-\$592.00	-15.4%
530-665	107	SY	Turnouts (ASPH CONC PAV)(PBS-2)	\$12.05	\$1,289.35	-\$0.95	-\$101.65	-7.3%
556	380	LF	15" Corrugated ADS Pipe	\$14.00	\$5,320.00	-\$6.00	-\$2,280.00	-30.0%
2500	2766	SY	EN-1 Treated Flexbase (DC)(6")	\$0.50	\$1,383.00	-\$4.10	-\$11,340.60	-89.1%
2500	15	GAL	EN-1 Road Bond (Flexbase)	<del>\$9220</del>	<del>\$1,383.00</del>	<del>\$720</del>	<del>\$108.00</del>	8.5%
5249-501	40	LF	Temporary Sediment Control Fence	\$1.85	\$74.00	-\$1.90	-\$76.00	-50.7%
5249-503	40	LF	Temporary Sediment Control Fence (Remove)	\$1.00	\$40.00	-\$0.50	-\$20.00	-33.3%
<b>TOTALS</b>					<b>\$58,230.30</b>		<b>-\$19,547.95</b>	<b>-25.1%</b>

Contractor's price higher than Engineer's Estimate

Contractor's price lower than Engineer's Estimate

Valley Paving consents to having reviewed above information. Valley Paving confirms ability to perform services as per bid prices shown above (bid prices as per bid submitted for CAP-08-033-12-31-LRM Road and Drainage Construction for Dimas#1 Subdivision). Engineer's Estimate for information purposes only.

Signature: \_\_\_\_\_

Printed Name: Oscar Cordova, President

Date: 1-10-09

**BIDDER'S ACKNOWLEDGMENT**

**Bid for  
HIDALGO COUNTY PRECINCT NO. 1  
BID NO: CAP-08-033-12-31-LRM**

To: **Martha L. Salazar, CPPB, Hidalgo County Purchasing Agent  
Hidalgo County Purchasing Department**

US Postal Mail/Courier Address  
Hidalgo County New Administration Building  
2812 S. Business Hwy 281  
Edinburg, Texas 78539

Physical Location:  
Hidalgo County New Administration Building  
2802 S. Business Hwy. 281  
(Southeast of Canton Rd & Business 281)  
Edinburg, Texas 78539

In accordance with the Specifications, and subject to all laws and regulations of the United States and state and local laws, the undersigned bidder proposes and commits to furnish all labor, equipment, material, software and services as set forth in the documents hereinbefore mentioned. The undersigned bidder further agrees, upon acceptance of its bid, to execute a contract and/or Purchase Order issued by Hidalgo County for performing and completing the work described in the Specifications within the time stated and for the prices proposed in the documents attached hereto and made a part hereof.

Bidder acknowledges that a Pre-Bid Conference was scheduled, held and was available for attendance on DECEMBER 24, 2008 at 2:00 pm. At the Hidalgo County New Administration Building-Purchasing Department, 2812 S. Business Hwy. 281, Edinburg, Texas 78539.

Bidder acknowledges receipt of all of the pages of the documents referenced in the Invitation to Bid Checklist presented in connection with this procurement. Bidder understands that Hidalgo County reserves the right to reject any or all bids and further reserves the right to design the evaluation criteria to be used in selecting the lowest and best bid.

Bidder agrees that this bid shall be good and may not be withdrawn for a period of ninety (90) calendar days after the scheduled closing time for receiving bids, as contained in the Specifications.

Respectfully submitted,

Bidder: Valley River Inc.

Address: 321 E. 2 Mile

Mission TX 78574

By: 

Printed Name: Oscar Cordova

Title: President

**BID PROPOSAL FOR  
HIDALGO COUNTY PRECINCT No. 1  
ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION”  
BID NO: CAP-08-033-12-31-LRM**

To: **Martha L. Salazar, CPPB, Hidalgo County Purchasing Agent  
Hidalgo County Purchasing Department**

**US Postal Mail/Courier Address**

**Hidalgo County New Administration Building  
2812 S. Business Hwy 281  
Edinburg, Texas 78539**

**Physical Location:**

**Hidalgo County New Administration Building  
2802 S. Business Hwy. 281  
(Southeast of Canton Rd & Business 281)  
Edinburg, Texas 78539**

Dear Ms. Salazar

Pursuant to the foregoing "Advertisement for Bids", Notice and Instructions to Bidders for **HIDALGO COUNTY COLONIA ACCESS PROGRAM - ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION(S)** in Hidalgo County, the undersigned Bidder having examined the plans and specifications with related documents and carefully read same, and having visited the site of the proposed work, hereby proposes to furnish all necessary superintendence, labor, machinery, equipment, tools, materials, and supplies to construct the project in accordance with the contract documents within the time set forth herein and at the price stated below and noted in the following pages (Note: Only those bid items identified shall be considered as pay items all other work shall be incidental to bid items) Estimated quantities are provided for information only.

**BID ITEMS FOR ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION**

Item No.	Est. Quantity	Unit	Item Description Unit Bid Price In Words	Unit Price (In Figures)	Total Extension (In Figures)
100	8.89	STA	Preparing ROW <u>One Hundred</u> Dollars	\$ <u>100.00</u>	\$ <u>889.00</u>
502			<u>No</u> Cents		
134	8.89	STA	Backfill (TY B) <u>One Hundred</u> Dollars	\$ <u>100.00</u>	\$ <u>889.00</u>
502			<u>No</u> Cents		
247	461	CY	FL BS (Rdwy Del) (TY D, GR 6, CL 4) <u>Thirty Nine</u> Dollars	\$ <u>39.70</u>	\$ <u>10,301.70</u>
699			<u>Seventy</u> Cents		
310	494	GAL	ASPH Material (MC-30) <u>Four</u> Dollars	\$ <u>4.25</u>	\$ <u>2099.50</u>
501			<u>Twenty Five</u> Cents		
340	203	TON	ASPH Concrete (TY D) <u>Seventy Three</u> Dollars	\$ <u>73.90.</u>	\$ <u>15,001.70</u>
511			<u>Ninety</u> Cents		
500	1	LS	Mobilization <u>One Thousand Nine Hundred</u> Dollars	\$ <u>1975.00.</u>	\$ <u>1975.00</u>
501			<u>Seventy</u> Cents		
502	1	MO	Barricades, Signs and Traffic Handling <u>Two hundred fifty</u> Dollars	\$ <u>250.00.</u>	\$ <u>250.00</u>
501			<u></u> Cents		
530	171	SY	Driveways (CONC.) (4") <u>Thirty five</u> Dollars	\$ <u>35.55.</u>	\$ <u>6079.05</u>
540			<u>Fifty-five</u> Cents		
530	296	SY	Driveways (ASPH CONC PAV) (PB-1) <u>Eleven</u> Dollars	\$ <u>11.00.</u>	\$ <u>3256.00</u>
542			<u>No</u> Cents		
530	107	SY	Turnouts (ASPH CONC PAV) (PBS-2) <u>Twelve</u> Dollars	\$ <u>12.05.</u>	\$ <u>1289.35</u>
665			<u>Five</u> Cents		
556	380	LF	15" Corrugated ADS Pipe <u>Fourteen</u> Dollars	\$ <u>14.00.</u>	\$ <u>5320.00</u>
			<u>No</u> Cents		
2500	2766	SY	EN-1 Treated Flexbase (DC)(6") <u>Fifty</u> Dollars	\$ <u>.50.</u>	\$ <u>1383.00</u>
			<u></u> Cents		
2500	15	GAL	EN-1 Road Bond (Flexbase) <u>Ninety-two</u> Dollars	\$ <u>92.20</u>	\$ <u>1383.00</u>
			<u>Twenty</u> Cents		

**BID ITEMS FOR ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION**

Item No.	Est. Quantity	Unit	Item Description Unit Bid Price In Words	Unit Price (In Figures)	Total Extension (In Figures)
5249	40	LF	Temporary Sediment Control Fence <u>One</u> Dollars	\$ <u>1.85</u>	\$ <u>74.00</u>
501			<u>Eighty five</u> Cents		
5249	40	LF	Temporary Sediment Control Fence (Remove) <u>One</u> Dollars	\$ <u>1.00</u>	\$ <u>40.00</u>
503			Cents		
<b>Sub-Total</b>					\$ <u>50,230.30</u>

Fifty Eight thousand, two hundred thirty Dollars & thirty cents.

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The undersigned **Bidder** agrees to commence work after written notice to commence work and to substantially complete the work on which he has bid 60 calendar days as provided in Article 18 of the General Conditions of the Agreement.

Enclosed with this Proposal is a Cashier's Check or Certified Check for \_\_\_\_\_ Dollars (\_\_\_\_\_)

or a Bid Bond in the sum of Five Thousand Dollars (5000.00)

\_\_\_\_\_, which is agreed shall be collected and retained by the **Owner** under the conditions hereof within ten (10) days after the date this proposal is accepted; then otherwise the said bond or check shall be returned to the undersigned upon demand.

Receipts of the following Addenda on these dates shown is acknowledged:

DATE	ACKNOWLEDGE	DATE	ACKNOWLEDGE
#1. <u>12/15/08</u>	<u>[Signature]</u>	#2. _____	_____
#3. _____	_____	#4. _____	_____

Respectfully submitted,

Valley Paving, Inc.  
Name of Firm

By: [Signature] 12/31/08  
Signature Date

President  
Title

321 E. 2 Mile Line  
Address

Mission Tx 78574

**THIS PROPOSAL MUST BE SIGNED BY AN OFFICER OF REPRESENTATIVE DULY AUTHORIZED BY THE BIDDER.**

(Seal, if BID is by a Corporation)

954-585-5908  
Telephone Number

Attest Sandra Berdora

# ADDENDUM NO. 1

December 15, 2008

**“ROAD & DRAINAGE CONSTRUCTION FOR DIMAS#1 SUBDIVISION”**

**BID NO.: CAP-08-033-12-31-LRM**

**Bid Opening Date: December 31, 2008**

**PLEASE NOTE CHANGES AS FOLLOWS:**

No. 1 **BID DOCUMENTS: BID PROPOSAL TABULATION AND PLAN SET: SHEET 6 E&O HAVE CHANGED** BIDS WILL BE RECEIVED AND OPENED AT 9:30A.M. ON WEDNESDAY, December 31, 2008.

I, Oscar Cordova, acknowledge receipt of ADDENDUM NO. 1 dated, October 3, 2005, for RFB- HIDALGO COUNTY BORDER COLONIA ACCESS PROGRAM ROAD & DRAINAGE CONSTRUCTION FOR RENA RAE.

Valley Paving Inc.  
Printed Bidder Name

12/14/08  
Date

**NOTE: PLEASE SUBMIT THIS ADDENDUM WITH YOUR BID PACKET, IN ORDER TO COMPLETE THE BID.....**

## INSTRUCTION TO BIDDERS

### LEGAL NOTICE

Bid No: CAP-08-033-12-31-LRM

1. Sealed bids will be received for "HIDALGO COUNTY COLONIA ACCESS PROGRAM - "ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION" in accordance with the specifications attached as Exhibit "A" hereto. Bids should address all specifications set forth. Bidders may suggest substitutions of features, which they feel would be in the best interest of Hidalgo County ("County"). Strong rationale must be presented for any deviation from the specifications. Hidalgo County reserves the right to reject the deviation and its effect on the overall bid.
2. One (1) original and Three (3) copies of all bids are required with the bidders name and return address clearly typed/printed on upper left hand corner and the proper notation clearly typed/printed on the lower left hand corner of the envelope and/or package: **BID NO: CAP-08-033-12-31-LRM "ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION"** and in Hidalgo County's Purchasing Department Conference Room at Physical Location: 2802 S. Business Hwy. 281, Hidalgo County New Administration Building, Edinburg, Texas 78539, on or before **9:30 a.m., DECEMBER 31, 2008**. **NO FACSIMILES OR LATE ARRIVALS WILL BE ACCEPTED. ANY BID RECEIVED AFTER THAT TIME WILL NOT BE OPENED AND WILL BE RETURNED. OVERNIGHT MAIL MUST ALSO BE PROPERLY LABELED ON THE OUTSIDE OF EXPRESS ENVELOPE OR PACKAGE IN REFERENCE TO BID.** A pre-bid conference will be held at **2:00 p.m., December 24, 2008** at the Hidalgo County New Administration Building-Purchasing Department 2812 S. Business Hwy. 281, Edinburg, Texas 78539. All prospective bidders are encouraged to attend.
3. Hidalgo County reserves the right to separate and accept, or eliminate any item(s) listed under this bid that it deems necessary to accommodate budgetary and/or operational requirements. Hidalgo County also reserves the right to reject any or all bids submitted and further reserves the right to design the evaluation criteria to be used in selecting the lowest and best bid for approval.
4. The Bidder shall not substitute items named in the bid without the express written consent of Hidalgo County. Failure of the delivered item(s) to perform as specified, or failure to meet the stated delivery schedule shall release Hidalgo County from all obligations to the contracting party with regard to the item(s) in question. In such event, Hidalgo County may elect to award the contract to the next-lowest responsible bidder, or to reject all bids and re-advertise.
5. For work to be performed at a Hidalgo County owned or operated location, each bidder shall, in its sole discretion, visit the job site before preparing the bid and thoroughly familiarize himself/herself with existing conditions. Bidder should take field dimensions and note all circumstances, which affect the dollar amount of the bid.
6. Descriptive specifications are referenced in this document to indicate the general kind and quality of equipment desired by Hidalgo County. Due to various styles and models of equipment, bidders are required to include illustrations, specifications, explanation of warranties, and service data with their bid including catalogue numbers and any necessary references.
7. No bid may be withdrawn within thirty (30) days from the scheduled time to open bids.

**BIDDER'S ACKNOWLEDGMENT**

**Bid for  
HIDALGO COUNTY PRECINCT NO. 1  
BID NO: CAP-08-033-12-31-LRM**

To: **Martha L. Salazar, CPPB, Hidalgo County Purchasing Agent  
Hidalgo County Purchasing Department**

US Postal Mail/Courier Address  
**Hidalgo County New Administration Building  
2812 S. Business Hwy 281  
Edinburg, Texas 78539**

Physical Location:  
**Hidalgo County New Administration Building  
2802 S. Business Hwy. 281  
(Southeast of Canton Rd & Business 281)  
Edinburg, Texas 78539**

In accordance with the Specifications, and subject to all laws and regulations of the United States and state and local laws, the undersigned bidder proposes and commits to furnish all labor, equipment, material, software and services as set forth in the documents hereinbefore mentioned. The undersigned bidder further agrees, upon acceptance of its bid, to execute a contract and/or Purchase Order issued by Hidalgo County for performing and completing the work described in the Specifications within the time stated and for the prices proposed in the documents attached hereto and made a part hereof.

Bidder acknowledges that a Pre-Bid Conference was scheduled, held and was available for attendance on DECEMBER 24, 2008 at 2:00 pm. At the Hidalgo County New Administration Building-Purchasing Department, 2812 S. Business Hwy. 281, Edinburg, Texas 78539.

Bidder acknowledges receipt of all of the pages of the documents referenced in the Invitation to Bid Checklist presented in connection with this procurement. Bidder understands that Hidalgo County reserves the right to reject any or all bids and further reserves the right to design the evaluation criteria to be used in selecting the lowest and best bid.

Bidder agrees that this bid shall be good and may not be withdrawn for a period of ninety (90) calendar days after the scheduled closing time for receiving bids, as contained in the Specifications.

Respectfully submitted,

Bidder: IOC Company LLC.

Address: 2546 Frising Ave

Edinburg TX

By: [Signature]

Printed Name: Eric Villanueva

Title: Estimator

**BID ITEMS FOR ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION**

Item No.	Est. Quantity	Unit	Item Description Unit Bid Price In Words	Unit Price (In Figures)	Total Extension (In Figures)
100	8.89	STA	Preparing ROW <u>four hundred ninety three</u> Dollars	\$ <u>493.00</u>	\$ <u>4382.77</u>
502			<u>00/100</u> Cents		
134	8.89	STA	Backfill (TY B) <u>five hundred twenty</u> Dollars	\$ <u>520.00</u>	\$ <u>4622.80</u>
502			<u>zero</u> Cents		
247	461	CY	FL BS (Rdwy Del) (TY D, GR 6, CL 4) <u>thirty five</u> Dollars	\$ <u>35.00</u>	\$ <u>16135.00</u>
699			<u>zero</u> Cents		
310	494	GAL	ASPH Material (MC-30) <u>six</u> Dollars	\$ <u>6.50</u>	\$ <u>3211.00</u>
501			<u>fifty</u> Cents		
340	203	TON	ASPH Concrete (TY D) <u>one hundred</u> Dollars	\$ <u>100.00</u>	\$ <u>20300.00</u>
511			<u>zero</u> Cents		
500	1	LS	Mobilization <u>Six thousand three hundred</u> Dollars	\$ <u>6300.00</u>	\$ <u>6300.00</u>
501			<u>zero</u> Cents		
502	1	MO	Barricades, Signs and Traffic Handling <u>two thousand five</u> Dollars	\$ <u>2505.00</u>	\$ <u>2505.00</u>
501			<u>zero</u> Cents		
530	171	SY	Driveways (CONC.) (4") <u>thirty six</u> Dollars	\$ <u>36.00</u>	\$ <u>6372.00</u>
540			<u>zero</u> Cents		
530	296	SY	Driveways (ASPH CONC PAV) (PB-1) <u>nineteen</u> Dollars	\$ <u>19.00</u>	\$ <u>5624.00</u>
542			<u>zero</u> Cents		
530	107	SY	Turnouts (ASPH CONC PAV) (PBS-2) <u>fourty</u> Dollars	\$ <u>40.50</u>	\$ <u>4333.50</u>
665			<u>fifty</u> Cents		
556	380	LF	15" Corrugated ADS Pipe <u>thirty nine</u> Dollars	\$ <u>39.50</u>	\$ <u>15010.00</u>
			<u>fifty</u> Cents		
2500	2766	SY	EN-1 Treated Flexbase (DC)(6") <u>seven</u> Dollars	\$ <u>7.20</u>	\$ <u>19915.20</u>
			<u>twenty</u> Cents		
2500	15	GAL	EN-1 Road Bond (Flexbase) <u>one hundred fifty two</u> Dollars	\$ <u>152.00</u>	\$ <u>2280.00</u>

**BID ITEMS FOR ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION**

Item No.	Est. Quantity	Unit	Item Description Unit Bid Price In Words	Unit Price (In Figures)	Total Extension (In Figures)
			<u>zero</u> Cents		
5249	40	LF	Temporary Sediment Control Fence	\$ <u>4.40</u>	\$ <u>176.00</u>
			<u>four</u> Dollars		
501			<u>forty</u> Cents		
5249	40	LF	Temporary Sediment Control Fence (Remove)	\$ <u>2.15</u>	\$ <u>86.00</u>
			<u>two</u> Dollars		
503			<u>fifteen</u> Cents		
<b>Sub-Total</b>					\$ <u>11,253.27</u>

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PURCHASING DEPARTMENT  
County Of Hidalgo

December 15, 2008

**RE:**  
**ADDENDUM NO.1**  
**FOR BID No.: CAP-08-033-12-31-**  
**LRM**  
**"ROAD & DRAINAGE**  
**CONSTRUCTION FOR DIMAS#1**  
**SUBDIVISION"**

Dear Gentlemen:

Attached you will find **ADDENDUM NO. 1, PAGE 1 OF 5** in connection with "**HIDALGO COUNTY BORDER COLONIA ACCESS PROGRAM PRECINCT NO. 1**" -request for bids for "**ROAD & DRAINAGE CONSTRUCTION FOR DIMAS#1**".

Please add this **ADDENDUM NO. 1** to your bid packet so as to permit your company to submit a complete bid. See original bid packet **LEGAL NOTICE** page 3 paragraph 9.

Acknowledge receipt of **ADDENDUM NO. 1** by signing and returning this notice to us **VIA FAX AT (956) 318-2629**.

If you do not receive all pages of **ADDENDUM NO. 1** please notify us immediately at (956) 318-2626.

Please be advised that this **ADDENDUM NO. 1** will complete your bid packet for "**HIDALGO COUNTY BORDER COLONIA ACCESS PROGRAM PRECINCT NO 1 - ROAD & DRAINAGE CONSTRUCTION OF DIMAS#1 SUBDIVISION**".

Thank you for your prompt attention to this matter.



Martha L. Salazar, CPPB  
Hidalgo County Purchasing Agent

BY:

  
ADDENDUM NO. 1  
ACKNOWLEDGMENT OF RECEIPT

MLS/lrm

100 E. Cano, 4th Floor, Adm. Bldg. ★ Edinburg, Texas 78539 ★ (956) 318-2626 ★ Fax (956) 318-2629

# ADDENDUM NO. 1

December 15, 2008

“ROAD & DRAINAGE CONSTRUCTION FOR DIMAS#1 SUBDIVISION”

BID NO.: CAP-08-033-12-31-LRM

Bid Opening Date: December 31, 2008

**PLEASE NOTE CHANGES AS FOLLOWS:**

No. 1 **BID DOCUMENTS: BID PROPOSAL TABULATION AND PLAN SET: SHEET 6 E&O HAVE CHANGED** BIDS WILL BE RECEIVED AND OPENED AT 9:30A.M. ON WEDNESDAY, December 31, 2008.

I, Ernie Villanueva, acknowledge receipt of ADDENDUM NO. 1 dated, October 3, 2005, for RFB- HIDALGO COUNTY BORDER COLONIA ACCESS PROGRAM ROAD & DRAINAGE CONSTRUCTION FOR RENA RAE.

Joe Company U.C.

Printed Bidder Name

12/21/08

Date

**NOTE: PLEASE SUBMIT THIS ADDENDUM WITH YOUR BID PACKET, IN ORDER TO COMPLETE THE BID.....**

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

BOND # Z518

KNOW ALL MEN BY THESE PRESENTS, that we

IOC COMPANY, LLC

P.O. BOX 4737 EDINBURG, TX 78540

(Here insert full name, and address or legal title of Contractor)

as Principal, hereinafter called the Principal, and

INTERNATIONAL FIDELITY INSURANCE COMPANY

2425 N. CENTRAL EXPRESSWAY SUITE 458 RICHARDSON, TX 75080

a corporation duly organized under the laws of the State of as Surety, hereinafter called the Surety, are held and firmly bound unto

HIDALGO COUNTY PCT. #1

2812 S. BUSINESS 281 EDINBURG, TX 78539

(Here insert full name, and address or legal title of Owner)

as Obligee, hereinafter called the Obligee, in the sum of 5% Greatest Amount Bid Dollars (\$ 5% G.A.B.), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

**ROAD AND DRAINAGE FOR EL MONTE SUBDIVISION.**

(Here insert full name, address and description of project)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 31st day of December, 2008.

(Witness)

(Witness)

IOC COMPANY, LLC

(Principal)

(Title)

INTERNATIONAL FIDELITY INSURANCE COMPANY

(Surety)

Justin McQuain, Attorney-in-fact

(Title)

# POWER OF ATTORNEY INTERNATIONAL FIDELITY INSURANCE COMPANY

HOME OFFICE: ONE NEWARK CENTER, 20TH FLOOR  
NEWARK, NEW JERSEY 07102-5207

## FOR BID BOND/RIDER/CONSENTS/AFFIDAVITS

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing laws of the State of New Jersey, and having its principal office in the City of Newark, New Jersey, does hereby constitute and appoint

LINDA MAGRUDER, KEVIN MCQUAIN, DEBRA MCQUAIN, JUSTIN MCQUAIN, ERIN MCQUAIN

Spring, TX.

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of Article 3-Section 3, of the By-Laws adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting called and held on the 7th day of February, 1974.

The President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have power and authority

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,
- (2) To remove, at any time, any such attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 29th day of April, 1982 of which the following is a true excerpt:

Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.



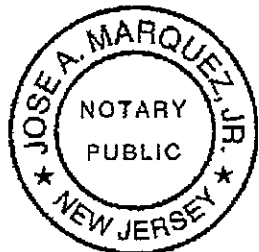
IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 16th day of October, A.D. 2007.

INTERNATIONAL FIDELITY INSURANCE COMPANY

STATE OF NEW JERSEY  
County of Essex

Secretary

On this 16th day of October 2007, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said the he is the therein described and authorized officer of the INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

A NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Nov. 21, 2010

### CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the ORIGINALS ON IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect

IN TESTIMONY WHEREOF, I have hereunto set my hand this 31st day of December, 2008

Assistant Secretary

# Insurance Requirement Acknowledgment

I, Diane Cwellner, authorized representative for Top Company LLC  
Company/Vendor

hereby acknowledge receipt of the County's required insurance limits. Said requirements:

- will be acquired within 10 working days after notification from Purchasing Department of bid awarded by the Hidalgo County Commissioners= Court;
- will acquire additional amounts required to meet the County's requirements within 10 working days after notification from Purchasing Department of bid award by the Hidalgo County Commissioners= Court; currently carry the following:

Automobile Liability: \$ \_\_\_\_\_ General Liability: \$ \_\_\_\_\_

have already been met, see attached copy of insurance certificate.

Diane Cwellner  
Authorized Representative

05/21/08  
Date

## **Notice to Bidder:**

A certificate of insurance for the required insurance limits shall be provided to the Purchasing Department's Contract Managers in order to qualify for award of bid and to execute a contract between your Company and the County

Failure to provide Certificates of Insurance to the Purchasing Department's Contract Managers will cause the bid award to be rescinded and re-awarded to next lowest bidder. Certificates of Insurance will be monitored and verified on a **quarterly** basis to ensure coverage policy is in place. It is the Company's obligation to maintain the appropriate insurance coverage throughout the term of the contract.

**THIS FORM MUST ACCOMPANY BID PACKET**

**ACORD** CERTIFICATE OF LIABILITY INSURANCE DATE (MM/DD/YYYY)  
3/20/2008

PRODUCER (903)342-3721 FAX: (903)342-1312  
 Beverly Onley Insurance Agency  
 701 W Broadway  
 P.O. Box 810  
 Winnsboro TX 75494

INSURED  
 IOC Company, LLC  
 P.O. Box 4737  
 Edinburg TX 78540

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Praetorian Specialty	
INSURER B: Lincoln General	
INSURER C: American Specialty Lines	
INSURER D: Texas Mutual Insurance	
INSURER E:	

**COVERAGES**  
 THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING A REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> \$250. Deductible BLANKET ADDITIONAL INSD GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC BLANKET WAIVER OF SUBROG	PSITX0002469	9/7/2007	9/7/2008	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	3810000744-00 BLANKET ADDITIONAL INSD BLANKET WAIVER OF SUBROG	3/22/2008	3/22/2009	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
C		EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE \$ RETENTION \$	BE5346260	9/7/2007	9/7/2008	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ \$ \$
D		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	TSF-0001173099	10/5/2007	10/5/2008	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A		OTHER RENTED EQPT/All Risk	PSITX0002246	8/4/2007	8/4/2008	\$1000. Deductible \$100,000 Lim
B		PHYSICAL DAMAGE	BINDER	3/22/2008	3/22/2009	\$1000. Deductible on Comp. & Collision


DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

**CERTIFICATE HOLDER**

For information purposes only  
 Please fax cert request to  
 903-342-1312

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE  
 Rob Eppers/NORMA 

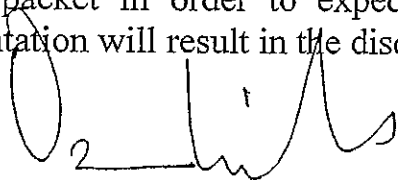
PROJECT REQUIREMENTS  
ACKNOWLEDGMENT

This is to certify that I, Uscor Cuellar, possess all of the APPLICABLE:

1. Licenses: - ok -
2. Bonds: 5% Bid Bond
3. Certificates: \_\_\_\_\_
4. Permits: \_\_\_\_\_
5. Other: \_\_\_\_\_

necessary to carry out the required project. Furthermore, I am providing copies of the required documentation so that, if my company is awarded this bid, I may be eligible to enter into a contract with Hidalgo County and proceed to complete the project in a timely manner.

\* Any licenses, bonds, certificates, permits, etc. which are required must be presented as part of the bid packet in order to expedite the bid evaluation process. Failure to provide said documentation will result in the disqualification of your bid.



Authorized Signature

05/21/08  
Date

Ice Company LLC.  
Company

PO Box 4737  
Address

Edinburg TX 78540  
City, State, Zip

NON-COLLUSION AFFIDAVIT OF PRIME BIDDER

State of ..... ) Texas

County of ..... ) Hidalgo

Oscar Celler, being first duly sworn,

deposes and says that:

(1) He is managing member, of ITC Company LLC., the Bidder that has submitted the attached Bid;

(2) He is fully informed respecting the preparation and contents of this attached bid and of all pertinent circumstances respecting such bid;

(3) Such bid is genuine and is not a collusive or sham Bid;

(4) Neither the said Bidder nor any of its officers, partners, owners, agents, representative:, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix any overhead, profit or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Owner or any person interested in the proposed Contract; and

(5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed) [Signature]

managing member  
(Title)

Subscribed and sworn to before me on this \_\_\_\_\_

day of \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Title



7E 2006 01893471

Eddy Trevino  
County Clerk  
Edinburg, TX 78540

Instrument Number: 2006-1693471

Recorded On: December 04, 2006

As  
Recording

Parties:

To

Billable Pages: 2

Number of Pages: 3

Comment: CONFLICT OF INTERES

\*\* Examined and Charged as Follows: \*\*

Recording	20.00
Total Recording:	20.00

\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2006-1693471  
Receipt Number: 816039  
Recorded Date/Time: December 04, 2006 11:07A

**Record and Return To:**

IOC COMP LLC  
P.O. BOX 4737  
EDINBURG TX 78540

User / Station: M Cantu - Cash Station 17



STATE OF TEXAS  
COUNTY OF HIDALGO

I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas

Eddy Trevino  
County Clerk  
Hidalgo County, TX

### CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire is being filed in accordance with chapter 176 of the Local Government Code by a person doing business with the governmental entity.

By law this questionnaire must be filed with the records administrator of the local government not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY
Date Received

1 Name of person doing business with local governmental entity.  
*IOC COMPANY, LLC*

2  Check this box if you are filing an update to a previously filed questionnaire.  
 (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than September 1 of the year for which an activity described in Section 176.006(a), Local Government Code, is pending and not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Describe each affiliation or business relationship with an employee or contractor of the local governmental entity who makes recommendations to a local government officer of the local governmental entity with respect to expenditure of money.  
*N/A*

4 Describe each affiliation or business relationship with a person who is a local government officer and who appoints or employs a local government officer of the local governmental entity that is the subject of this questionnaire.  
*N/A*

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

Page 2

5 Name of local government officer with whom filer has affiliation or business relationship. (Complete this section only if the answer to A, B, or C is YES.) N/A

This section, item 5 including subparts A, B, C & D, must be completed for each officer with whom the filer has affiliation or business relationship. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income from the filer of the questionnaire?

N/A  Yes  No

B. Is the filer of the questionnaire receiving or likely to receive taxable income from or at the direction of the local government officer named in this section AND the taxable income is not from the local governmental entity?

N/A  Yes  No

C. Is the filer of this questionnaire affiliated with a corporation or other business entity that the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

N/A  Yes  No

D. Describe each affiliation or business relationship.

We work w/ the county through Teds' Eng. Firm not directly w/ the County.

6 Describe any other affiliation or business relationship that might cause a conflict of interest.

N/A

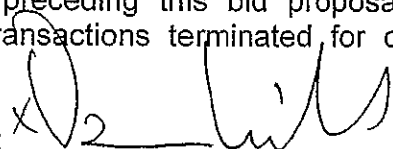
7 [Signature]  
Signature of person doing business with the governmental entity

12/04/2006  
Date

**Certification  
Regarding Debarment, Suspension and Ineligibility**

As is required by the Federal Regulations Implementing Executive Order 12549, Debarment and Suspension, 45 CFR Part 76, Government-wide Debarment and Suspension, the applicant certifies, to the best of his or her knowledge and belief, that both it and its principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency;
- b. Have not within a three-year period preceding this bid proposal and/or application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a government entity with commission of any of the offenses enumerated herein; and
- d. Have not within a three-year period preceding this bid proposal and/or application had one or more public transactions terminated for cause or default.

Signature:   
Print Name: Oscar Cuellar  
Title: insurance member  
Telephone Number: 956-227-9327  
Date: 05/21/04

If the bidder is unable to certify to all of the statements in this Certification, such bidder should attach an explanation to this proposal.

**HIDALGO COUNTY  
PURCHASING DEPARTMENT  
Bidder/Vendor Application**

Complete in print or type. Please return this application to the Hidalgo County Purchasing Department  
thru Facsimile: (956) 318-2629,  
in person or regular mail to: 100 E. Cano St. 4th Floor, Edinburg, Texas 78539 or  
e-mail: purchasing@co.hidalgo.tx.us

Company Name: <u>IOC Company, LLC</u>		Telephone No. <u>(956) 380-2897</u>
dba Name: _____		
Legal Name: <u>IOC Company, LLC</u>		
Mailing Address: <u>PO Box 4737</u>		Fax No. <u>(956) 380-4085</u>
Physical Address: <u>2516 Fatima #4</u>		
City, State, Zip <u>Edinburg, TX 78540</u>		Tax I.D. No. <u>36-4576062</u>
Remit to Address: _____		City, State, Zip _____
E-Mail Address: <u>ioccompany@ioccompany.com</u>		
Representative(s) Name(s) & Title(s) _____		
Type of Organization (check one): <input type="checkbox"/> Individual <input checked="" type="checkbox"/> <u>LLC</u> <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Non-Profit <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Other, Specify _____		
State Identification No. <u>800508682</u>		
Federal Identification No. or (if individual) SS No. <u>36-4576062</u>		
State of Incorporation: <u>TX</u>		Date: <u>6/21/05</u> Other: _____
Type of Business (check one): <input type="checkbox"/> Manufacturer <input type="checkbox"/> Wholesaler <input type="checkbox"/> Retailer <input type="checkbox"/> Broker <input type="checkbox"/> Distributor <input type="checkbox"/> Service Organization <input checked="" type="checkbox"/> Other, Specify <u>Construction</u>		
Name & Title of Person(s) Authorized to Sign Bids, Proposals, and/or Contracts: <u>Osar Cuellar, Managing member; Nancy Cuellar, member</u>		
Small and/or Disadvantaged Business Information (check application criteria)		
Small Business:		Disadvantaged Business (At Least 51% Ownership)
<input type="checkbox"/> Less than 125,000 annual gross receipt	<input type="checkbox"/> Black American	<input type="checkbox"/> Native American
<input type="checkbox"/> Less than 250,000 annual gross receipt	<input checked="" type="checkbox"/> Hispanic American	<input checked="" type="checkbox"/> Women
<input type="checkbox"/> Less than 499,000 annual gross receipt	<input type="checkbox"/> Asian Pacific American	<input type="checkbox"/> Other
<input type="checkbox"/> More than 500,000 annual gross receipt		
Have you been certified as a HUB or an MBE/WBE source?:		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Indicate Certification No.(s): <u>1364576062300</u>		or are Certificate(s) attached?: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What type of product(s) is/are solicited by your company?: <u>site work, utility, paving construction</u>		
Would you like to be provided with specifications for procurements of such products?:		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>To Be Completed by the County:</b>		
Rec'd by: _____	Date Rec'd: _____	Date Forwarded to Auditor's Office: _____
Vendor No.: _____	Entry Date: _____	

**HISTORICALLY UNDERUTILIZED BUSINESS (HUB) DECLARATION**

The primary objective of the Hidalgo County HUB Program is to ensure Historically Underutilized Businesses receive a fair and equal opportunity for participation in the County's procurement process. This fact holds true for Services (Professional & Non-Professional), Commodities, and Construction contracts and any subcontracts thereto. The program strongly encourages Prime Contractors to provide subcontracting opportunities to Certified Hub Contractors/Vendors. Our goal is 30% HUB contractor/vendor participation, as well as HUB subcontractor participation is 30%. To be considered as a "Certified HUB Contractor/Vendor" the contractor/vendor must have been certified by, and hold a current and valid certification with any of the three agencies listed below.

Have you been Certified as a HUB or an MBE/WBE source?:  Yes  No

If yes, by whom?:  State General Services Commission  Other \_\_\_\_\_

Indicate Certification No(s): 1304570062300 or Are Certificate(s) Attached?:  Yes  No

**LIST OF CERTIFIED HUB SUBCONTRACTORS**

(Attach additional pages if necessary)

What percentage of the Bid, RFP, or RFQ is to be subcontracted with Certified HUB sources?: \_\_\_\_\_% (List HUB Subcontractor information below).

HUB Subcontractor Name: \_\_\_\_\_ HUB Status: \_\_\_\_\_  
Certifying Agency (Check all applicable):  State General Services Commission  Other \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_ Phone No.: ( ) \_\_\_\_\_  
Subcontract Amount: \$ \_\_\_\_\_ Description of Work to be Performed: \_\_\_\_\_

HUB Subcontractor Name: \_\_\_\_\_ HUB Status: \_\_\_\_\_  
Certifying Agency (Check all applicable):  State General Services Commission  Other \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_ Phone No.: ( ) \_\_\_\_\_  
Subcontract Amount: \$ \_\_\_\_\_ Description of Work to be Performed: \_\_\_\_\_

HUB Subcontractor Name: \_\_\_\_\_ HUB Status: \_\_\_\_\_  
Certifying Agency (Check all applicable):  State General Services Commission  Other \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_ Phone No.: ( ) \_\_\_\_\_  
Subcontract Amount: \$ \_\_\_\_\_ Description of Work to be Performed: \_\_\_\_\_

# State of Texas

## Historically Underutilized Business Certification and Compliance Program



In accordance with the Memorandum of Agreement between the  
Texas Department of Transportation (TXDOT)  
and the Texas Building & Procurement Commission (TBPC),  
the Commission hereby certifies that

### **IOC COMPANY, LLC.**

has successfully met the established requirements of the  
State of Texas Historically Underutilized Business (HUB)  
Certification and Compliance Program to be recognized as a HUB.

This certificate, printed 28-FEB-2006, supersedes any registration and certificate previously issued by the TBPC's HUB Certification and Compliance Program. If there are any changes regarding the information (i.e., business structure, ownership, day-to-day management, operational control, addresses, phone and fax numbers or authorized signatures) provided in the submission of the business' application for registration/certification into the TXDOT's program, you must immediately (within 30 days of such changes) notify the TXDOT's program in writing. The Commission reserves the right to conduct a compliance review at any time to confirm HUB eligibility. HUB certification may be suspended or revoked upon findings of ineligibility. If your firm ceases to remain certified in the TXDOT's program, you must apply and become certified through the State of Texas HUB program to maintain your HUB certification.

Certificate/VID Number: 1364576062300  
File/Vendor Number: 01714  
Approval Date: 28-FEB-2006  
Expiration Date: 28-FEB-2010

A handwritten signature in black ink that reads "Paul A. Gibson".

Paul A. Gibson  
HUB Certification & Compliance Manager  
Texas Building & Procurement Commission  
(512) 305-9071

Note: In order for State agencies and institutions of higher education (universities) to be credited for utilizing this business as a HUB, they must award payment under the Certificate/VID Number identified above. Agencies and universities are encouraged to validate HUB certification prior to issuing a notice of award by accessing the Internet (<http://www.tbpc.state.tx.us>) or by contacting the TBPC's HUB Certification and Compliance Program at (888) 863-5881 or (512) 463-5872.

**Request for Taxpayer  
 Identification Number and Certification**

Give form to the requester. Do not send to the IRS.

Name (as shown on your income tax return) IOC Company, LLC

Business name, if different from above IOI

Check appropriate box:  Individual/Sole proprietor  Corporation  Partnership  Other LLC  Exempt from backup withholding

Address (number, street, and apt. or suite no.) PO BOX 4737

City, state, and ZIP code Edinburg, TX 78540

List account number(s) here (optional)

Requester's name and address (optional)

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Social security number**  
 | | + | | | | |

or

**Employer identification number**  
31245760162

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

**Sign Here** Signature of U.S. person [Signature] Date 10/23/07

**Purpose of Form**

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

**U.S. person.** Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

In 3 above, if applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

For federal tax purposes, you are considered a person if you are:

- An individual who is a citizen or resident of the United States,
  - A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or
  - Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.
- Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.
- The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:
- The U.S. owner of a disregarded entity and not the entity,

**NON-COLLUSION AFFIDAVIT OF  
PRIME BIDDER**

State of Texas  
County of Hidalgo

Jason Stiles being first duly sworn, deposes and says that

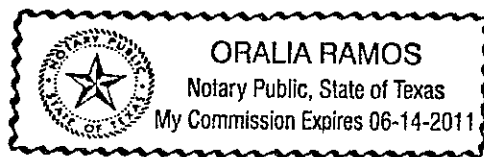
- (1) He is Vice President, of Suscon Iron the Bidder that has submitted the attached bid;
- (2) He is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such bid:
- (3) Such bid is genuine and is not a collusive or sham Bid:
- (4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix any overhead, profit or cost element of the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Owner or any person interested in the proposed Contract; and
- (5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed)   
Vice President  
(Title)

Subscribed and sworn to before me this 30<sup>th</sup>

day of December, 2008  
Oralia Ramos  
Notary Public

My Commission expires: 06/14/2011



**BIDDER'S ACKNOWLEDGMENT**

**Bid for  
HIDALGO COUNTY PRECINCT NO. 1  
BID NO: CAP-08-033-12-31-LRM**

To: **Martha L. Salazar, CPPB, Hidalgo County Purchasing Agent  
Hidalgo County Purchasing Department**

**US Postal Mail/Courier Address  
Hidalgo County New Administration Building  
2812 S. Business Hwy 281  
Edinburg, Texas 78539**

**Physical Location:  
Hidalgo County New Administration Building  
2802 S. Business Hwy. 281  
(Southeast of Canton Rd & Business 281)  
Edinburg, Texas 78539**

In accordance with the Specifications, and subject to all laws and regulations of the United States and state and local laws, the undersigned bidder proposes and commits to furnish all labor, equipment, material, software and services as set forth in the documents hereinbefore mentioned. The undersigned bidder further agrees, upon acceptance of its bid, to execute a contract and/or Purchase Order issued by Hidalgo County for performing and completing the work described in the Specifications within the time stated and for the prices proposed in the documents attached hereto and made a part hereof.

Bidder acknowledges that a Pre-Bid Conference was scheduled, held and was available for attendance on DECEMBER 24, 2008 at 2:00 pm. At the Hidalgo County New Administration Building-Purchasing Department, 2812 S. Business Hwy. 281, Edinburg, Texas 78539.

Bidder acknowledges receipt of all of the pages of the documents referenced in the Invitation to Bid Checklist presented in connection with this procurement. Bidder understands that Hidalgo County reserves the right to reject any or all bids and further reserves the right to design the evaluation criteria to be used in selecting the lowest and best bid.

Bidder agrees that this bid shall be good and may not be withdrawn for a period of ninety (90) calendar days after the scheduled closing time for receiving bids, as contained in the Specifications.

Respectfully submitted,

Bidder: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

**BID ITEMS FOR ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION**

Item No.	Est. Quantity	Unit	Item Description Unit Bid Price In Words	Unit Price (In Figures)	Total Extension (In Figures)
100	8.89	STA	Preparing ROW _____ Dollars _____ Cents	\$ <u>200<sup>00</sup></u> -	\$ <u>1,778<sup>00</sup></u> -
502					
134	8.89	STA	Backfill (TY B) _____ Dollars _____ Cents	\$ <u>1000<sup>00</sup></u> -	\$ <u>8,890<sup>00</sup></u> -
502					
247	461	CY	FL BS (Rdwy Del) ( TY D, GR 6, CL 4) _____ Dollars _____ Cents	\$ <u>19<sup>00</sup></u> -	\$ <u>8,759<sup>00</sup></u> -
699					
310	494	GAL	ASPH Material (MC-30) _____ Dollars _____ Cents	\$ <u>7<sup>50</sup></u> -	\$ <u>3,705<sup>00</sup></u> -
501					
340	203	TON	ASPH Concrete (TY D) _____ Dollars _____ Cents	\$ <u>100<sup>00</sup></u> -	\$ <u>20,300<sup>00</sup></u> -
511					
500	1	LS	Mobilization _____ Dollars _____ Cents	\$ <u>5,500<sup>00</sup></u> -	\$ <u>5,500<sup>00</sup></u> -
501					
502	1	MO	Barricades, Signs and Traffic Handling _____ Dollars _____ Cents	\$ <u>3,000<sup>00</sup></u> -	\$ <u>3,000<sup>00</sup></u> -
501					
530	171	SY	Driveways (CONC.) (4") _____ Dollars _____ Cents	\$ <u>45<sup>00</sup></u> -	\$ <u>7,695<sup>00</sup></u> -
540					
530	296	SY	Driveways (ASPH CONC PAV) (PB-1) _____ Dollars _____ Cents	\$ <u>21<sup>00</sup></u> -	\$ <u>6,216<sup>00</sup></u> -
542					
530	107	SY	Turnouts (ASPH CONC PAV) (PBS-2) _____ Dollars _____ Cents	\$ <u>21<sup>00</sup></u> -	\$ <u>2,247<sup>00</sup></u> -
665					
556	380	LF	15" Corrugated ADS Pipe _____ Dollars _____ Cents	\$ <u>24<sup>00</sup></u> -	\$ <u>9,120<sup>00</sup></u> -
2500	2766	SY	EN-1 Treated Flexbase (DC)(6") _____ Dollars _____ Cents	\$ <u>4<sup>00</sup></u> -	\$ <u>11,064<sup>00</sup></u> -
2500	15	GAL	EN-1 Road Bond (Flexbase) _____ Dollars	\$ <u>100<sup>00</sup></u> -	\$ <u>1,500<sup>00</sup></u> -

**BID ITEMS FOR ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION**

Item No.	Est. Quantity	Unit	Item Description Unit Bid Price In Words	Unit Price (In Figures)	Total Extension (In Figures)
			_____ Cents		
5249	40	LF	Temporary Sediment Control Fence	\$ <u>100</u> -	\$ <u>400</u> -
			_____ Dollars		
501			_____ Cents		
5249	40	LF	Temporary Sediment Control Fence (Remove)	\$ <u>100</u> -	\$ <u>400</u> -
			_____ Dollars		
503			_____ Cents		
				<b>Sub-Total</b>	\$ <u>90,574.<sup>00</sup></u>

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The undersigned **Bidder** agrees to commence work after written notice to commence work and to substantially complete the work on which he has bid 60 calendar days as provided in Article 18 of the General Conditions of the Agreement.

Enclosed with this Proposal is a Cashier's Check or Certified Check for \_\_\_\_\_ Dollars (\_\_\_\_\_)

or a Bid Bond in the sum of \_\_\_\_\_

\_\_\_\_\_ Dollars(\_\_\_\_\_) \_\_\_\_\_), which is agreed shall be collected and retained by the **Owner** under the conditions hereof within ten (10) days after the date this proposal is accepted; then otherwise the said bond or check shall be returned to the undersigned upon demand.

Receipts of the following Addenda on these dates shown is acknowledged:

DATE	ACKNOWLEDGE	DATE	ACKNOWLEDGE
#1. _____	_____	#2. _____	_____
#3. _____	_____	#4. _____	_____

Respectfully submitted,

Smscor Inc.

Name of Firm

By: [Signature] 12-31-08

Signature Date

Vice President

Title

5200 N. 26<sup>th</sup> Lane

Address

MCKAY Tx 78504

**THIS PROPOSAL MUST BE  
SIGNED BY AN OFFICER OF  
REPRESENTATIVE DULY  
AUTHORIZED BY THE BIDDER.**

(Seal, if BID is by a Corporation)

(356) 682-3454

Telephone Number

Attest \_\_\_\_\_



FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
HOME OFFICES: P.O. BOX 1227 BALTIMORE, MD 21203

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, Sascon Inc.  
5200 N 26th Ln (Here insert the name and address or legal title of the Contractor)  
McAllen, TX 78504

\_\_\_\_\_, as Principal, (hereinafter called the "Principal"),  
Fidelity and Deposit Co of MD  
and Colonial American Casualty & Surety Co of Baltimore, Maryland, a corporation duly organized  
(Here insert the name of the Surety)

under the laws of the State of Maryland, as Surety, (hereinafter called the "Surety") are held and firmly bound unto

(Here insert the name and address or legal title of the Owner)

Hidalgo County

\_\_\_\_\_ as Obligee, (hereinafter called the "Obligee"),

in the sum of Five Percent of Greatest Amount of Bid Dollars (5% of G.A.B.),  
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs,  
executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Road & Drainage Improvements  
Dimas # 1 Subdivision

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 17th day of December A.D., 19 2008

[Signature]  
Witness

[Signature] (SEAL)  
Principal  
[Signature]  
Title

FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
 COLONIAL AMERICAN CASUALTY AND SURETY COMPANY

[Signature]  
Witness

By [Signature] (SEAL)  
Title

**Power of Attorney**  
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**  
**COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, corporations of the State of Maryland, by M. P. HAMMOND, Vice President, and ERIC D. BARNES, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **Phillip Lee FOX, Ben D. SMITH, Brian LEWIS, Norma CAMARILLO and Maria ZINIGA**, all of McAllen, Texas, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings, EXCEPT bonds on behalf of Independent Executors, Community Survivors and Community Guardians**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of C. Don BOWMAN, Phillip Lee FOX, Richard E. DOOLEY, dated August 11, 2003.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seals of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, this 11th day of October, A.D. 2007.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**  
**COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**



*Eric D. Barnes*

*Eric D. Barnes* Assistant Secretary

*M. P. Hammond*

By: *M. P. Hammond* Vice President

State of Maryland }  
City of Baltimore } ss:

On this 11th day of October, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came M. P. HAMMOND, Vice President, and ERIC D. BARNES, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Companies aforesaid, and that the seals affixed to the preceding instrument is the Corporate Seals of said Companies, and that the said Corporate Seals and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Constance A. Dunn*

*Constance A. Dunn* Notary Public  
My Commission Expires: July 14, 2011

**BIDDER'S ACKNOWLEDGMENT**

**Bid for  
HIDALGO COUNTY PRECINCT NO. 1  
BID NO: CAP-08-033-12-31-LRM**

To: **Martha L. Salazar, CPPB, Hidalgo County Purchasing Agent  
Hidalgo County Purchasing Department**

**US Postal Mail/Courier Address  
Hidalgo County New Administration Building  
2812 S. Business Hwy 281  
Edinburg, Texas 78539**

**Physical Location:  
Hidalgo County New Administration Building  
2802 S. Business Hwy. 281  
(Southeast of Canton Rd & Business 281)  
Edinburg, Texas 78539**

In accordance with the Specifications, and subject to all laws and regulations of the United States and state and local laws, the undersigned bidder proposes and commits to furnish all labor, equipment, material, software and services as set forth in the documents hereinbefore mentioned. The undersigned bidder further agrees, upon acceptance of its bid, to execute a contract and/or Purchase Order issued by Hidalgo County for performing and completing the work described in the Specifications within the time stated and for the prices proposed in the documents attached hereto and made a part hereof.

Bidder acknowledges that a Pre-Bid Conference was scheduled, held and was available for attendance on DECEMBER 24, 2008 at 2:00 pm. At the Hidalgo County New Administration Building-Purchasing Department, 2812 S. Business Hwy. 281, Edinburg, Texas 78539.

Bidder acknowledges receipt of all of the pages of the documents referenced in the Invitation to Bid Checklist presented in connection with this procurement. Bidder understands that Hidalgo County reserves the right to reject any or all bids and further reserves the right to design the evaluation criteria to be used in selecting the lowest and best bid.

Bidder agrees that this bid shall be good and may not be withdrawn for a period of ninety (90) calendar days after the scheduled closing time for receiving bids, as contained in the Specifications.

Respectfully submitted,

*Juan Mendoza Corporation dba*

Bidder: J. M. Construction

Address: 3701 Jade Street

Weslaco, Tx. 78596

By: 

Printed Name: Juan Mendoza

Title: President

# ADDENDUM NO. 1

December 15, 2008

“ROAD & DRAINAGE CONSTRUCTION FOR DIMAS#1 SUBDIVISION”

BID NO.: CAP-08-033-12-31-LRM

Bid Opening Date: December 31, 2008

**PLEASE NOTE CHANGES AS FOLLOWS:**

No. 1 **BID DOCUMENTS: BID PROPOSAL TABULATION AND PLAN SET: SHEET 6 E&Q HAVE CHANGED** BIDS WILL BE RECEIVED AND OPENED AT 9:30A.M. ON WEDNESDAY, December 31, 2008.

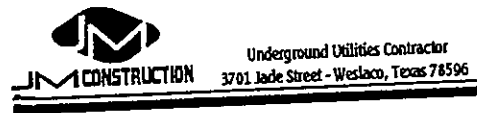
I, Gabriel Carrillo, acknowledge receipt of ADDENDUM NO. 1 dated, October 3, 2005, for RFB- HIDALGO COUNTY BORDER COLONIA ACCESS PROGRAM ROAD & DRAINAGE CONSTRUCTION FOR RENA RAE.



12-30-08

\_\_\_\_\_  
Printed Bidder Name

\_\_\_\_\_  
Date



**NOTE: PLEASE SUBMIT THIS ADDENDUM WITH YOUR BID PACKET, IN ORDER TO COMPLETE THE BID.....**

**BID ITEMS FOR ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION**

Item No.	Est. Quantity	Unit	Item Description Unit Bid Price In Words	Unit Price (In Figures)	Total Extension (In Figures)
100	8.89	STA	Preparing ROW <u>Five hundred Fifty</u> Dollars	\$ <u>550.00</u> -	\$ <u>4,889.50</u> -
502			<u>no</u> Cents		
134	8.89	STA	Backfill (TY B) <u>Five hundred</u> Dollars	\$ <u>500.00</u> -	\$ <u>4,445.00</u> -
502			<u>no</u> Cents		
247	461	CY	FL BS (Rdwy Del) ( TY D, GR 6, CL 4) <u>Twenty four</u> Dollars	\$ <u>24.00</u> -	\$ <u>11,064.00</u> -
699			<u>no</u> Cents		
310	494	GAL	ASPH Material (MC-30) <u>Six</u> Dollars	\$ <u>6.00</u> -	\$ <u>2,964.00</u> -
501			<u>no</u> Cents		
340	203	TON	ASPH Concrete (TY D) <u>Eighty five</u> Dollars	\$ <u>85.00</u> -	\$ <u>17,255.00</u> -
511			<u>no</u> Cents		
500	1	LS	Mobilization <u>One thousand</u> Dollars	\$ <u>1,000.00</u> -	\$ <u>1,000.00</u> -
501			<u>no</u> Cents		
502	1	MO	Barricades, Signs and Traffic Handling <u>One thousand</u> Dollars	\$ <u>1,000.00</u> -	\$ <u>1,000.00</u> -
501			<u>no</u> Cents		
530	171	SY	Driveways (CONC.) (4") <u>Forty seven</u> Dollars	\$ <u>47.00</u> -	\$ <u>8,037.00</u> -
540			<u>no</u> Cents		
530	296	SY	Driveways (ASPH CONC PAV) (PB-1) <u>Twenty four</u> Dollars	\$ <u>24.00</u> -	\$ <u>7,104.00</u> -
542			<u>no</u> Cents		
530	107	SY	Turnouts (ASPH CONC PAV) (PBS-2) <u>Twenty seven</u> Dollars	\$ <u>27.00</u> -	\$ <u>2,889.00</u> -
665			<u>no</u> Cents		
556	380	LF	15" Corrugated ADS Pipe <u>Seventeen</u> Dollars	\$ <u>17.00</u> -	\$ <u>6,460.00</u> -
			<u>no</u> Cents		
2500	2766	SY	EN-1 Treated Flexbase (DC)(6") <u>Three</u> Dollars	\$ <u>3.00</u> -	\$ <u>8,298.00</u> -
			<u>no</u> Cents		
2500	15	GAL	EN-1 Road Bond (Flexbase) <u>One hundred forty</u> Dollars	\$ <u>140.00</u> -	\$ <u>2,100.00</u> -
			<u>no cents</u>		

**BID ITEMS FOR ROAD & DRAINAGE CONSTRUCTION FOR DIMAS #1 SUBDIVISION**

Item No.	Est. Quantity	Unit	Item Description Unit Bid Price In Words	Unit Price (In Figures)	Total Extension (In Figures)
			_____ Cents		
5249	40	LF	Temporary Sediment Control Fence <u>Five</u> Dollars	\$ <u>5.00</u> -	\$ <u>200.00</u> -
501			<u>NO</u> Cents		
5249	40	LF	Temporary Sediment Control Fence (Remove) <u>Five</u> Dollars	\$ <u>5.00</u> -	\$ <u>200.00</u> -
503			<u>NO</u> Cents		
Sub-Total					\$ <u>77,905.50</u>

Seventy seven thousand nine hundred and fifty cents

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The undersigned **Bidder** agrees to commence work after written notice to commence work and to substantially complete the work on which he has bid 60 calendar days as provided in Article 18 of the General Conditions of the Agreement.

Enclosed with this Proposal is a Cashier's Check or Certified Check for \_\_\_\_\_ Dollars ( \_\_\_\_\_ )  
or a Bid Bond in the sum of \_\_\_\_\_ Dollars ( \_\_\_\_\_ )

\_\_\_\_\_, which is agreed shall be collected and retained by the **Owner** under the conditions hereof within ten (10) days after the date this proposal is accepted; then otherwise the said bond or check shall be returned to the undersigned upon demand.

Receipts of the following Addenda on these dates shown is acknowledged:

DATE	ACKNOWLEDGE	DATE	ACKNOWLEDGE
#1. 12-15-08		#2. _____	_____
#3. _____	_____	#4. _____	_____

Respectfully submitted,

Juan Mendora Corporation dba

J. M. Construction

Name of Firm

By: 

Signature

Date

President

Title

3701 Jade Street

Address

Weslaco, TX. 78596

(Seal, if BID is by a Corporation)

Attest 

956-565-5222

Telephone Number

**NON-COLLUSION AFFIDAVIT OF  
PRIME BIDDER**

State of Texas  
County of Hidalgo

Juan Mendoza being first duly sworn, deposes and says that

- (1) He is President of Juan Mendoza Corporation dba J.M. Construction the Bidder that has submitted the attached bid;
- (2) He is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such bid:
- (3) Such bid is genuine and is not a collusive or sham Bid:
- (4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix any overhead, profit or cost element of the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Owner or any person interested in the proposed Contract; and
- (5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed) [Signature]  
President  
(Title)

Subscribed and sworn to before me this 30

day of Dec., 2008

[Signature]  
Notary Public

My Commission expires: \_\_\_\_\_

