



CLOSNER CONSTRUCTION Co., L.C.

2809 W EXPRESSWAY 83

LA FERIA, TX 78559

TEL (956) 797-0785 * FAX (956) 797-0576



DATE: 1-28-2009
TO: Martha Salazar
FROM: Albert Closner
RE: Funds Disbursement Procedure

Ms. Salazar,

Closner Construction was awarded the "**Culvert Crossing & Drainage Improvements Project Mile 13 North & Mile 6 West**" project. We utilize the funds disbursement process with our bonding company and they require the County to disburse all County payments directly to them. Attached is the form directing the County where to send the payments. Expediting this process would be greatly appreciated.

Sincerely,

Albert Closner

EXHIBIT A

CLOSNER CONSTRUCTION CO., LLC
2809 West Expressway 83
La Feria, Texas 78559
Phone: 956-797-0785
Fax: 956-797-0576

IRREVOCABLE DIRECTIVE OF DRAW PROCEEDS

Insurers Indemnity Company ("Surety"), Contract Surety for CLOSNER CONSTRUCTION CO., LLC, ("CONTRACTOR"), has required CONTRACTOR as a condition precedent to issuing its Payment and Performance bonds for the construction of a project known as: **"Culvert Crossing & Drainage Improvements Project Mile 13 North & Mile 6 West"**, to employ the services of a disbursement agent, Aacon, Inc. Aacon, Inc. is to be employed directly by CONTRACTOR and is in no way a party to the agreement between the **Hidalgo County, Texas** ("Owner") and CONTRACTOR.

The Disbursement Agreement between CONTRACTOR and Aacon, Inc. requires that Owner shall direct or cause all contract funds, including, but not limited to retainage, interest, change orders, modifications or claim proceeds, if any, to be deposited into a Project Specific Disbursement Account that has been set up for CONTRACTOR. **The Owner signing herein below irrevocably certifies that all payments made to CONTRACTOR for the construction described above shall be endorsed on the back of the payment check, draft or voucher to include the words;**


Deposit Only to Aacon, Inc., Disbursement Agent for CLOSNER CONSTRUCTION CO., LLC - Hidalgo County, Account No. 805032281, JP MORGAN CHASE BANK.

All payments are to be mailed to: **CLOSNER CONSTRUCTION CO., LLC, C/O Aacon, Inc., 624 West University, PMB #238, Denton, TX 76201-1889** or wire transferred directly to the above described account at: **ABA Routing No. 111000614, JP Morgan Chase Bank, N.A., Denton North Branch #00435, 1200 West University Drive, Denton, Texas 76201.** Aacon, Inc. has the right to change the address to which the funds are to be mailed, or to change the bank and/or account number to which the funds are to be deposited.

This certification is irrevocable by the Owner and can only be changed by written directive of CONTRACTOR with the written consent of the Chief Executive Officer or President of the Surety.

CLOSNER CONSTRUCTION CO., LLC:

HIDALGO COUNTY, TEXAS:



 Print: Jaime Closner
 Its: _____

 Print: _____
 Its: _____
 Phone: _____
 Fax: _____
 Date: _____

B. Dead Body Pick-up & Transport Services with RGV Transport Services, LLC:

a) Renew for an additional one (1) year (as provided in the current contract) under the same rates, terms and conditions; or

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

b) Advertise the project with review and modification of current specifications;

NO Action taken on this item.

C. Autopsy Facility with Ceballos Funeral Home:

a) Renew for an additional one (1) year (as provided in the current contract) under the same rates, terms and conditions; or

NO ACTION taken on this item.

b) Advertise the project with review and modification of current specifications;

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

B. Pct. 1

1. Presentation for discussion, consideration and action on a recommendation by project engineer Dos Logistics, Inc to award to the lowest bidder meeting all specifications for 2008-320B-11-12-LRM "Culvert Crossing & Drainage Improvements Project Mile 13 North & Mile 6 West" and approval of contract subject to Legal Review and receipt of Bonds.

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval subject to funding.

C. Pct 2

1. Requesting approval of Payment Application No. 3 in the amount of \$53,033.40 in connection with the "South Tower Park Project" from contracted vendor, Sanchez United Contracting, Inc., and as recommended by project engineer, R. Gutierrez Engineering Corp., after Auditor's review and processing procedures completed including authority for County Treasurer to issue payment(s)/check(s);

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

2. Presentation for discussion, consideration, acceptance, and approval of request for payment of Invoice No. 2626 in the amount of \$27,716.40 (South Tower Estates Subd.) from R. Gutierrez Engineering Corporation, contracted project engineer for Precinct No. 2, after Auditor's review and processing procedures completed including authority for County Treasurer to issue payment(s)/check(s);

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.