

APPLICATION FOR PAYMENT NO. 2  
(RELEASE OF RETAINAGE)

To: HIDALGO COUNTY (OWNER)  
From: IOC COMPANY, LLC (CONTRACTOR)  
Contract: COLONIA ACCESS PROGRAM  
Project: "ROAD & DRAINAGE CONSTRUCTION FOR CHAPA #3 SUBDIVISION"  
OWNER's Contract No. CAP-07-015-02-20 LRM ENGINEER's Project No. 2C-1080-897  
For Work accomplished through the date of: 09-27-2008

1. Original Contract Price:		\$ <u>35,030.50</u>
2. Net change by Change Orders and Written Amendments (+ or -):		\$ <u>2,314.00</u>
3. Current Contract Price (1 plus 2):		\$ <u>37,344.50</u>
4. Total completed and stored to date:		\$ <u>37,344.50</u>
5. Retainage (per Agreement):		
<u>10</u> % of completed Work:	\$ <u>0.00</u>	
<u>        </u> % of stored material:	\$ <u>0.00</u>	
Total Retainage:		\$ <u>0.00</u>
6. Total completed and stored to date less retainage (4 minus 5):		\$ <u>37,344.50</u>
7. Less previous Application for Payments:		\$ <u>33,610.05</u>
8. DUE THIS APPLICATION (6 MINUS 7):		\$ <u>3,734.45</u>

Accompanying Documentation:

REQ# 132337 - P.O.# 603546

CONTRACTOR'S Certification: 9-1201-206-00-000-001-0-000 → = \$1,759.87  
9-1311-206-00-000-001-0-000 → = \$1,974.58

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 5/26/09

IOC COMPANY, LLC  
CONTRACTOR

By: [Signature]

State of Texas  
County of Hidalgo  
Subscribed and sworn to before me this 7<sup>th</sup>  
day of May, 2009

[Signature]  
Notary Public  
My Commission expires: 1-31-2012



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

INVOICE RECEIVED BY: [Signature] ON 5/29/09  
GOODS/SERVICES RECEIVED BY: [Signature] ON 5/29/09

TEDSI Infrastructure Group  
ENGINEER

By: [Signature]

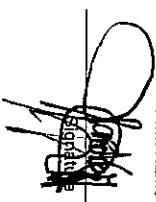


IOC Company, LLC  
 Contractor Name  
 5/28/2008  
 Starting Date  
 10/31/2008  
 Project Ending Date  
 Road and Drainage Construction for Chapa # 3 Subdivision  
 Engineers / County Project Description

Application No.: 2 - Release of Retainage  
 Application Date: 5/26/2009  
 Period To: 9/27/2008  
 Engineers / County Project No.: 2C-1080-997

Item No.	Description	Unit	Original Rates	Value		Value		June-08		July-08		August-08		September-08		Balance To Finish			
				Quan	Dollars	Quan	Dollars	Month Qty	Item Cost	Month Qty	Item Cost	Month Qty	Item Cost	Month Qty	Item Cost	Month Qty	Item Cost	Quan	Dollars
<b>(905) ROADWAY</b>																			
1	Preparation of Flight-of-Way	Sia	\$ 450.00	3.05	1,372.50	0	-	0	-	0	-	0	-	0	-	3.05	1,372.50	0.0	0.0
2	Backfill (TY B)	Sia	\$ 400.00	3.05	1,220.00	0	-	0	-	0	-	0	-	0	-	3.05	1,220.00	0.0	0.0
3	24" FLBS (Rdwy Dealt) (TY D GR 6 CL-4)	C.Y.	\$ 40.00	158	6,320.00	0	-	0	-	0	-	0	-	0	-	158	6,320.00	0.0	0.0
4	310 Asph. Matl. (MC-30)	Gal	\$ 3.00	169	507.00	0	-	0	-	0	-	0	-	0	-	169	507.00	0.0	0.0
5	340 Asph. Conc. TY D	Ton	\$ 125.00	70	8,750.00	0	-	0	-	0	-	0	-	0	-	70	8,750.00	0.0	0.0
6	500 Mobilization	L.S.	\$ 3,000.00	1	3,000.00	0	-	0	-	0	-	0	-	0	-	1	3,000.00	0.0	0.0
7	502 Barricades Signs and Traffic Handling	M6	\$ 1,500.00	1	1,500.00	0	-	0	-	0	-	0	-	0	-	1	1,500.00	0.0	0.0
8	503 Turnouts (Asph-Conc-Parv) (PBS-2)	S.Y.	\$ 23.00	144	3,312.00	0	-	0	-	0	-	0	-	0	-	144	3,312.00	0.0	0.0
9	2500 EN-1 Treat. Flexbase (DC) (6")	S.Y.	\$ 5.00	949	4,745.00	0	-	0	-	0	-	0	-	0	-	949	4,745.00	0.0	0.0
10	2500 EN-1 Roadbond	Gal	\$ 120.00	5	600.00	0	-	0	-	0	-	0	-	0	-	5	600.00	0.0	0.0
11	5249 Tem Seadm Cont Fence (Installed)	L.F.	\$ 5.00	20	100.00	0	-	0	-	0	-	0	-	0	-	20	100.00	0.0	0.0
12	5249 Tem Seadm Cont Fence Handling (Removed)	L.F.	\$ 3.00	20	60.00	0	-	0	-	0	-	0	-	0	-	20	60.00	0.0	0.0
	<b>Total Roadway</b>			<b>31,486.50</b>												<b>31,486.50</b>		<b>0.0</b>	<b>0.0</b>
<b>(906) DRAINAGE</b>																			
13	530 Drieway (Asph Conc Pav) (PB-1)	S.Y.	\$ 28.00	73.0	2,044.00	0	-	0	-	0	-	0	-	0	-	73.0	2,044.00	0.0	0.0
14	556 15" ADS Corrugated Pipe	L.F.	\$ 25.00	60.0	1,500.00	0	-	0	-	0	-	0	-	0	-	60.0	1,500.00	0.0	0.0
	<b>CHANGE ORDER 1</b>																		
15	530 Drieway (Asph Conc Pav) (PB-1)	S.Y.	\$ 28.00	50.0	1,400.00	0	-	0	-	0	-	0	-	0	-	50.0	1,400.00	0.0	0.0
16	556 15" ADS Corrugated Pipe (LABOR ONLY)	L.F.	\$ -	40.0	680.00	0	-	0	-	0	-	0	-	0	-	40.0	680.00	0.0	0.0
	<b>Total Drainage</b>			<b>3,544.00</b>												<b>3,544.00</b>		<b>0.0</b>	<b>0.0</b>
	<b>TOTAL BASE AMOUNTS:</b>			<b>35,030.50</b>		<b>2,314.00</b>										<b>37,344.50</b>		<b>0.0</b>	<b>0.0</b>

Jose A. Sanchez / TSDS  
 Print Name



05/26/09  
 Date



# Texas Department of Transportation

PO BOX 1717 • PHARR TEXAS 78577-1717 • (956) 702-6100

November 26, 2008

Mr. Agapito Vargas, Director  
Hidalgo County Border Colonia Access Program  
301 East State Street  
Pharr, Texas 78577

Dear Mr. Vargas:

TxDOT has completed a final inspection of Hidalgo County Border Colonia Access Program second-call project Chapa 3, CSJ 2C1080150. The project was built according to plans and dimensions on record with TxDOT and drainage was in place. The project looked good.

Please let me know if you have questions.

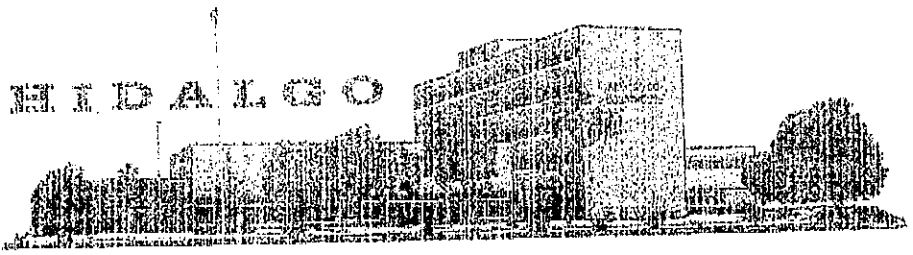
Sincerely,

Sharon Slagle  
Border Colonia Access Program Manager

C O U N T Y

*of*

H I D A L G O



**SYLVIA S. HANDY**  
County Commissioner, Pct. 3  
1902 Joe Stephens Ave.  
Westaco, TX 78596  
(956) 968-8733

May 21, 2009

Agapito Vargas, C.A.P. Director  
Hidalgo County Pct. # 2  
301 E. State St.  
Pbarr, Texas 78577

Re: Puach list for C.A.P. Capisallo Park Paving Project

Dear Mr. Vargas:

The following items were addressed as per final inspection.

- 1) Due to a two year lapse from TXDOT PS & E approval and actual construction of Chapa 3, an additional 40' of corrugated pipe was added to Pineda St.

If you have any question please do not hesitate to contact me at (956) 968-8733

Thank you,

*John Paul Lugo*

John Paul Lugo  
C.A.P. Coordinator, Pct. 1

Cc: Mr. Jose Sanchez, P.E. TEDSI Infrastructure Group



**CONTRACTOR'S AFFIDAVIT OF RELEASE OF LIENS**

**PROJECT:** ROAD AND DRAINAGE CONSTRUCTION FOR CHAPA #3 SUBDIVISION  
**OWNER:** HIDALGO COUNTY **PROJECT NO.** CAP-07-015-02-20 LRM  
**CONTRACTOR:** IOC COMPANY, LLC  
**ENGINEER:** TEDSI INFRASTRUCTURE GROUP

The Contractor, in accordance with the Contract Documents, and in consideration for the full and final payment to the Contractor for all services in connection with the project, does hereby waive and release any and all liens, or any and all claims to liens which the Contractor may have on or affecting the project as a result of its contract(s) for the Project or for performing labor and/or furnishing materials in any way connected with the construction of any aspect of the project. The Contractor further certifies and warrants that all subcontractors of labor and/or materials for the Project, except as listed below, have been paid in full for all labor and/or materials supplied to, for through or at the direct or indirect request of the Contractor prior to, through and including the date of this affidavit.

**EXCEPTIONS:** (If none, write "NONE". The Contractor shall furnish a bond acceptable to the Owner for each exception.)

**CONTRACTOR** IOC COMPANY, LLC

By Miguel

Title member

Subscribed and sworn to before me this 26th day of MAY 2009

Notary Public: Mary Hernandez

My Commission Expires: 1-31-2012



**CONTRACTOR'S AFFIDAVIT OF  
PAYMENTS OF DEBTS AND CLAIMS**

**PROJECT:** ROAD AND DRAINAGE CONSTRUCTION FOR CHAPA #3 SUBDIVISION  
**OWNER:** HIDALGO COUNTY **PROJECT NO.** CAP-07-015-02-20 LRM  
**CONTRACTOR:** IOC COMPANY, LLC  
**ENGINEER:** TEDSI INFRASTRUCTURE GROUP

The Contactor in accordance with the Contract Documents, hereby certifies that, except as listed below, all obligations for all materials and equipment furnished, for all work labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or his property might in any way be held responsible have been paid in full or have otherwise been satisfied in full.

**EXCEPTIONS:** (If none, write "NONE". The Contractor shall furnish a bond acceptable to the Owner for each exception.)

**CONTRACTOR** IOC COMPANY, LLC

By Mary Guller

Title member

Subscribed and sworn to before me this 26<sup>th</sup> day of May 2009

Notary Public: Mary Hernandez

My Commission Expires: 1-31-2012





**TEDSI INFRASTRUCTURE GROUP**



**Consulting Engineers**  
1201 East Expressway 83 ♦ Mission, Texas 78572  
Tel: (956) 424-7898  
Fax: (956) 424-7022

**Letter of Transmittal**

**TO:**  
Ms. Marcie Jackson  
Administrative Assistant  
301 E State  
Pharr TX 78589

**DATE:**  
May 26, 2009

**REFERENCE:**  
Pct 1 Chapa 3 - Request for Payment Retainage Release

**TEDSI PROJECT NO:**  
2008-1024-01

**TRANSMITTED:**  
 For Your Use       Please comment  
 As Requested       Reply ASAP

**DATE:**  
 Approved as Noted  
 As Noted Below

**VIA:**  
 US Mail       Courier  
 E-Mail       Hand Carry

COPIES	DESCRIPTION
1	Request for Payment Retainage Release

**REMARKS**

Signed: \_\_\_\_\_

Border Colonia Access Program  
Checklist for Documents Required for Road Construction

Contractor: IOC Company, LLC  
 Contract Amount: \$ 35,030.50  
 Project/Precinct: Chapa III | Pet #1  
 Owner's Contract No.: \_\_\_\_\_

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			
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	✓	✓	
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)			
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 bonds(w/power of attorney)(B)	✓	✓	
21	Consent of Surety to Final Payment(with power of attorney)(B)			
22	Final Blue Prints			

*Hando Contract & Concessions and signature line  
Judge*