

**APPLICATION FOR PAYMENT NO. 4 "RETAINAGE RELEASE"**

To: HIDALGO COUNTY (OWNER)  
 From: TOTAL COMMITMENT, LLC (CONTRACTOR)  
 Contract: BORDER COLONIA ACCESS PROJECTS - 3rd ROUND  
 Project: LOS ENCINOS NO. 1 & 2 SUBDIVISION(S)  
 Owner's Contract No. C-CAP-09-128-05-05  
 For Work accomplished through the date of: September 29, 2009

Engineer's Project No.: Pct 2 - Los Encinos

1. Original Contract Price:	\$ <u>207,184.80</u>
2. Net change by Change Order and Written Agreements(+or-):	\$ <u>(14,823.85)</u>
3. Current Contract Price (1 plus 2):	\$ <u>192,360.95</u>
4. Total completed and stored to date:	\$ <u>192,360.95</u>
5. Retainage (per Agreement):	
<u>0%</u> of completed Work:	\$ <u>-</u>
_____ of stored material:	\$ <u>-</u>
Total Retainage:	\$ <u>-</u>
6. Total completed and stored to date less retainage (4 minus 5)	\$ <u>192,360.95</u>
7. Less previous Application for Payments:	\$ <u>173,124.85</u>
8. AMOUNT DUE THIS APPLICATION (6 MINUS 7)	\$ <u>19,236.10</u>

*Handwritten note:* A.P. Verif 12.18.09

Accompanying Documentation:

**REQ# 159985 P.O.# 627382**  
**9-1312-206-00-000-004-0-000 → \$19,236.10**  
**Los Encinos #1 & #2 Subdivisions**

**CONTRACTOR'S Certification:**

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR'S legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 2 inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payments is in accordance with the Contract Documents and not defective.

Date: 12-16-09  
 State of Texas  
 County of Hidalgo  
 Subscribed and sworn to before me this day of Dec. 16, 2009.

Total Commitment, LLC  
 CONTRACTOR  
 By: [Signature]

[Signature]  
 Notary Public  
 My Commission expires: 7-6-13

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Date: December 4, 2009

[Signature]  
 ENGINEER

By: Gilberto A Gracia, P.E.



INVOICE RECEIVED BY:  
[Signature] ON 12/17/09  
 GOODS/SERVICES RECEIVED BY:  
[Signature] ON 12/17/09

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Michael Israel Lemus  
Notary Public, State of Texas  
My Commission Expires:  
July 6, 2013



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Estimate Quantity Update Worksheet

Date: December 4, 2009

Colonia: Los Encinos 1 & 2 Subdivisions  
 Roadway: Oak Ave, Michigan Dr, & Over the Hill Dr.  
 Control: CSJ 3C10-808-90 & CSJ 3C10-808-91  
 Project No: C-CAP-09-128-05-05  
 County: HIDALGO  
 Est. No: 4 Retainage

Contractor: TOTAL COMMITMENT, LLC  
 Original Contract Price: \$207,184.80  
 Revised Contract Price: \$192,360.95  
 Total Work Done To-Date: \$192,360.95  
 Project % Complete: 100.00%

Date Began: July 17, 2009  
 Contract Time: 74 calendar days  
 Time Charged: 70 calendar days  
 % Time Used: 94.59%

Work Type: PAVING & DRAINAGE  
 Limits:  
 From: Alamo Road (FM907)  
 To: to the west 480 feet

ITEM NO.	DESCRIPTION	UNIT	ORIGINAL CONTRACT			REVISED CONTRACT			FIRST MONTH			SECOND MONTH			THIRD MONTH			PROJECT BALANCE REMAINING
			QTY	UNIT PRICE	AMOUNT	QTY	UNIT PRICE	AMOUNT	MO. QTY	QTY TO DATE	MONTHLY ITEM COST	MO. QTY	QTY TO DATE	MONTHLY ITEM COST	MO. QTY	QTY TO DATE	MONTHLY ITEM COST	
	(901)ADMINISTRATIVE																	\$ -
	(902) PRELIMINARY ENGINEERING																	INDICATES ZERO BALANCE
	(903) CONSTRUCTION ENGINEERING																	
	(904) RIGHT-OF-WAY																	
	(905) ROADWAY CONSTRUCTION																	
<b>LOS ENCINOS 1 SUBDIVISION</b>																		
100	PREPARING ROW	STA	5.03	\$ 400.00	\$ 2,012.00	5.03	\$ 400.00	\$ 2,012.00	5.03	5.030	\$ 2,012.00	0	0	\$ -	0	0	\$ -	\$ -
110	EXCAVATION	CY	683	\$ 7.00	\$ 4,781.00	683	\$ 7.00	\$ 4,781.00	683	683	\$ 4,781.00	0	0	\$ -	0	0	\$ -	\$ -
164	CELL FIB MULCH SEED (PERM)(URBAN)(C	SY	1100	\$ 1.25	\$ 1,375.00		\$ 1.25	\$ -	0	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -
204	SPRINKLING	MG	20.12	\$ 0.07	\$ 1.41		\$ 0.07	\$ -	0	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -
251	REWORK BS MTL (TY D) (8") DENS CONT)	SY	1979	\$ 3.50	\$ 6,926.50	1979	\$ 3.50	\$ 6,926.50	594	594	\$ 2,079.00	1385	1979	\$ 4,847.50	0	0	\$ -	\$ -
260	LIME TREAT (EXIST MATL) (6") (SUBGR)	SY	2038	\$ 2.00	\$ 4,076.00	2038	\$ 2.00	\$ 4,076.00	1019	1019	\$ 2,038.00	1019	2038	\$ 2,038.00	0	0	\$ -	\$ -
260	LIME (HYD. COM PR QK) (SLURRY)	TON	20.2	\$ 150.00	\$ 3,030.00	20.2	\$ 150.00	\$ 3,030.00	10.1	10.100	\$ 1,515.00	10.1	20.200	\$ 1,515.00	0.0	0	\$ -	\$ -
310	PRIME COAT (MC-30)	GAL	348.4	\$ 5.25	\$ 1,829.10	348.4	\$ 5.25	\$ 1,829.10	0	0	\$ -	0.0	0	\$ -	348.4	348	\$ 1,829.10	\$ -
340	ASPH CONC ACP SURFACE (TY D) (1 1/2")	SY	1742	\$ 7.50	\$ 13,065.00	1742	\$ 7.50	\$ 13,065.00	0	0	\$ -	0	0	\$ -	1742	1742	\$ 13,065.00	\$ -
360	DRIVEWAYS (CONC) (4")	-																
500	MOBILIZATION	LS	1	\$ 1,000.00	\$ 1,000.00	1	\$ 1,000.00	\$ 1,000.00	1	1	\$ 1,000.00	0	0	\$ -	0	0	\$ -	\$ -
502	BARRICADES, SIGNS, AND TRAF HANDLE	LS	2	\$ 1,300.00	\$ 2,600.00	2.0	\$ 1,300.00	\$ 2,600.00	1	1	\$ 1,300.00	1	2	\$ 1,300.00	0	0	\$ -	\$ -
506	TEMP SEDMT CONT FENCE (INSTALL)	LF	50	\$ 2.50	\$ 125.00	50	\$ 2.50	\$ 125.00	0	0	\$ -	0	0	\$ -	50	50	\$ 125.00	\$ -
506	TEMP SEDMT CONT FENCE (REMOVE)	LF	50	\$ 1.00	\$ 50.00	50	\$ 1.00	\$ 50.00	0	0	\$ -	0	0	\$ -	50	50	\$ 50.00	\$ -
529	CONC CURB AND GUTTER (TY A)(BARRIE	LF	1066	\$ 8.00	\$ 8,528.00	1066	\$ 8.00	\$ 8,528.00	0	0	\$ -	1066	1066	\$ 8,528.00	0	0	\$ -	\$ -
530	DRIVEWAYS (TY PRB 1)	SY	144	\$ 22.00	\$ 3,168.00	144	\$ 22.00	\$ 3,168.00	0	0	\$ -	72	72	\$ 1,584.00	72	144	\$ 3,168.00	\$ -
560	MAILBOXES (SINGLE)	EA	7	\$ 125.00	\$ 875.00		\$ 125.00	\$ -	0	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -
644	SMALL RDSG SGN ASSM (TY A)	EA	3	\$ 175.00	\$ 525.00	3	\$ 175.00	\$ 525.00	0	0	\$ -	0	0	\$ -	3	3	\$ 525.00	\$ -
760	CLEAN AND RESHAPE DITCHES (ROAD SI	LF	350	\$ 2.50	\$ 875.00		\$ 2.50	\$ -	0	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -
2001	EN-1 TREAT FLEXBASE (DC) (8")	SY	1979	\$ 1.00	\$ 1,979.00	1979	\$ 1.00	\$ 1,979.00	0	0	\$ -	1979	1979	\$ 1,979.00	0	0	\$ -	\$ -
2001	EN-1 ROADBOND (771CY)	SY	13.33	\$ 65.00	\$ 866.45	13.33	\$ 65.00	\$ 866.45	0	0	\$ -	13.33	13.330	\$ 866.45	0	0	\$ -	\$ -
<b>LOS ENCINOS 1 SUBDIVISION PAVING SUB-SUB-TOTAL</b>					\$ 57,687.46			\$ 54,561.05			\$ 14,725.00			\$ 22,657.95			\$ 17,178.10	
<b>(906) DRAINAGE</b>																		
464	RC PIPE (CL III)(18")	LF	48	\$ 30.00	\$ 1,440.00	40	\$ 30.00	\$ 1,200.00	0	0	\$ -	40	40	\$ 1,200.00	0	0	\$ -	\$ -
467	SET (TY II)(18")(RCP)(1:6)	EA	2	\$ 700.00	\$ 1,400.00	2	\$ 700.00	\$ 1,400.00	0	0	\$ -	2	2	\$ 1,400.00	0	0	\$ -	\$ -
472	REMOVE EXIST CULVERT PIPE	LF	24	\$ 3.00	\$ 72.00	24	\$ 3.00	\$ 72.00	0	0	\$ -	24	24	\$ 72.00	0	0	\$ -	\$ -
480	REMOVE CULVERT S.E.T.	EA	2	\$ 100.00	\$ 200.00	2	\$ 100.00	\$ 200.00	0	0	\$ -	2	2	\$ 200.00	0	0	\$ -	\$ -
<b>LOS ENCINOS 1 SUBDIVISION DRAINAGE SUB-SUB-TOTAL</b>					\$ 3,112.00			\$ 2,872.00			\$ -			\$ 2,872.00			\$ -	
<b>LOS ENCINOS 1 SUBDIVISION SUB-TOTAL</b>					\$ 60,799.46			\$ 57,433.05			\$ 14,725.00			\$ 25,529.95			\$ 17,178.10	

(905) ROADWAY CONSTRUCTION

LOS ENCINOS 2 SUBDIVISION

Item No	Description	STA	Quantity	Unit	Rate	Amount	Item No	Description	STA	Quantity	Unit	Rate	Amount	Item No	Description	STA	Quantity	Unit	Rate	Amount	Item No	Description	STA	Quantity	Unit	Rate	Amount			
100	PREPARING ROW	ST	####		\$ 400.00	\$ 4,916.00	####	\$ 400.00	\$ 4,916.00	12.29	12.290	\$ 4,916.00	0	0	\$ -	0	0	\$ -	\$ -											
110	EXCAVATION	CY	1749		\$ 7.00	\$ 12,243.00	1749	\$ 7.00	\$ 12,243.00	1749	1749	\$ 12,243.00	0	0	\$ -	0	0	\$ -	\$ -											
164	CELL FIB MULCH SEED (PERM)(URBAN)(C	SY	2788		\$ 1.25	\$ 3,485.00		\$ 1.25	\$ -	0	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -											
204	SPRINKLING	MG	49.16		\$ 0.07	\$ 3.44		\$ 0.07	\$ -	0	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -											
251	REWORK BS MTL (TY D) (8") DENS CONT)	SY	4264		\$ 3.50	\$ 14,924.00	4264	\$ 3.50	\$ 14,924.00	2132	2132	\$ 7,462.00	2132	4264	\$ 7,462.00	0	0	\$ -	\$ -											
260	LIME TREAT (EXIST MATL) (6") (SUBGR)	SY	4865		\$ 2.00	\$ 9,730.00	4865	\$ 2.00	\$ 9,730.00	2432.5	2432.5	\$ 4,865.00	2432.5	4865	\$ 4,865.00	0.0	0	\$ -	\$ -											
260	LIME (HYD, COM PR QK) (SLURRY)	TON	50.4		\$ 150.00	\$ 7,560.00	50.4	\$ 150.00	\$ 7,560.00	25.2	25.200	\$ 3,780.00	25.2	50.400	\$ 3,780.00	0.0	0	\$ -	\$ -											
310	PRIME COAT (MC-30)	GAL	793		\$ 5.50	\$ 4,361.50	793	\$ 5.50	\$ 4,361.50	0	0	\$ -	0	0	\$ -	793	793	\$ 4,361.50	\$ -											
340	ASPH CONC ACP SURFACE (Ty D) (1 1/2")	SY	3965		\$ 7.50	\$ 29,737.50	3965	\$ 7.50	\$ 29,737.50	0	0	\$ -	0	0	\$ -	3965	3965	\$ 29,737.50	\$ -											
360	DRIVEWAYS (CONC) (4")	SY	281		\$ 31.50	\$ 8,851.50	281	\$ 31.50	\$ 8,851.50			\$ -	281		\$ 8,851.50	0	0	\$ -	\$ -											
500	MOBILIZATION	LS	1		\$ 1,500.00	\$ 1,500.00	1	\$ 1,500.00	\$ 1,500.00	1	1	\$ 1,500.00	0	0	\$ -	0	0	\$ -	\$ -											
502	BARRICADES, SIGNS, AND TRAF HANDLE	LS	3		\$ 1,500.00	\$ 4,500.00	3.0	\$ 1,500.00	\$ 4,500.00	1	1	\$ 1,500.00	1	2	\$ 1,500.00	1	3	\$ 1,500.00	\$ -											
506	TEMP SEDMT CONT FENCE (INSTALL)	LF	126		\$ 2.50	\$ 315.00	126	\$ 2.50	\$ 315.00	0	0	\$ -	0	0	\$ -	126	126	\$ 315.00	\$ -											
506	TEMP SEDMT CONT FENCE (REMOVE)	LF	126		\$ 1.00	\$ 126.00	126	\$ 1.00	\$ 126.00	0	0	\$ -	0	0	\$ -	126	126	\$ 126.00	\$ -											
529	CONC CURB AND GUTTER (TY A)(BARRIE	LF	2702		\$ 7.80	\$ 21,075.60	2702	\$ 7.80	\$ 21,075.60	0	0	\$ -	2702	2702	\$ 21,075.60	0	0	\$ -	\$ -											
530	DRIVEWAYS (TY PRB 1)	SY	205		\$ 22.00	\$ 4,510.00	205	\$ 22.00	\$ 4,510.00	0	0	\$ -	103	103	\$ 2,266.00	102	205	\$ 2,244.00	\$ -											
560	MAILBOXES (SINGLE)	EA	18		\$ 125.00	\$ 2,250.00		\$ 125.00	\$ -	0	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -											
644	SMALL RDSG SGN ASSM (TY A)	EA	9		\$ 175.00	\$ 1,575.00	9	\$ 175.00	\$ 1,575.00	0	0	\$ -	0	0	\$ -	9	9	\$ 1,575.00	\$ -											
760	CLEAN AND RESHAPE DITCHES (ROAD SI	LF	946.8		\$ 2.50	\$ 2,367.00		\$ 2.50	\$ -	0	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -											
2001	EN-1 TREAT FLEXBASE (DC) (8")	SY	4264		\$ 1.00	\$ 4,264.00	4264	\$ 1.00	\$ 4,264.00	0	0	\$ -	4264	4264	\$ 4,264.00	0	0	\$ -	\$ -											
2001	EN-1 ROADBOND (771CY)	SY	28.72		\$ 65.00	\$ 1,866.80	28.72	\$ 65.00	\$ 1,866.80	0	0	\$ -	28.72	28.720	\$ 1,866.80	0	0	\$ -	\$ -											
LOS ENCINOS 2 SUBDIVISION PAVING SUB-SUB-TOTAL						\$ 140,161.34	\$ 132,055.90						\$ 36,266.00						\$ 55,930.90						\$ 39,859.00					
(906) DRAINAGE																														
464	RC PIPE (CL III)(18")	LF	96		\$ 30.00	\$ 2,880.00	40	\$ 30.00	\$ 1,200.00	0	0	\$ -	40	40	\$ 1,200.00	0	0	\$ -	\$ -											
467	SET (TY II)(18")(RCP)(1:6)	EA	4		\$ 700.00	\$ 2,800.00	2	\$ 700.00	\$ 1,400.00	0	0	\$ -	2	2	\$ 1,400.00	0	0	\$ -	\$ -											
472	REMOVE EXIST CULVERT PIPE	LF	48		\$ 3.00	\$ 144.00	24	\$ 3.00	\$ 72.00	0	0	\$ -	24	24	\$ 72.00	0	0	\$ -	\$ -											
480	REMOVE CULVERT S.E.T.	EA	4		\$ 100.00	\$ 400.00	2	\$ 100.00	\$ 200.00	0	0	\$ -	2	2	\$ 200.00	0	0	\$ -	\$ -											
LOS ENCINOS 2 SUBDIVISION DRAINAGE SUB-SUB-TOTAL						\$ 6,224.00	\$ 2,872.00						\$ -						\$ 2,872.00						\$ -					
LOS ENCINOS 2 SUBDIVISION SUB-TOTAL						\$ 146,385.34	\$ 134,927.90						\$ 36,266.00						\$ 58,802.90						\$ 39,859.00					
LOS ENCINOS 1 & 2 SUBDIVISION(S) PROJECT TOTAL						\$ 207,184.80	\$ 192,360.95						\$ 50,991.00						\$ 84,332.85						\$ 57,037.10					
Monthly Totals:												\$ 50,991.00						\$ 84,332.85						\$ 57,037.10						
ADMINISTRATIVE (901)																														
PRELIMINARY ENGINEERING (902)																														
CONSTRUCTION ENGINEERING (903)																														
RIGHT-OF-WAY (904)																														
ROADWAY (905)												\$ 50,991.00						\$ 78,588.85						\$ 57,037.10						
DRAINAGE (906)												\$ -						\$ 5,744.00						\$ -						

Project Total to Date  
 Roadway (905): \$186,616.95  
 Drainage (906): \$5,744.00  
 Project Total \$192,360.95

Prepared and Checked By:

Signature:  
 Printed Name:

*Gilberto A. Gracia*  
 GILBERTO A. GRACIA

Date: 12-04-09