

AI-17212

4.

**Resolution authorizing Resale
DRAINAGE DISTRICT**

Date: 09/01/2009

Submitted By: Monica Badillo, COMMISSIONERS' COURT EXEC. OFFICE

Department: COMMISSIONERS' COURT EXEC. OFFICE

Information

CAPTION

Discussion and possible action on Resolution authorizing the Resale of Foreclosed Real Estate Properties

BACKGROUND

Fiscal Impact

Attachments

Link: [Resolution](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	08/28/2009 10:44 AM	APRV
2	Perla Lopez	Perla Lopez	08/28/2009 11:06 AM	APRV
3	Final Approval		08/28/2009 05:18 PM	NEW

Form Started By: Monica Badillo

Started On: 08/27/2009 01:45 PM

Final Approval Date: 08/28/2009

PERDUE, BRANDON, FIELDER, COLLINS & MOTT, L.L.P.
ATTORNEYS AT LAW

IN ASSOCIATION WITH

LAW OFFICES OF JOHN DAVID FRANZ

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Form: Edward Ruiz,
Perdue, Brandon, Fielder, Collins & Mott, LLP.
McAllen, Texas 78504

To: Monica Badillo
Commissioners Court Administrators
Hidalgo County Administration Building
Edinburg, Texas 785539

Date: August 26, 2009

Reference:

Agenda Items being place on Hidalgo County Commissioner Court and Drainage District No. 1 agenda on Tuesday, September 1, 2009 meeting.

The agenda items wording is as followed:

Commissioner Court

Presentation by delinquent tax attorneys on the delinquent tax collections report for the period of July 1, 2008 through June 30, 2009.

Discussion and possible action on a Order authorizing the resale of real estate properties, which were foreclosed upon for failure to pay ad valorem taxes.

Hidalgo County Drainage District No. 1

Discussion and possible action on a Resolution authorizing the resale of real estate properties, which were foreclosed upon for failure to pay ad valorem taxes.

Thank You!

**RESOLUTION OF THE BOARD OF
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1**

On the 1st of September,2009, at the regularly scheduled meeting of the Board of Hidalgo County Drainage District No. 1, a motion was duly made and seconded for to resell property described on Exhibit "A" attached hereto, which was acquired through tax foreclosure proceedings. The properties were sold in accordance with Texas Tax Code Ann. §34.05.

Discussion was then conducted, and upon completion of the same the Chairman of the Board called for a vote on the motion, and the same was passed by majority. Now therefore:

BE IT RESOLVED that the Board of Hidalgo County Drainage District No. 1 approves the bids received on the properties described in the attached Exhibit "A" and authorizes the Chairman of the Board to execute tax resale deeds conveying the approved properties.

SIGNED on this 1st day of September, 2009.

**J.D. Salinas,
Chairman of the Board of Hidalgo
County Drainage District No. 1**

ATTESTED BY:

Secretary

Exhibit "A"

(Tax Resale Property)

**HIDALGO COUNTY
TAX RESALE PROPERTIES
MARCH 2009**

CAUSE No.	STYLE OF CASE	LEGAL DESCRIPTION	BID	COUNTY AMOUNTS
T-441-02-F (1)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Manuel Bueno	Ruthven-Donna Subdivision, Lots 10 and 11, Block 12, City of Donna, Hidalgo County, Texas (R4700-00-012-0010-00)	\$6,600	\$478.08
T-772-03-G (2)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Antenojenes Reyes	Tract 1: Colonia Maria Addition, Lot 1, Block 5, City of Donna, Hidalgo County, Texas, (C7400-00-005-001-00)	\$4,000	\$343.23
T-772-03-G (3)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Antenojenes Reyes	Tract 2: Colonia Maria Addition, Lot 2, Block 5, City of Donna, Hidalgo County, Texas, (C7400-00-005-001-00)	\$3,500	\$258.23
T-772-03-G (4)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Antenojenes Reyes	Tract 3: Colonia Maria Addition, Lot 3 and 4, Block 5, City of Donna, Hidalgo County, Texas, (C7400-00-005-001-00)	\$5,000	\$513.23
T-169-03-G (5)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 1: Balli Estates Subdivision, Lot 1, Block 1, City of Donna, Hidalgo County, Texas (B0500-00-001-0001-00)	\$1,200	\$192.72
T-169-03-G (6)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 2: Balli Estates Subdivision, Lot 7, Block 1, City of Donna, Hidalgo County, Texas (B0500-00-001-0001-00)	\$800	\$60.72
T-169-03-G (7)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 3: Balli Estates Subdivision, Lot 8, Block 1, City of Donna, Hidalgo County, Texas (B0500-00-001-0001-00)	\$3,000	\$691.36

**HIDALGO COUNTY
TAX RESALE PROPERTIES
MARCH 2009**

T-169-03-G (8)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 3: Balli Estates Subdivision, Lot 10, Block 1, City of Donna, Hidalgo County, Texas (B0500-00-001-0001-00)	\$4,300	\$1,105.20
T-169-03-G (9)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 8: Commercial Reserve, Balli Estates Subdivision, The East 112.4 feet and the West 244.20 feet of Lot 11, Block 2, City of Donna, Hidalgo County, Texas (B0500-00-002-0011-00)	\$27,000	\$7,123.68
T-169-03-G (10)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 18: Balli Estates Subdivision, Lot 24, Block 4, City of Donna, Hidalgo County, Texas (B0500-00-004-0024-00)	\$2,000	\$387.52
T-169-03-G (11)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 19: Balli Estates Subdivision, Lot 25, Block 4, City of Donna, Hidalgo County, Texas (B0500-00-004-0025-00)	\$800	\$0.00
T-169-03-G (12)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 29: Balli-Guzman Subdivision, Number 2, All of Lot 13, City of Donna, Hidalgo County, Texas (B0400-02-000-0013-00)	\$1,800	\$236.80
T-169-03-G (13)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 29: Balli-Guzman Subdivision, Number 2, All of Lot 14, City of Donna, Hidalgo County, Texas (B0400-02-000-0014-00)	\$2,000	\$276.80
T-169-03-G (14)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 29: Balli-Guzman Subdivision, Number 2, All of Lot 15, City of Donna, Hidalgo County, Texas (B0400-02-000-0015-00)	\$1,200	\$116.80
T-169-03-G (15)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 29: Balli-Guzman Subdivision, Number 2, All of Lot 16, City of Donna, Hidalgo County, Texas (B0400-02-000-0016-00)	\$2,000	\$276.80

**HIDALGO COUNTY
TAX RESALE PROPERTIES
MARCH 2009**

T-169-03-G (16)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 29: Balli-Guzman Subdivision, Number 2, All of Lot 17, City of Donna, Hidalgo County, Texas (B0400-02-000-0017-00)	\$1,100	\$96.80
T-169-03-G (17)	Donna ISD, City of Donna, South Texas College and Hidalgo County vs. Guillermina G. Balli	Tract 29: Balli-Guzman Subdivision, Number 2, All of Lot 18, City of Donna, Hidalgo County, Texas (B0400-02-000-0018-00)	\$1,100	\$96.80
T-016-02-G (23)	Edinburg CISD, City of Edinburg and South Texas College vs. Jose Comejo	Victory Subdivision, Lot 6, Block 6, City of Edinburg, Hidalgo County, Texas (V3400-00-006-0006-00)	\$10,000	\$1,649.60
T-1407-03-C (24)	Edinburg CISD, City of Edinburg and South Texas College vs. Denise Lugo	King Subdivision, Lot 7, City of Edinburg, Hidalgo County, Texas (K5100-00-000-0007-00)	\$6,600	\$968.00
T-262-04-A (25)	Edinburg CISD, City of Edinburg, South Texas College and Hidalgo County vs. Cindy Martinez	Fountain Park Subdivision, Unit 1, Lot 22, Block 2, City of Edinburg, Hidalgo County, Texas (F5850-01-002-0022-00)	\$19,000	\$3,525.40
T-270-04-I (26)	Edinburg CISD, City of Edinburg, South Texas College and Hidalgo County vs. Grupo Financiero / Internacional, Inc	Tract 1: Las Alamedas Subdivsion, Lot 63, City of Edinburg, Hidalgo County, Texas (L0370-01-000-0063-00)	\$1,400	\$0.00
T-270-04-I (27)	Edinburg CISD, City of Edinburg, South Texas College and Hidalgo County vs. Grupo Financiero / Internacional, Inc	Tract 2: Las Alamedas Subdivsion, Lot 67, City of Edinburg, Hidalgo County, Texas (L0370-01-000-0067-00)	\$1,300	\$0.00
T-270-04-I (28)	Edinburg CISD, City of Edinburg, South Texas College and Hidalgo County vs. Grupo Financiero / Internacional, Inc	Tract 3: Las Alamedas Subdivsion, Lot 68, City of Edinburg, Hidalgo County, Texas (L0370-01-000-0068-00)	\$400	\$0.00

**HIDALGO COUNTY
TAX RESALE PROPERTIES
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T-270-04-I (29)	Edinburg CISD, City of Edinburg, South Texas College and Hidalgo County vs. Grupo Financiero / Internacional, Inc	Tract 4: Las Alamedas Subdivsion, Lot 91, City of Edinburg, Hidalgo County, Texas (L0370-01-000-0091-00)	\$650	\$0.00
T-270-04-I (30)	Edinburg CISD, City of Edinburg, South Texas College and Hidalgo County vs. Grupo Financiero / Internacional, Inc	Tract 5: Las Alamedas Subdivsion, Lot 141-A, City of Edinburg, Hidalgo County, Texas (L0370-01-000-0141-01)	\$550	\$0.00
T-1227-04-C (31)	Edinburg CISD, City of Edinburg, South Texas College and Hidalgo County vs. Mario Miranda Chimal	Tract 1: Las Alamedas Subdivsion, Lot 86, City of Edinburg, Hidalgo County, Texas (L0370-01-000-0086-00)	\$400	\$0.00
T-1227-04-C (32)	Edinburg CISD, City of Edinburg, South Texas College and Hidalgo County vs. Mario Miranda Chimal	Tract 2: Las Alamedas Subdivsion, Lot 87, City of Edinburg, Hidalgo County, Texas (L0370-01-000-0087-00)	\$550	\$0.00
T-1227-04-C (33)	Edinburg CISD, City of Edinburg, South Texas College and Hidalgo County vs. Mario Miranda Chimal	Tract 3: Las Alamedas Subdivsion, Lot 89, City of Edinburg, Hidalgo County, Texas (L0370-01-000-0089-00)	\$750	\$0.00
T-371-05-B (34)	Edinburg CISD, South Texas College and Hidalgo County vs. Allen E. Gray, Jr	Original Townsite - Hargill , Lot 1, 2, 3 and 4, Block 120, City of Hargill, Hidalgo County, Texas (H1200-00-120-0001-00)	\$8,500	\$1,625.25
T-530-05-H (36)	La Villa ISD, City of La Villa, South Texas College and Hidalgo County vs. Marcelo Reyna, Jr.	East Side Addition, The West 50 feet of the East 100 feet of Lot 9, Block 1, City of La Villa, Hidalgo County, Texas (E1400-00-001-0009-02)	\$5,500	\$747.80
T-1259-06-H (37)	La Villa ISD, City of La Villa, South Texas College vs. Enrique Perez	Original Townsite - La Villa, The North 10 feet, of Lot 9 and the South 25 feet of Lot 10, Block 51, City of La Villa, Hidalgo County, Texas (L2050-00-051-0010-00)	\$3,000	\$381.26

**HIDALGO COUNTY
TAX RESALE PROPERTIES
MARCH 2009**

T-020-07-D (38)	La Villa ISD, City of La Villa, South Texas College vs. Anita Mejia	Original Townsite - La Villa, Lots 24 and 25, Block 35, City of La Villa, Hidalgo County, Texas (L2050-00-035-0024-00)	\$2,100	\$144.59
T-851-02-E (39)	McAllen ISD, City of McAllen, South Texas College and Hidalgo County vs. Ernest H. Tuchscherer	Tract 1: Whispering Winds Subdivision, Lot 22, City of McAllen, Hidalgo County, Texas (W4900-00-000-0022-00)	\$7,300	\$1,705.34
T-851-02-E (40)	McAllen ISD, City of McAllen, South Texas College and Hidalgo County vs. Ernest H. Tuchscherer	Tract 2: Whispering Winds Subdivision, Lot 22, City of McAllen, Hidalgo County, Texas (W4900-00-000-0023-00)	\$9,000	\$1,408.80
T-851-02-E (41)	McAllen ISD, City of McAllen, South Texas College and Hidalgo County vs. Ernest H. Tuchscherer	Tract 3: Whispering Winds Subdivision, Lot 22, City of McAllen, Hidalgo County, Texas (W4900-00-000-0024-00)	\$8,000	\$1,887.34
T-820-04-A (42)	McAllen ISD, City of McAllen, South Texas College and Hidalgo County vs. Olga Quintero	Original Townsite - McAllen, Lot 1, Block 31, City of McAllen, Hidalgo County, Texas (M1950-00-031-0001-00)	\$31,000	\$6,167.28
T-640-05-A (43)	McAllen ISD, City of McAllen, South Texas College and Hidalgo County vs. Elia Martinez De La Cruz	Tract 1: South McAllen (Beatty Folsem Subdivision) Lot 15, Block 3, City of McAllen, Hidalgo County, Texas (S4350-00-003-0015-00)	\$9,300	\$1,491.84
		Tract 2: South McAllen (Beatty Folsem Subdivision) Lot 16, Block 3, City of McAllen, Hidalgo County, Texas (S4350-00-003-0016-00)		
T-649-05-A (44)	McAllen ISD, City of McAllen, South Texas College and Hidalgo County vs. Jorge Antonio Villarreal	Idela Park Subdivision, Unit 1, Lot 130, City of McAllen, Hidalgo County, Texas (I2000-01-000-0130-00)	\$7,100	\$851.53

**HIDALGO COUNTY
TAX RESALE PROPERTIES
MARCH 2009**

T-1054-05-A (45)	McAllen ISD, City of McAllen, South Texas College and Hidalgo County vs. Elena Gomez Tagle	Montebello Subdivision, Unit 2, Lot 21, City of McAllen, Hidalgo County, Texas (M5950-02-000-0021-00)	\$12,500	\$2,384.36
T-1233-05-I (46)	McAllen ISD, City of McAllen, South Texas College and Hidalgo County vs. H. F. Johns (Deceased)	Colonia McAllen Subdivision, Lot 4, Block 1, City of McAllen, Hidalgo County, Texas (C7500-00-001-0004-00)	\$9,500	\$2,375.36
T-1234-05-A (47)	McAllen ISD, City of McAllen, South Texas College and Hidalgo County vs. Guadalupe Moya III	Hammond's Addition, Lot 2, Block 33, City of McAllen, Hidalgo County, Texas (H0900-00-033-0002-00)	\$8,600	\$1,209.34
T-482-94-G and T-848-07-D (48)	McAllen ISD, City of McAllen, South Texas College and Hidalgo County vs. Portmann Printing, Inc.	J. T. C. Enterprises Subdivision, the South 30 feet of Lot "A", City of McAllen, Hidalgo County, Texas (J1850-00-000-000A-01)	\$8,500	\$2,733.19
T-337-04-D (49)	Mercedes ISD, City of Mercedes, South Texas College and Hidalgo County vs. Williams A. Edwards	Original Townsite - Mercedes, Lot 10, Block 122, City of Mercedes, Hidalgo County, Texas (M3550-00-122-0010-00)	\$6,500	\$1,620.15
T-083-07-D (50)	Mercedes ISD, South Texas College vs. Brad Schwarz - Trustee	Capisallo District Subdivision, the East 3.88 acres of the West 14.62 acres of Lot 14, Block 63, Hidalgo County, Texas (C1400-00-063-0014-25)	\$6,000	\$1,696.26
T-325-03-A (51)	Monte Alto ISD, South Texas College and Hidalgo County vs. Victoriano T. Mendoza (Decreased)	Tract 1: Richardson Heights Subdivision, Lots 1 and 2, Block 2, Hidalgo County, Texas (R3825-00-002-0001-00)	\$6,500	\$1,279.80
		Tract 2: Richardson Heights Subdivision, 0.01 acres, more or less situated in the abandoned Saint L. B. and M Railroad right of way line within. (Save & Except; a tract of land described in volume 464, page 108. Hidalgo County, Texas (R3825-00-002-0000-00)		

**HIDALGO COUNTY
TAX RESALE PROPERTIES
MARCH 2009**

T-517-06-D (52)	Monte Alto ISD, South Texas College and Hidalgo County vs. APS Enterprises, Inc.	Missouri - Texas Land and Irrigation Company Subdivision, 1.00 acre, more or less, situated in the Northwest corner fo the West 1/2 of Lot 12, Block 59, Hidalgo County, Texas (M0150-00- 059-0012-00)	\$11,000	\$3,419.15
T-708-03-F (53)	Pharr-San Juan-Alamo ISD, City of San Juan, Hidalgo County and South Texas College vs. April Alonzo	Original - Townsite San Juan, Lots 17, 18 and 19 Block 22, City of San Juan, Hidalgo County, Texas (S1000-00-022-0017-00)	\$12,000	\$2,789.36
T-819-04-I (54)	Pharr-San Juan-Alamo ISD, City of San Juan, South Texas College and Hidalgo County vs. Rodolfo Aranda	Azteca Acres Subdivison, Unit 2, Lot 6, City of San Juan, Hidalgo County, Texas (A6900-02-000 0006-00)	\$22,000	\$3,180.64
T-1102-05-D (55)	Pharr-San Juan-Alamo ISD, City of Pharr, South Texas College and Hidalgo County vs. Lionzo Cantu (Deceased)	Fern Subdivision, Lots 3, 4, and 5, Block 143, City of Pharr, Hidalgo County, Texas (F2550-00- 143-0003-00) and (F2550-00-143-0005-00)	\$6,000	\$1,112.28
T-1140-05-F (56)	Pharr-San Juan-Alamo ISD, City of Pharr, South Texas College and Hidalgo County vs. Elizena B. De Leon	Kelly Pharr Subdivision, a portion of the south 560 feet of the West 5 acres of Lot 222, City of Pharr, Hidalgo County, Texas (K2400-00-000- 0222-16)	\$4,500	\$513.76
T-367-06-G (57)	Pharr-San Juan-Alamo ISD, City of Pharr, South Texas College and Hidalgo County vs. Enrique Jaime	Citrus Bay Subdivision, Unit 2, Lot 5, Block 23, City of Pharr, Hidalgo County, Texas (C4700-00- 023-0005-00)	\$8,500	\$1,495.12
T-495-06-I (58)	Pharr-San Juan-Alamo ISD, South Texas College and Hidalgo County vs. Apolinar Banda	Southside Village Subdivision, Lot 28, Hidalgo County, Texas (S5070-00-000-0028-00)	\$500	\$0.00

**HIDALGO COUNTY
TAX RESALE PROPERTIES
MARCH 2009**

T-661-06-D (59)	Pharr-San Juan-Alamo ISD, City of Pharr, South Texas College and Hidalgo County vs. Manuel Reyes	Southside Village Subdivision, Lot 28, Hidalgo County, Texas (S5070-00-000-0028-00)	\$9,000	\$1,728.48
T-1133-06-H (60)	Pharr-San Juan-Alamo ISD, City of San Juan, South Texas College and Hidalgo County vs. Rodolfo Aranda	John Closner Subdivision, the South 100 feet of the North 3 acres of the East 10 acres of the West 31.46 acres of Lot 1 and 2, Block 11, City of San Juan, Hidalgo County, Texas (J5700-00-011- 0001-18)	\$6,500	\$922.45
T-1136-07-I (61)	Pharr-San Juan-Alamo ISD and South Texas College vs. Jaime Gamboa	Alamo Land and Sugar Company Subdivision, 1.00 acre, more or less being a portion of Lot 10, Block 47, Hidalgo County, Texas, (A1800-00- 047-0010-09)	\$6,000	\$1,247.25
T-323-03-H (62)	Weslaco ISD, South Texas College and Hidalgo County vs. Tamara Denise Rak	Garden Terrace Estates, Unit #1, Lot 23, Block 4, City of Weslaco, Hidalgo County, Texas (G0900-01-004-0023-00)	\$27,000	\$6,405.36
T-981-03-I (63)	Weslaco ISD, South Texas College and Hidalgo County vs. Armando Garcia	Chapa Subdivision, Unit 3, Lot 14, Block 2, Hidalgo County, Texas (C2950-03-002-0014-00)	\$9,500	\$1,986.32
T-705-05-C (64)	Weslaco ISD, South Texas College and Hidalgo County vs. Silvera Martinez	El Texano Addition Subdivision, Lot 11, Block 4, City of Weslaco, Hidalgo County, Texas (E4900-00-004-0011-00)	\$14,500	\$2,595.60
T-375-78-C (68)	Mission CISD vs. Jane Starling	Stewart Place Community Subdivision, Lot 55, 56, 57, 58, 59 and 60, Hidalgo County, Texas (S6200-00-000-0055-00), (S6200-00-000-0056- 00), (S6200-00-000-0057-00), (S6200-00-000- 0058-00), (S6200-00-000-0059-00) and (S6200- 00-000-0060-00)	\$1,400	\$107.64
T-047-90-E (69)	Mission CISD vs. Reynaldo Gonzalez	Tropser Road Subdivision, All of Lot 5 and 6, Block 4, City of Alton, Hidalgo County, Texas (T8000-00-004-0005-00)	\$7,000	\$1,758.90

**HIDALGO COUNTY
TAX RESALE PROPERTIES
MARCH 2009**

T-030-94-B (70)	Mission CISD and City of Mission vs. Pedro Galvan, Jr.	Original - Townsite Mission, The West 60 feet of Lot 11, Block 213, City of Mission, Hidalgo County, Texas (M5200-00-213-0011-05)	\$3,400	\$704.96
T-113-96-A (71)	Mission CISD and City of Mission vs Elbert Lee Jones	Blake Subdivision, Lot 1, Block 1, City of Mission, Hidalgo County, Texas (B3250-00-001-0001-00)	\$6,000	\$990.84
T-725-96-D (72)	Mission CISD and City of Mission vs. Elizabeth L. Seanz	Original - Townsite Mission, The South 1/2 of Lot 11, Block 71, City of Mission, Hidalgo County, Texas (M5200-00-071-0011-10)	\$2,700	\$71.20
T-003-98-C and T-397-98-E (73)	Mission CISD, City of Mission and United Irrigation District vs. Librado Ramirez and Humberto Ramirez	West Addition to Sharyland Subdivision, North 2.00 acres the West 2.87 acres of the North 10.81 acres, lying East of and adjoining main canal of United Irrigation Co. & South Canal, out Lot 28-4, City of Mission, Hidalgo County, Texas (W0100-00-028-0004-00)	\$500	\$0.00
		West Addition to Sharyland Subdivision, South 0.87 acres the West 2.87 acres of the North 10.81 acres, lying East of and adjoining main canal of United Irrigation Co. & South Canal, out Lot 28-4, City of Mission, Hidalgo County, Texas (W0100-00-028-0004-09)		
T-415-98-B (74)	Mission CISD, City of Mission and United Irrigation District vs. W. B. Langford	Original - Townsite Mission, All of the West 2/3 of Lots 4, 5, 6 and the West 100 feet of Lot 3, Block 213. City of Mission, Hidalgo County, Texas (M5200-00-213-0004-00)	\$5,000	\$904.46
T-551-99-E (75)	Mission CISD, City of Mission vs. Gustavo G. Garcia	Freeway Subdivision, Unit 5, Lot 45, City of Mission, Hidalgo County, Texas (F6750-05-000-0045-00)	\$5,000	\$642.39

HIDALGO COUNTY
TAX RESALE PROPERTIES
MARCH 2009

T-1167-03-F (76)	Mission CISD vs. Velma Lee G. Tapia	West Addition to Sharyland Subdivision, A tract of land out of the South 8.60 acres of Lot 43-5, containing 0.40 arce, more less according to the plat recorded in Volume 1, page 56 of the map records of Hidalgo Count, Texas (W0100-00-043-0005-04)	\$6,500	\$1,440.32
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Change Orders/Pymt Req

DRAINAGE DISTRICT

Date: 09/01/2009

Submitted By: Minerva Luna, DRAINAGE DISTRICT

Department: DRAINAGE DISTRICT

Information

CAPTION

A. Request approval of Payment Request No. 10 to SER Construction Partners, LTD. for the Construction of DHS Segment 0-7 (0.9 miles). Partial Release of Retainage

B. Request approval to process manual check to SER Construction Partners, LTD. for the above mentioned project pending the approval of the County Auditor and pending the electronic transfer of funds from the Department of Homeland Security (DHS).

C. Request approval of Payment No. 14 to Ballenger Construction Company, for the Construction of Common Levee Anzaldua Dike Improvement Project (5.30 miles).

D. Request approval to process manual check to Ballenger Construction Company for the above mentioned project pending completion of the audit process.

E. Request approval of Change Order No. 2 on the Contract with Ballenger Construction Company for the Construction of Mission Levee Improvements Project; Banker Weir to Inspiration.

F. Request approval of Change Order No. 4 on the Contract with Ballenger Construction Company for the Construction of Common Levee/Anzalduas Dike Improvements, Hidalgo Loop Levee to Anzalduas Dam Project.

G. Request approval of Change Order No. 13 on the Contract with Ballenger Construction Company for the Construction of Levee DHS 0-5. Subject to Department of Homeland Security (DHS) concurrence.

H. Request approval of Change Order No. 11 on the Contract with Ballenger Construction Company for the Construction of Levee DHS 0-6A. Subject to Department of Homeland Security (DHS) concurrence.

BACKGROUND

Fiscal Impact

Attachments

Link: [DHS 0-7 PR#10](#)

Link: [Common Levee PR#14](#)

Link: [Banker Weir CO#2](#)

Link: [Common Levee CO#4](#)

Link: [DHS 0-5 CO#13](#)

Link: [DHS 0-6A CO#11](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	08/26/2009 01:40 PM	APRV
2	Perla Lopez	Perla Lopez	08/26/2009 02:10 PM	APRV
3	Final Approval	Angela Garcia	08/28/2009 05:18 PM	APRV

Form Started By: Minerva Luna

Started On: 08/25/2009 08:01 AM

Final Approval Date: 08/28/2009

Project Name:
Contractor:
Address:
City/State/Zip:

REQUEST FOR PAYMENT
DHS SEGMENT 0-7 (0.3 MILES)
SER CONSTRUCTION PARTNERS, LTD.
3838 Pasadena Blvd.
Pasadena, Texas 77063

REQUEST FOR PAYMENT NO. 10

Project Number: 4410-02 0.9 MILES
Date: 5/29/2009

CONTRACT NO. 09-009-07-01
WORK THRU: 5/25/2009

PROGRESS BILLING WORKSHEET - NO. 1

Table with columns: S. LYNN SAUNDERS, PROJECT MANAGER; ITEM NO; UNIT; TOTAL QUANTITY; BID UNIT PRICE; TOTAL BID PRICE; NO.; QTY. +/-; UNIT PRICE +/-; VARIANCE AMOUNT +/-; UNIT QTY. COMPLETE PRIOR INVOICES; UNIT QTY. COMPLETE THIS PERIOD; UNIT QTY. COMPLETE TO DATE; AMOUNT PRIOR INVOICES; AMOUNT COMPLETE TO DATE; AMOUNT DUE THIS INVOICE; BALANCE TO COMPLETE.

ORIGINAL CONTRACT AMOUNT: \$ 11,980,892.00
NET CHANGES BY CHANGE ORDER(S): \$ (1,084,025.33)
TOTAL CONTRACT AMOUNT TO DATE: \$ 10,336,866.67

LESS RETAINAGE @ 10% \$ 1,031,686.66
RELEASE RETAINAGE - 50% \$ 515,843.33
LESS Previous Requests for Payments \$ 9,285,180.01
TOTAL AMOUNT DUE THIS REQUEST \$ 515,843.33

Contractor: SER CONSTRUCTION PARTNERS, LTD.

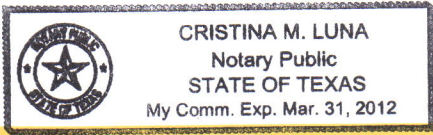
CERTIFICATION OF CONTRACTOR
I certify that all items and amounts shown on the face of this Application for Payment are correct; that all work has been performed and / or material supplied in accordance with the requirements of the referenced Contract and / or duty authorized deviations, substitutions, alterations, and / or conditions; that the foregoing is a true and correct statement of the Contract Amount to date and including the last day of the period covered by the Application for Payment; that no part of the "Balance Due this Payment" has been received and that the undersigned and his subcontractors have complied with all the labor provision of said contract.

Signed: S. LYNN SAUNDERS Date: 5/29/09
Title: PROJECT MANAGER

Instructions: Contractor's Certification No. 2: is to be executed for all requests for payments after the first. Notarize all requests for payments.

CONTRACTOR'S Certification No. 2:
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 this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interest or encumbrance; and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

State of TEXAS
County of 29th day of May 2009
Subscribed and sworn to me this
Cristina M. Luna
Notary Public
My Commission Expires:



Engineer: DANNENBAUM ENGINEERING McALLEN-LLC

INSPECTOR'S CERTIFICATION
I certify that I have checked and verified the above and foregoing Periodic Estimate for Partial Payment; that to the best of my knowledge and belief it is a true and correct statement or work performed and/or material supplied by the contractor; and that partial payment claimed and requested by the Contractor is correctly computed on the basis of work performed and or material supplied to date. Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

JOSE A. ELISSETCHE Date: 5/29/09
DOS PROJECT INSPECTOR

ENGINEER'S CERTIFICATION
I certify that I have checked and verified the above and foregoing Periodic Estimate for Partial Payment; that to the best of my knowledge and belief it is a true and correct statement or work performed and/or material supplied by the contractor; and that partial payment claimed and requested by the Contractor is correctly computed on the basis of work performed and or material supplied to date. Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

RICHARD D. SEITZ, P.E. Date: 5/29/09
Resident Project Representative

OWNER CERTIFICATION
I have checked this estimate against the contractor's Schedule of Amount for Contract Payments, the notes and reports of my inspections of the project, and the period reports submitted by the Project Engineer. It is my opinion that the statement of work performed and/or materials supplied is accurate, that the contractor is observing the requirements of the contract, and the payment to the contractor in the amount requested above is recommended.

JD Sellans
Chairman of the Board

HIDALGO COUNTY
JUL 30 2009
DRAINAGE DISTRICT #1

HIDALGO COUNTY
JUN 01 2009
DRAINAGE DISTRICT #1
CANCELLED JUL 30 2009
DRAINAGE DISTRICT #1

Project Name:
Contractor:
Address:
City/State/Zip:

REQUEST FOR PAYMENT
DHS SEGMENT 0-7 (0.9 MILES)
SER CONSTRUCTION PARTNERS, LTD.
3686 Pasadena Blvd.
Pasadena, Texas 77503

REQUEST FOR PAYMENT NO. 10

Project Number: 4410-02-0.9 MILES
Date: 5/29/2009

CONTRACT NO. 08-009-02-01
WORK THRU: 5/29/2009

PROGRESS BILLING WORKSHEET - NO. 1

SHIRLEY SAUNDERS, PROJECT MANAGER	ITEM NO	UNIT	TOTAL QUANTITY	BID UNIT PRICE	TOTAL BID PRICE	CHANGE ORDERS				UNIT QTY. COMPLETE PRIOR INVOICES	UNIT QTY. COMPLETE THIS PERIOD	UNIT QTY. COMPLETE TO DATE	AMOUNT PRIOR INVOICES	AMOUNT COMPLETE TO DATE	AMOUNT DUE THIS INVOICE	BALANCE TO COMPLETE	
						NO.	QTY. +/-	UNIT PRICE +/-	VARIANCE +/-								
TEMP EROSION CONTROL (BLATHER FABRIC FENCE)	1	LF	10,000.00	2.00	20,000.00												
TEMP EROSION CONTROL (CONST EXTENDED)	2	EA	2	2,000.00	4,000.00												
REMOVE / STOCKPILE (ENST' BLEX BASB)																	
REMOVE / STOCKPILE (EXIST TOPSOIL) (4.0 IN)	3	CY	750	15.00	11,250.00												
REMOVE / STOCKPILE (EXIST EMBANKMENT)	4	CY	2,450	7.00	17,150.00												
REMOVE / STOCKPILE (EXIST EMBANKMENT)	5	CY	13,438	7.00	94,066.00												
RETAINING WALL (CAST-IN-PLACE) (STEM)	6	CY	4,752	600.00	2,851,200.00												
RETAINING WALL (CAST-IN-PLACE) (FOOTING)	7	CY	8,393	600.00	5,035,800.00												
RETAINING WALL (CAST-IN-PLACE) (KEY)	8	CY	2,287	540.00	1,234,980.00												
METAL BEAM GUARD FENCE	9	LF	4,695	23.00	107,985.00												
PVC UNDERDRAIN PIPE (6 IN)	10	LF	4,650	15.00	69,750.00												
AGGREGATE DRAIN MATERIAL	11	CY	5,260	60.00	315,600.00												
PREPARATION RIGHT OF WAY	12	STA	48	10.00	480.00												
EMBANKMENT (NEW)	13	CY	39,543	10.00	395,430.00												
CONC. RIP RAP (SLOPE PROTECTION)	14	CY	550	400.00	220,000.00												
CONC. ROLLAD (6 IN) TYP 2	15	EA	6	500.00	3,000.00												
CONC. PAD (4 FT X 4 FT) (6 IN)	16	EA	6	900.00	5,400.00												
TOPSOIL (STOCKPILED MATERIAL)	17	CY	1,250	9.00	11,250.00												
FLEXBASE (NEW) TYPOT (TY D GR 6 CL 4 CALICHE) (6 IN)	18	CY	3,865	30.00	115,950.00												
HYDRO MULCH	19	SY	31,000	0.60	18,600.00												
ROLLAD (CUT TO PLAN DIMENSIONS)	20	EA	4,530	15.00	67,950.00												
ROLLAD (TRANSPORT FRONT STAGING AREA & INST'ALL PER PLANS) (6 FT)	21	EA	4,203	78.00	327,834.00												
ROLLAD (TRANSPORT FRONT STAGING AREA & INST'ALL PER PLANS) (20 FT)	22	EA	327	400.00	130,800.00												
ROLLAD (SUPPLY, CUT & WELD ANGLE IRON SUPPORTS) (4 IN X 4 IN X 1/4 IN 8 FT)	23	LF	4,953	12.00	59,436.00												
ROLLAD (SUPPLY & WELD) (1/2 IN X 4 IN STEEL BAR)	24	LF	4,621	6.00	27,726.00												
ROLLAD (INSTALL & WELD CAPS)	25	EA	4,530	12.00	54,360.00												
REMOVE EXISTING GATE STRUCTURES AND SALVAGE EXISTING GATE ASSEMBLIES	26	EA	3	3,500.00	10,500.00												
REMOVE PIPE (4 IN) (RC)	27	LF	45	30.00	1,350.00												
REMOVE PIPE (4 IN) (RC)	28	LF	202	36.00	7,272.00												
REMOVE PIPE (4 IN) (STANDARD PIPE)	29	LF	105	40.00	4,200.00												
REMOVE CONC. COLLAR (6 IN)	30	EA	4	1,000.00	4,000.00												
REMOVE CONC. HEADWALL	31	EA	4	700.00	2,800.00												
REMOVE CONC. HEADWALL	32	EA	1	1,000.00	1,000.00												
RCP (8 IN) (CL.V)	33	LF	240	69.00	16,560.00												
RCP (24 IN) (CL.V)	34	LF	83	90.00	7,470.00												
18 AND 24 IN CONCRETE COLLAR	35	EA	3	700.00	2,100.00												
CONC. HEADWALL (8 IN) (CAST IN PLACE)	36	EA	2	3,500.00	7,000.00												
CONC. HEADWALL (24 IN) (CAST IN PLACE)	37	EA	2	4,000.00	8,000.00												
REMOVE / SALVAGE EXIST SLUDGE GATE VALVE/ FLAP GATES W/ WALL PIPE & TEE (6 IN, D.D)	38	EA	2	1,500.00	3,000.00												
REMOVE EXIST SIGN FENCE MOUNTED FISH & WILD LIFE	39	EA	6	2,000.00	12,000.00												
TRENCH EXCAV. PROTECTION (BET WALL KEY)	40	EA	3	300.00	900.00												
TRENCH EXCAV. PROTECTION (STRUCTURES)	41	LF	4,700	1.00	4,700.00												
TEMPORARY SPECIAL SHORING	42	SF	343	1.00	343.00												
DEMOLITION	43	SF	80,400	0.25	20,100.00												
NEW SLUDGE GATE (24 IN)	44	LS	1	24,000.00	24,000.00												
INSTALL LEVEE ACCESS GATE (NEW)	45	EA	1	5,000.00	5,000.00												
REMOVE EXISTING LEVEE ACCESS GATE	46	EA	1	4,000.00	4,000.00												
INSTALL LEVEE ACCESS GATE (NEW)	47	EA	1	700.00	700.00												
NEW GATE WELL NO. 23 (RISER INSTALL NEW SLUDGE GATE, LADDER/HATCH ETC.)	48	LS	1	50,000.00	50,000.00												
NEW GATE WELL NO. 24 (RISER INSTALL SLUDGE GATE, LADDER, HATCH, ETC.)	49	LS	1	50,000.00	50,000.00												
NEW GATE WELL NO. 25 (RISER INSTALL SLUDGE GATE, LADDER, HATCH, ETC.)	50	LS	1	60,000.00	60,000.00												
SHEET WALL DRAIN MATERIAL	51	SF	0	-	-												
ANTI-CRAWLING FENCE PANEL	52	EA	0	-	-												

HIDALGO COUNTY
JUN 01 2009
RAINAGE DISTRICT #1

ORIGINAL CONTRACT AMOUNT: \$ 11,980,892.00
NET CHANGES BY CHANGE ORDERS: \$ (1,394,023.33)
TOTAL CONTRACT AMOUNT TO DATE: \$ 10,586,868.67

LESS RETAINAGE @ 10%: \$ 1,058,686.87
RELEASE RETAINAGE - 50%: \$ 529,343.43
TOTAL AMOUNT DUE THIS REQUEST: \$ 9,998,837.33

LESS PREVIOUS REQUESTS FOR PAYMENTS: \$ 1,031,686.66
TOTAL AMOUNT DUE THIS REQUEST: \$ 8,967,150.67

Project Name:
Contractor:
Address:
City/State/Zip:

REQUEST FOR PAYMENT
COMMON LEVEE ANZALDUA DIKE IMPROVEMENT PROJECT (6.30 MILES)
BALLENGER CONSTRUCTION COMPANY
24200 N. FM 509
HARLINGEN, TEXAS 78550

REQUEST FOR PAYMENT NO. 14

Project Number: 4287-04 5.30 MILES
Date: 8/19/2009

CONTRACT NO. 08-007-05-27
WORK THRU: 7/25/2009

PROGRESS BILLING WORKSHEET - NO. 1

ITEM NO	UNIT	TOTAL QUANTITY	BID UNIT PRICE	TOTAL BID PRICE	CHANGE ORDERS				UNIT QTY. COMPLETE PRIOR INVOICES	UNIT QTY. COMPLETE THIS PERIOD	UNIT QTY. COMPLETE TO DATE	AMOUNT PRIOR INVOICES	AMOUNT COMPLETE TO DATE	AMOUNT DUE THIS INVOICE	BALANCE TO COMPLETE
					NO.	QTY. +/-	UNIT PRICE +/-	VARIANCE AMOUNT +/-							
1	LF	57,250	\$ 2.55	145,987.50					57,250.00	0.00	57,250.00	145,987.50	145,987.50	-	3,700.00
2	EA	3	\$ 1,850.00	5,550.00					1.00	0.00	1.00	1,850.00	1,850.00	-	6,185.00
3	LF	96	\$ 68.50	6,612.00					0.00	0.00	0.00	0.00	0.00	-	-
4	STA	276	\$ 112.00	30,912.00					0.00	0.00	0.00	30,912.00	30,912.00	-	-
5	CY	1,099	\$ 2.91	2,910.00					1,000.00	0.00	1,000.00	2,910.00	2,910.00	-	-
6	CY	5,166	\$ 6.81	34,141.26					5,166.00	0.00	5,166.00	34,141.26	34,141.26	-	-
7	CY	30,378	\$ 2.47	75,033.66					30,378.00	0.00	30,378.00	75,033.66	75,033.66	-	-
8	SY	251,582	\$ 0.44	110,696.08					251,582.00	0.00	251,582.00	110,696.08	110,696.08	-	-
9	CY	32,670	\$ 2.33	76,121.10	1	417,033.87	\$ 10.17	-(72,067.98)	32,670.00	-7,986.33	417,033.87	4,313,300.40	4,241,232.42	-(72,067.98)	-
10	CY	424,120	\$ 0.17	72,099.40					424,120.00	0.00	424,120.00	72,099.40	72,099.40	-	-
11	CY	41,921	\$ 3.47	145,465.87					41,921.00	0.00	41,921.00	145,465.87	145,465.87	-	-
12	CY	5,508	\$ 88.04	484,748.24					5,508.00	0.00	5,508.00	484,748.24	484,748.24	-	-
13	CY	6,444	\$ 78.84	507,796.16					6,444.00	0.00	6,444.00	507,796.16	507,796.16	-	-
14	CY	11,985	\$ 9.71	116,374.35					11,985.00	0.00	11,985.00	116,374.35	116,374.35	-	-
15	LS	1	\$ 10,871.08	10,871.08					1.00	0.00	1.00	10,871.08	10,871.08	-	-
16	CY	9,881	\$ 31.57	311,943.17					9,881.00	0.00	9,881.00	311,943.17	311,943.17	-	-
17	SY	2,220	\$ 29.81	66,178.20					2,220.00	0.00	2,220.00	66,178.20	66,178.20	-	-
18	GA#	1,639	\$ 4.91	8,047.49					1,639.00	0.00	1,639.00	8,047.49	8,047.49	-	-
19	SY	7,721	\$ 7.77	59,992.17					7,721.00	0.00	7,721.00	59,992.17	59,992.17	-	-
20	LF	24,181	\$ 2.48	59,986.88					24,181.00	0.00	24,181.00	59,986.88	59,986.88	-	-
21	LF	4,000	\$ 19.50	78,000.00					4,000.00	0.00	4,000.00	78,000.00	78,000.00	-	-
22	LF	1	\$ 6,734.06	6,734.06					1.00	0.00	1.00	6,734.06	6,734.06	-	-
23	LS	1	\$ 6,693.42	6,693.42					1.00	0.00	1.00	6,693.42	6,693.42	-	-
24	LS	1	\$ 6,877.13	6,877.13					1.00	0.00	1.00	6,877.13	6,877.13	-	-
25	LS	1	\$ 6,693.42	6,693.42					1.00	0.00	1.00	6,693.42	6,693.42	-	-
26	LS	1	\$ 32,042.77	32,042.77					1.00	0.00	1.00	32,042.77	32,042.77	-	-
27	LS	1	\$ 51,687.62	51,687.62					1.00	0.00	1.00	51,687.62	51,687.62	-	-
28	LS	1	\$ 90,344.22	90,344.22					1.00	0.00	1.00	90,344.22	90,344.22	-	-
29	LS	1	\$ 71,859.42	71,859.42	2	1.00	\$ 7,000.00	-(64,859.42)	0.00	1.00	1.00	7,000.00	7,000.00	7,000.00	-
30	LS	1	\$ 75,377.46	75,377.46					0.50	0.50	1.00	6,693.42	6,693.42	-	-
31	LS	1	\$ 39,891.05	39,891.05					1.00	0.00	1.00	39,891.05	39,891.05	-	-
32	LS	1	\$ 26,819.51	26,819.51					1.00	0.00	1.00	26,819.51	26,819.51	-	-
33	LS	1	\$ 55,867.24	55,867.24					1.00	0.00	1.00	55,867.24	55,867.24	-	-
34	LS	1	\$ 13,220.53	13,220.53					1.00	0.00	1.00	13,220.53	13,220.53	-	-
35	LS	1	\$ 72,546.18	72,546.18	2	1.00	\$ 7,000.00	-(65,546.18)	0.00	1.00	1.00	7,000.00	7,000.00	7,000.00	-
36	LS	1	\$ 345,567.04	345,567.04					1.00	0.00	1.00	345,567.04	345,567.04	-	-
37	EA	5	\$ 7,573.32	37,866.60					5.00	0.00	5.00	37,866.60	37,866.60	-	-
38	EA	13	\$ 350.00	4,550.00					13.00	0.00	13.00	4,550.00	4,550.00	-	-
39	LF	0	\$ -	-	2	784.00	\$ 41.20	32,300.80	0.00	784.00	784.00	32,300.80	32,300.80	32,300.80	-
40	EA	0	\$ -	-	2	1.00	\$ 4,559.00	4,559.00	0.00	1.00	1.00	4,559.00	4,559.00	4,559.00	-
41	EA	0	\$ -	-	2	2.00	\$ 570.00	1,140.00	0.00	2.00	2.00	1,140.00	1,140.00	1,140.00	-

TOTAL COMPLETE TO-DATE: \$ 7,349,430.43
TOTAL CURRENT CONTRACT EARNED: \$ 17,620.55
CONTRACT BALANCE TO COMPLETE: \$ 61,637.52

ORIGINAL CONTRACT AMOUNT: \$ 7,583,164.28
NET CHANGES BY CHANGE ORDER(S): \$ (164,475.78)
TOTAL CONTRACT AMOUNT TO DATE: \$ 7,428,688.50

Estimated % Project Completion to Date: 99.17%

LESS RETAINAGE @ 10%: \$ 739,705.11
PENDING RELEASED RETAINAGE PR #13: \$ 367,871.53
LESS Previous Requests for Payments: \$6,981,858.91
TOTAL AMOUNT DUE THIS REQUEST: \$ 15,858.49

Contractor: BALLENGER CONSTRUCTION COMPANY

CERTIFICATION OF CONTRACTOR

According to the best of my knowledge and belief, I certify that all items and amounts shown on the face of this Application for Payment are: correct; that all work has been performed and / or material supplied in accordance with the requirements of the referenced Contract and / or duly authorized deviations, substitutions, alterations, and / or additions; that the foregoing is a true and correct statement of the Contract Amount up to and including the last day of the period covered by the Application for Payment; that no part of the "Balance Due this Payment" has been received and that the undersigned and his subcontractors have complied with all the labor provision of said contract.

Signed: [Signature] Date: 8/19/09
JOE C. BALLENGER, JR.
PRESIDENT

Instructions: Contractor's Certification No. 2: is to be executed for all requests for payments after the first. Notarize all requests for payments.

CONTRACTOR'S Certification No. 2:
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 _____; this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interest or encumbrance; and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

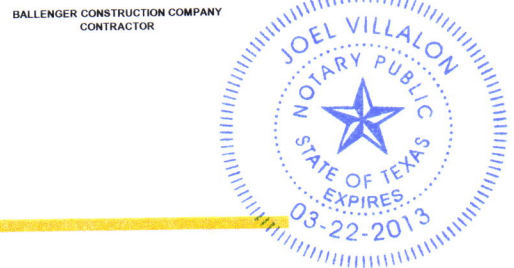
DATE: 8/19/09 By: [Signature]
JOE C. BALLENGER, JR., PRESIDENT

State of TEXAS
County of Cameras
Subscribed and sworn to me this 8-19-09 day of Aug 2009

[Signature]
Notary Public

My Commission Expires: 03-22-2013

Engineer: DANNENBAUM ENGINEERING McALLEN-LLC



INSPECTOR'S CERTIFICATION

I certify that I have checked and verified the above and foregoing Periodic Estimate for Partial Payment; that to the best of my knowledge and belief it is a true and correct statement of work performed and/or material supplied by the contractor, and that partial payment claimed and requested by the Contractor is correctly computed on the basis of work performed and/or material supplied to date. Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

[Signature] Date: 8/19/09
RAMIRO ALEJANDRO
INSPECTOR

ENGINEER'S CERTIFICATION

I certify that I have checked and verified the above and foregoing Periodic Estimate for Partial Payment; that to the best of my knowledge and belief it is a true and correct statement of work performed and/or material supplied by the contractor, and that partial payment claimed and requested by the Contractor is correctly computed on the basis of work performed and/or material supplied to date. Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

[Signature] Date: 8/19/09
RICHARD D. SEITZ, P.E.
Richard Project Representative

OWNER CERTIFICATION

I have checked this estimate against the contractor's Schedule of Amount for Contract Payments, the notes and reports of my inspections of the project, and the period reports submitted by the Project Engineer. It is my opinion that the statement of work performed and / or materials supplied is accurate, that the contractor is observing the requirements of the contract, and the payment to the contractor in the amount requested above is recommended.

Date: _____

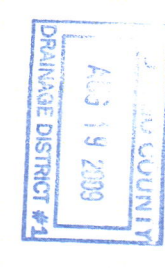
JD Salinas
Chairman of the Board

HIDALGO COUNTY
AUG 20 2009
DRAINAGE DISTRICT #1
8/18/2009 09 AM

PROGRESS BILLING WORKSHEET - NO. 1
 JOE CHARLES BALLENGER, SR. CEO

ITEM NO	UNIT	TOTAL QUANTITY	BID UNIT PRICE	TOTAL BID PRICE	NO.	QTY. +/-	UNIT PRICE +/-	VARIANCE AMOUNT +/-	UNIT QTY. COMPLETE PRIOR INVOICES	UNIT QTY. COMPLETE THIS PERIOD	UNIT QTY. COMPLETE TO DATE	AMOUNT PRIOR INVOICES	AMOUNT COMPLETE TO DATE	AMOUNT DUE THIS INVOICE	BALANCE TO COMPLETE
1	LF	57,250	2.55	145,987.50					57,250.00	0.00	57,250.00	145,987.50	145,987.50	-	-
2	EA	3	1,850.00	5,550.00					1.00	0.00	1.00	1,850.00	1,850.00	-	3,700.00
3	LF	90	68.50	6,165.00					0.00	0.00	0.00	0.00	0.00	-	6,165.00
4	SFA	276	30.912	8,531.712					276.00	0.00	276.00	30,912.00	30,912.00	-	-
5	CY	1,000	2.910	2,910.00					1,000.00	0.00	1,000.00	2,910.00	2,910.00	-	-
6	CY	5,166	6.61	34,147.26					5,166.00	0.00	5,166.00	34,147.26	34,147.26	-	-
7	CY	30,378	2.47	75,033.66					30,378.00	0.00	30,378.00	75,033.66	75,033.66	-	-
8	STY	251,582	0.44	110,696.08					251,582.00	0.00	251,582.00	110,696.08	110,696.08	-	-
9	CY	32,670	2.33	76,121.10					32,670.00	0.00	32,670.00	76,121.10	76,121.10	-	-
10	CY	424,120	10.17	4,313,300.40		1	10.17	(72,067.98)	424,120.00	-7,068.33	417,051.67	4,313,300.40	4,241,232.42	(72,067.98)	-
11	CY	41,921	3.47	145,465.87					41,921.00	0.00	41,921.00	145,465.87	145,465.87	-	-
12	CY	5,506	88.04	484,748.24					5,506.00	0.00	5,506.00	484,748.24	484,748.24	-	-
13	CY	6,444	78.64	506,756.16					6,444.00	0.00	6,444.00	506,756.16	506,756.16	-	-
14	CY	11,985	9.71	116,374.35					11,985.00	0.00	11,985.00	116,374.35	116,374.35	-	-
15	LS	1	10,871.08	10,871.08					1.00	0.00	1.00	10,871.08	10,871.08	-	-
16	CY	9,881	31.57	311,943.17					9,881.00	0.00	9,881.00	311,943.17	311,943.17	-	-
17	SY	2,220	29.61	65,734.20					477,5191	0.0000	477,5191	13,961.68	13,961.68	-	51,772.52
18	GAL	1,639	4.91	8,047.49					1,639.00	0.00	1,639.00	8,047.49	8,047.49	-	-
19	SY	7,721	7.77	59,992.17					7,721.00	0.00	7,721.00	59,992.17	59,992.17	-	-
20	LF	24,181	2.48	59,968.88					24,181.00	0.00	24,181.00	59,968.88	59,968.88	-	-
21	LF	4,000	19.50	78,000.00					4,000.00	0.00	4,000.00	78,000.00	78,000.00	-	-
22	LS	1	6,734.06	6,734.06					1.00	0.00	1.00	6,734.06	6,734.06	-	-
23	LS	1	6,693.42	6,693.42					1.00	0.00	1.00	6,693.42	6,693.42	-	-
24	LS	1	6,877.13	6,877.13					1.00	0.00	1.00	6,877.13	6,877.13	-	-
25	LS	1	6,693.42	6,693.42					1.00	0.00	1.00	6,693.42	6,693.42	-	-
26	LS	1	32,042.77	32,042.77					1.00	0.00	1.00	32,042.77	32,042.77	-	-
27	LS	1	51,687.62	51,687.62					1.00	0.00	1.00	51,687.62	51,687.62	-	-
28	LS	1	90,344.22	90,344.22					1.00	0.00	1.00	90,344.22	90,344.22	-	-
29	LS	1	71,859.42	71,859.42		2	7,000.00	(64,859.42)	0.00	1.00	1.00	71,859.42	7,000.00	7,000.00	-
30	LS	1	75,377.46	75,377.46					0.50	0.50	1.00	37,688.73	37,688.73	-	-
31	LS	1	39,691.05	39,691.05					1.00	0.00	1.00	39,691.05	39,691.05	-	-
32	LS	1	26,819.51	26,819.51					1.00	0.00	1.00	26,819.51	26,819.51	-	-
33	LS	1	55,867.24	55,867.24					1.00	0.00	1.00	55,867.24	55,867.24	-	-
34	LS	1	13,220.53	13,220.53					1.00	0.00	1.00	13,220.53	13,220.53	-	-
35	LS	1	72,548.18	72,548.18		2	7,000.00	(65,548.18)	0.00	1.00	1.00	72,548.18	7,000.00	7,000.00	-
36	LS	1	345,567.04	345,567.04					1.00	0.00	1.00	345,567.04	345,567.04	-	-
37	EA	5	7,573.32	37,866.60					5.00	0.00	5.00	37,866.60	37,866.60	-	-
38	EA	13	350.00	4,550.00					13.00	0.00	13.00	4,550.00	4,550.00	-	-
39	LF	0	-	-					0.00	0.00	0.00	-	-	-	-
40	EA	0	-	-					0.00	0.00	0.00	-	-	-	-
41	EA	0	-	-					2.00	2.00	2.00	-	-	-	-

ORIGINAL CONTRACT AMOUNT: \$ 7,593,164.28
 NET CHANGES BY CHANGE ORDERS) \$ (164,475.78)
 TOTAL CONTRACT AMOUNT TO DATE \$ 7,428,688.50
 Estimated % Project Completion to Date: 99.17%
 LESS RETAINAGE @ 10% \$ 736,705.11
 PENDING RELEASED RETAINAGE PR #13 \$ 367,471.53
 LESS Previous Requests for Payments \$ 85,981,958.91
 TOTAL AMOUNT DUE THIS REQUEST \$ 15,858.49



**HIDALGO County Drainage District No. 1
MISSION LEVEE IMPROVEMENTS PROJECT
BANKER WEIR TO INSPIRATION (3.74 MILES)**

CHANGE ORDER NO. 2

Date: June 2, 2009

Contractor: Ballenger Construction Company
24200 North FM 509
Harlingen, Texas 78550

Owner: Hidalgo County Drainage District No. 1
902 N. Doolittle Road
Edinburg, Texas 78541

Reference: MISSION LEVEE IMPROVEMENTS PROJECT
BANKER WEIR TO INSPIRATION (3.74 MILES)

Contract No. 08-005-04-29
Dannenbaum No. 4287-03

Description:
Modifications to Asphalt Paving for Riverside Club access ramp.

Contract Amount:

Original Contract Price:	\$	6,351,808.19
Previous Change Order(s):	\$	5,563.14
Contract price prior to this change order:	\$	6,357,371.33
Net increase (decrease) from this change order:	\$	12,860.62
Contract price with all change orders to date (including this change order):	\$	<u>6,370,231.95</u>

Contract Time:

Authorized contract time change:		
This Change Order	0	days
Previous Total	<u>0</u>	days
Total to Date	0	days

APPROVALS:

ENGINEER:
Dannenbaum Engineering Company - McAllen, LLC

Richard D. Seitz, P.E. 6/10/09
Richard D. Seitz, P.E. Date
Resident Project Representative

OWNER:
Hidalgo Co. Drainage Dist. No. 1

JD Salinas Date
Chairman of the Board

ACCEPTED:

CONTRACTOR:
Ballenger Construction Company

Joe C. Ballenger Jr. 7/16/09
Joe C. Ballenger Jr. Date
President

**HIDALGO COUNTY
JUL 16 2009
DRAINAGE DISTRICT #1**



**HIDALGO COUNTY
CANCELED JUL 16 2009
DRAINAGE DISTRICT #1**

ENGINEER'S PRELIMINARY OPINION OF COST

Labor Cost

Name	Hours	Rate	Hrs. X Rate X 1.16	Cost X 0.25	Cost X 0.55	Cost + Profit + Burden
			Cost w/Burden	Profit	Burden	Total
Foreman	12	\$16.00	\$ 222.72	\$ 55.68	\$ 122.50	\$ 400.90
Surveyor	4	\$21.45	\$ 99.53	\$ 24.88	\$ 54.74	\$ 179.15
Surveyor Helper	4	\$9.05	\$ 41.99	\$ 10.50	\$ 23.10	\$ 75.59
Surveyor Helper	4	\$9.05	\$ 41.99	\$ 10.50	\$ 23.10	\$ 75.59
Asphalt Elevator Operator	4	\$9.50	\$ 44.08	\$ 11.02	\$ 24.24	\$ 79.34
Asphalt Paver Operator	4	\$9.73	\$ 45.15	\$ 11.29	\$ 24.83	\$ 81.26
Front End Loader Operator	12	\$8.61	\$ 119.85	\$ 29.96	\$ 65.92	\$ 215.73
Three Wheel Roller Operator	12	\$8.00	\$ 111.36	\$ 27.84	\$ 61.25	\$ 200.45
Pneumatic Roller Operator	4	\$7.16	\$ 33.22	\$ 8.31	\$ 18.27	\$ 59.80
Tandem Roller Operator	12	\$7.17	\$ 99.81	\$ 24.95	\$ 54.89	\$ 179.65
Asphalt Raker	4	\$7.50	\$ 34.80	\$ 8.70	\$ 19.14	\$ 62.64
Asphalt Shoveler	4	\$9.35	\$ 43.38	\$ 10.85	\$ 23.86	\$ 78.09
Labor Common	12	\$7.69	\$ 107.04	\$ 26.76	\$ 58.87	\$ 192.68
Sweeper Operator (2)	12	\$7.55	\$ 105.10	\$ 26.27	\$ 57.80	\$ 189.17
Asphalt Distributor Operator	4	\$9.57	\$ 44.40	\$ 11.10	\$ 24.42	\$ 79.93

Materials

Description	Unit	Qty.	Unit Cost	Unit Cost X Qty.	Cost X 0.25	Cost + Profit
				Cost	Profit	Total Cost
Prime Oil (MC-30)	GAL	89	3.35	\$ 298.15	\$ 74.54	\$ 372.69
Hotmix	TON	54	46.16	\$ 2,492.64	\$ 623.16	\$ 3,115.80
Caliche	TON	75	\$10.00	\$ 750.00	\$ 187.50	\$ 937.50

Equipment

Description	Hours	Rate	Rate X Hours	Cost X 0.15	Cost + Profit
			Cost	Profit	Total Cost
Asphalt Elevator	4	\$85.39	\$341.56	\$51.23	\$392.79
Asphalt Paver	4	\$184.35	\$737.40	\$110.61	\$848.01
Front End Loader	12	\$47.35	\$568.20	\$85.23	\$653.43
Three Wheel Roller	12	\$43.75	\$525.00	\$78.75	\$603.75
Pneumatic Roller	4	\$70.00	\$280.00	\$42.00	\$322.00
Tandem Roller	12	\$59.25	\$711.00	\$106.65	\$817.65
Sweeper	12	\$88.93	\$1,067.16	\$160.07	\$1,227.23
Asphalt Distributor	4	\$85.00	\$340.00	\$51.00	\$391.00
Crew Truck (Surveyor)	4	\$25.00	\$100.00	\$15.00	\$115.00
Crew Truck	12	\$25.00	\$300.00	\$45.00	\$345.00

Subcontractor

Subcontractor	Item of Work	Unit	Qty.	Unit Cost	Unit Cost X Qty.	Cost X 0.05	Cost + Profit
				Cost	Cost	Profit	Total Cost
Sunbelt	Haul MC-30	TON	1	\$27.00	\$27.00	\$1.35	\$28.35
Sunbelt	Haul Hotmix	TON	54	\$3.99	\$215.46	\$10.77	\$226.23
Sunbelt	Caliche	TON	75	\$3.99	\$299.25	\$14.96	\$314.21

Labor	\$2,149.97
Materials	\$4,425.99
Equipment	\$5,715.87
Subs	\$568.80
REMOBILIZATION FEE	\$0.00
Grand Total	\$12,860.62



**HIDALGO COUNTY
JUL 13 2009
DRAINAGE DISTRICT #1**

**HIDALGO COUNTY
JUN 22 2009
DRAINAGE DISTRICT #1**

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1
LEVEE IMPROVEMENTS PROJECT

CHANGE ORDER NO. 2

ATTACHMENT B

Date: August 19, 2009

Contractor: BALLENGER CONSTRUCTION
CO.
24200 North FM 509
Harlingen, Texas 78550

Owner: Hidalgo County Drainage District No. 1
902 N. Doolittle Road
Edinburg, Texas 78541

Reference: MISSION LEVEE IMPROVEMENTS
PROJECT
BANKER WEIR TO INSPIRATION
RD (3.74 MILES)

Contract No. 08-005-04-29

Dannenbaum No. 4287-03

ENGINEER'S EXPLANATION

DESCRIPTION OF CHANGE

Modifications to Asphalt Paving for Riverside Club access ramp.

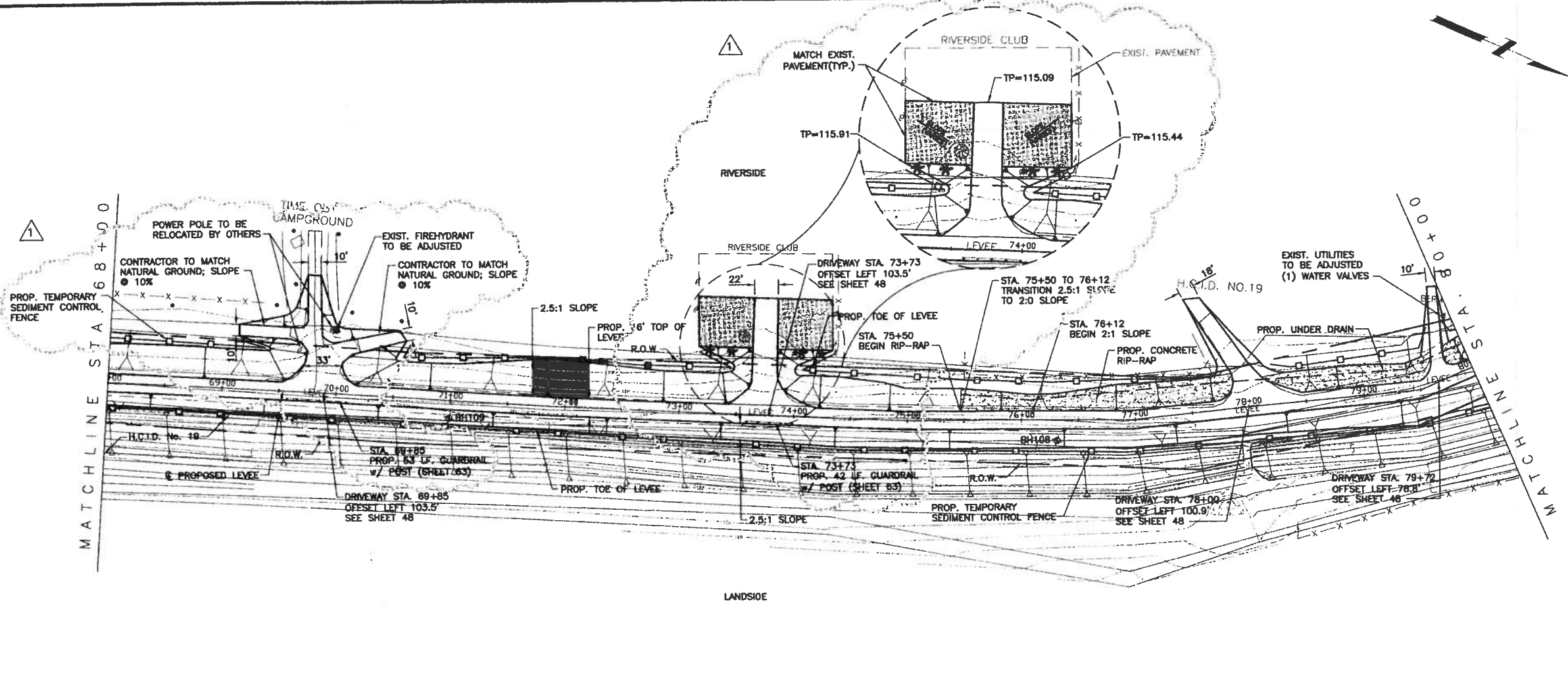
JUSTIFICATION FOR CHANGE

Issued for Construction drawings depict asphalt paving of the top of the access ramp. As this ramp terminates into the existing asphalt parking lot, it is necessary to provide a transition of the access ramp to the parking lot. Therefore, the side slopes of the access ramp need to be paved and transition to the outer edges of the parking lot.

ENGINEER'S JUSTIFICATION OF COST

A detailed breakdown of labor, materials, and equipment is attached as part of this change order package and unit prices were based on similar work performed by the Contractor adjacent to this proposed work. Contractor submitted a lump sum amount of \$13,991.57 and was 8.08% higher than our "Engineer's Opinion of Cost." After negotiations, Contractor agreed with our estimate and Engineer recommends processing of this change order for \$12,860.62.





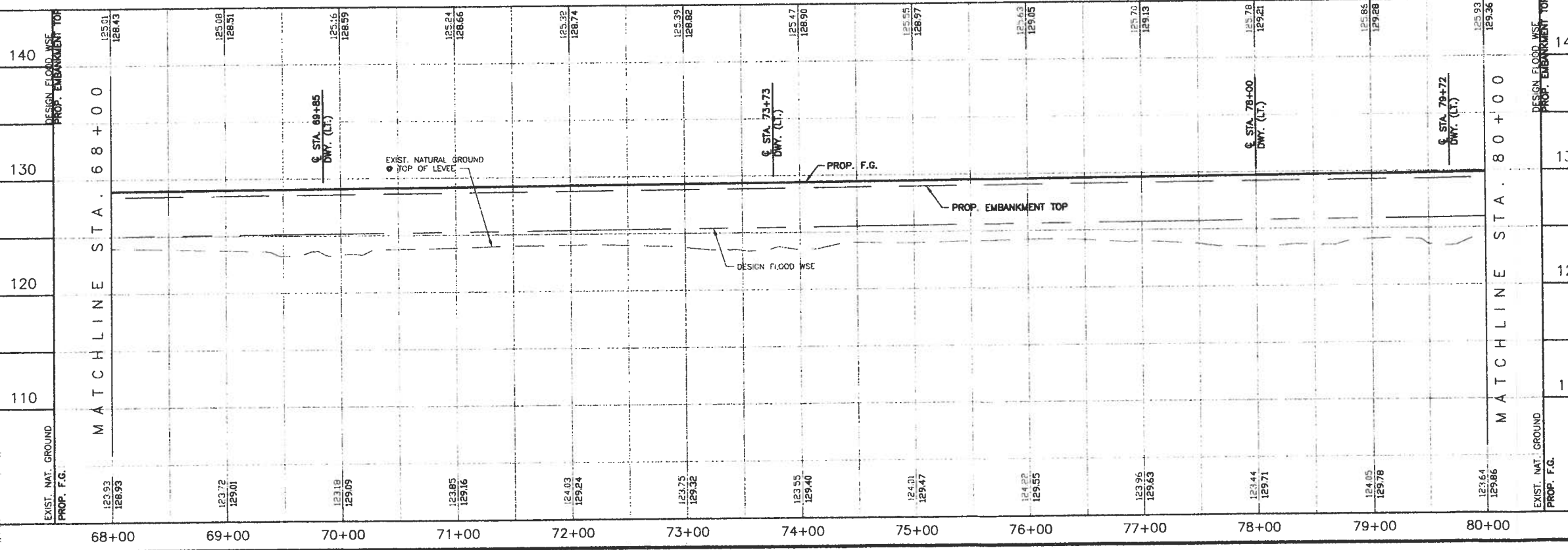
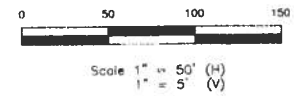
Rev. No.	Description	Chk By:	Date
1	ADJUSTED RAMPS AND GUARDRAIL w/POST	H.G.	04-20-09

- LEGEND**
- SEDIMENT CONTROL FENCE
 - - - UNDER DRAIN
 - ⊕ EXISTING GEOTECHNICAL BORE
 - [Pattern] PROPOSED PAVING LIMITS
 - [Pattern] PROPOSED LEVEE RIP-RAP

- NOTES:**
1. WHERE R.O.W. IS LESS THAN 15 FEET FROM TOE OF PROPOSED LEVEE, SEDIMENT CONTROL FENCE SHALL BE PLACED AT R.O.W. LIMITS.
 2. WSE=WATER SURFACE ELEVATION



Hugo P. Gonzalez, Jr.
Licensed Professional Engineer
Engineer # 95680



Project: **LEVEE IMPROVEMENT PROJECT**
BANKER WEIR TO INSPIRATION ROAD

Sheet Title:
MISSION LEVEE IMPROVEMENTS
PLAN & PROFILE SHEET
STA. 68+00 - 80+00

DL, INC.
DOS LOGISTICS, INC.
212 W. 3rd Street Phone: (956) 968-8800
Weslaco, Tx. 78596 Fax: (956) 447-8194

DANNENBAUM
ENGINEERING COMPANY-McALLEN, LLC
1109 Nolana Loop, Suite 208 McAllen, TX 78504 (956) 682-3877

Date: May 12, 2009	Drawn By: E.B., J.M.
Designed By: H.P.G.	Checked By: H.P.G.
Project No.:	Sheet 12 of 86

HIDALGO County Drainage District No. 1
LEVEE IMPROVEMENTS PROJECT
COMMON LEVEE (5.35 MILES)

CHANGE ORDER NO. 4

Date: July 9, 2009

Contractor: Ballenger Construction Company
24200 North FM 509
Harlingen, Texas 78550

Owner: Hidalgo County Drainage District No. 1
902 N. Doolittle Road
Edinburg, Texas 78541

Reference: LEVEE IMPROVEMENTS PROJECT
COMMON LEVEE (5.35 MILES)

Contract No. 08-007-05-27
Dannenbaum No. 4287-04

Description:

Installation of 18" RCP pipe and headwall at Sta. 54+70 and Sta. 84+50.

Contract Amount:

Original Contract Price:	\$	7,593,164.28
Previous Change Order(s):	\$	(164,475.78)
Contract price prior to this change order:	\$	7,428,688.50
Net increase (decrease) from this change order:	\$	3,240.00
Contract price with all change orders to date (including this change order):	\$	<u>7,431,928.50</u>

Contract Time:

Authorized contract time change:

Previous Total	0	days
This Change Order	<u>0</u>	days
Total to Date	0	days

APPROVALS:

ENGINEER:

Dannenbaum Engineering Company - McAllen, LLC


Richard D. Seitz, P.E. Date 7/15/09
Resident Project Representative

OWNER:

Hidalgo Co. Drainage Dist. No. 1

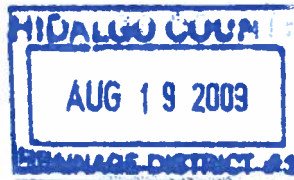
JD Salinas Date
Chairman of the Board

ACCEPTED:

CONTRACTOR:

Ballenger Construction Company


Joe C. Ballenger Jr. Date 7/14/09
President



HIDALGO COUNTY

JUL 15 2009

DRAINAGE DISTRICT #1

Contract No.: 08-007-05-27
Dannenbaum: 4287-04
Change Order No. 4: Change Order No. 4
Description: 18" Pipe & Headwall at Ramp

Labor

Description	Labor	Days	Hours Per Day	Total Hours	Rate Per Hour	Total Cost
Foreman	1.00	1.00	4.00	4.00	\$ 21.45	\$ 85.80
Pipe Layer	1.00	1.00	4.00	4.00	\$ 8.44	\$ 33.76
Laborer	1.00	1.00	4.00	4.00	\$ 9.05	\$ 36.20
Loader Operator	1.00	1.00	4.00	4.00	\$ 8.61	\$ 34.44
Excavator Operator	1.00	1.00	4.00	4.00	\$ 10.83	\$ 43.32
Subtotal						\$ 233.52
Labor burden	55%					\$ 128.44
Labor Comp.	25%					\$ 58.38
						\$ 420.34

Equipment

Description	Quantity	Days	Hours Per Day	Total Hours	Rate Per Hour	Total Cost
Excavator	1.00	1.00	4.00	4.00	\$ 120.00	\$ 480.00
Crew Truck	1.00	1.00	4.00	4.00	\$ 25.00	\$ 100.00
Pipe Laser	1.00	1.00	4.00	4.00	\$ 6.95	\$ 27.80
Front End Loader	1.00	1.00	4.00	4.00	\$ 34.00	\$ 136.00
Subtotal						\$ 743.80
Equip comp	15%					\$ 111.57
						\$ 855.37

Materials

Description	Qty	Unit	Unit Cost	Total
18" RCP Class III	40.00	LF	\$ 14.40	\$ 576.00
18" Concrete Headwall	2.00	EA	\$ 489.00	\$ 978.00
Subtotal				\$ 1,554.00
Material comp	25%			\$ 388.50
				\$ 1,942.50

Total

Total Labor and Material Cost \$ 3,218.21
Item total \$ 3,218.21



HIDALGO COUNTY
 JUL 15 2009
 DRAINAGE DISTRICT #1

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1
LEVEE IMPROVEMENTS PROJECT

CHANGE ORDER NO. 4

ATTACHMENT B

Date: August 19, 2009

Contractor: BALLENGER CONSTRUCTION
CO.
24200 North FM 509
Harlingen, Texas 78550

Owner: Hidalgo County Drainage District No. 1
902 N. Doolittle Road
Edinburg, Texas 78541

Reference: MISSION LEVEE IMPROVEMENTS
PROJECT
COMMON LEVEE

Contract No. 08-007-05-27

Dannenbaum No. 4287-04

ENGINEER'S EXPLANATION

DESCRIPTION OF CHANGE

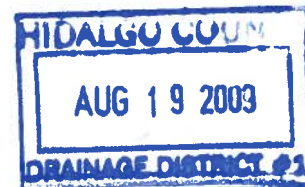
Installation of 18" pipe and headwall at Sta. 54+70 and Sta. 84+50.

JUSTIFICATION FOR CHANGE

Issued for Construction drawings called for levee ramps to be raised to match the new top of levee elevation, but did not address extending the existing RCP pipe and relocating the headwall on each side of the ramp to account for the increased width at the toe of the ramp side slopes due to the change in ramp height. This change order is being generated to pay the Contractor for installation of this additional material.

ENGINEER'S JUSTIFICATION OF COST

Contractor's submitted an "Opinion of Cost" which came out to be \$5,055.74, and was 41.55% higher than our original "Engineer's Opinion of Cost." Equipment and Labor costs were based on similar work performed by the Contractor on adjacent projects, and materials prices were obtained from invoices submitted by the Contractor from their supplier. After Contractor reviewed our "Engineer's Opinion of Cost," it was agreed that our estimate was fair and reasonable. Therefore, Engineer recommends processing of this change order in the amount of \$3,240.00.

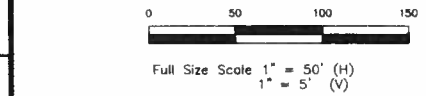


Rev. No.	Description	Chk. By:	Date
IFC	ISSUED FOR CONSTRUCTION	R.S.	04-20-08
A	ADD RCP PIPE AND HEADWALL	R.S.	07-10-09

- LEGEND**
- PROPOSED METALBEAM GUARDRAIL w/POST
 - PROPOSED SEDIMENT CONTROL FENCE
 - EXISTING GEOTECHNICAL BORE
 - EXISTING OVERHEAD POWERLINE
 - PROPOSED GATE
 - EXISTING GUARDRAIL w/POST
 - PROPOSED LEVEE ACCESS DRIVE EMBANKMENT
 - PROPOSED PAVING LIMITS
 - PROPOSED STONE RIP-RAP
 - EXIST. STONE RIP-RAP

- NOTE:**
- WHERE R.O.W. IS LESS THAN 15 FEET FROM TOE OF PROPOSED LEVEE, SEDIMENT CONTROL FENCE SHALL BE PLACED AT R.O.W. LIMITS.
 - R.O.W. LEVEE SHOWN WHERE IT LIES WITHIN PLAN VIEW.
 - WSE= WATER SURFACE ELEVATION
 - F.G. = FINISHED GRADE

Omar Anzaldo, Jr.
Licensed Professional Engineer # 97249
7-10-09



Project:

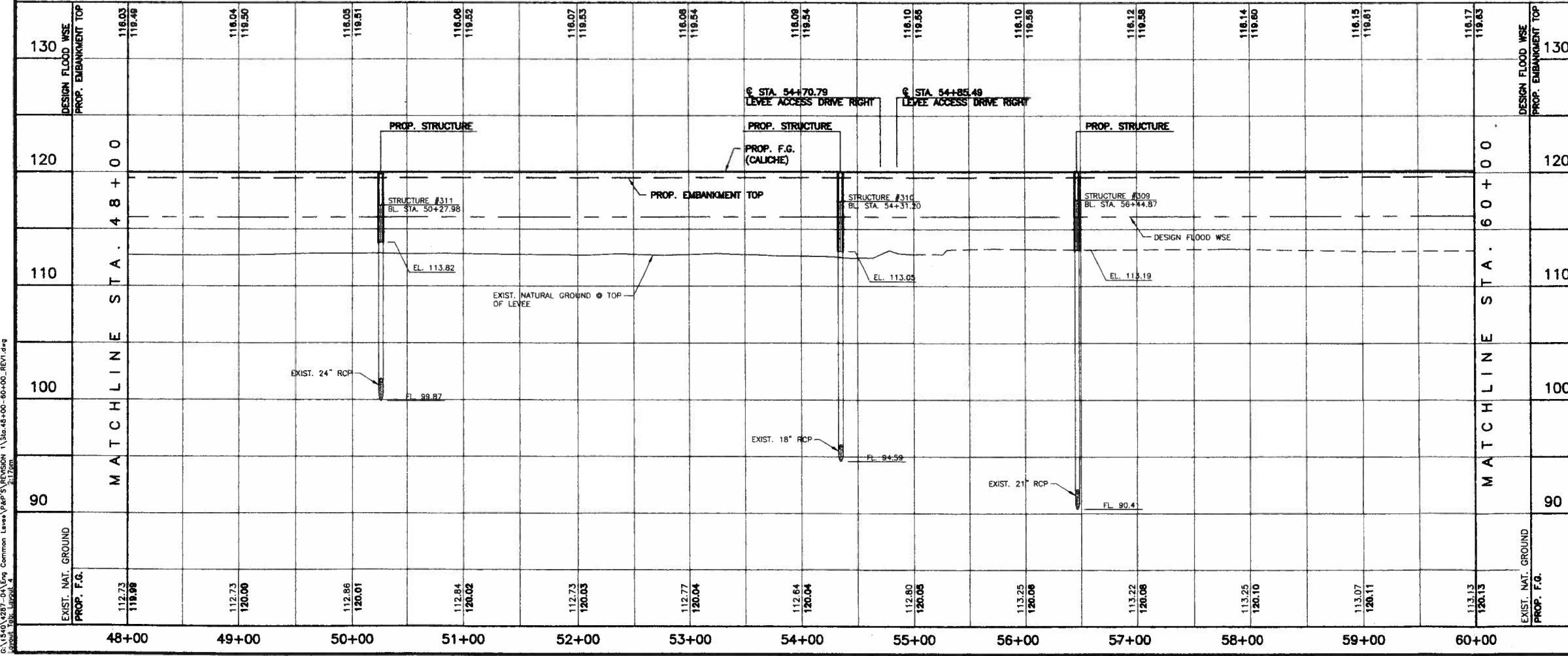
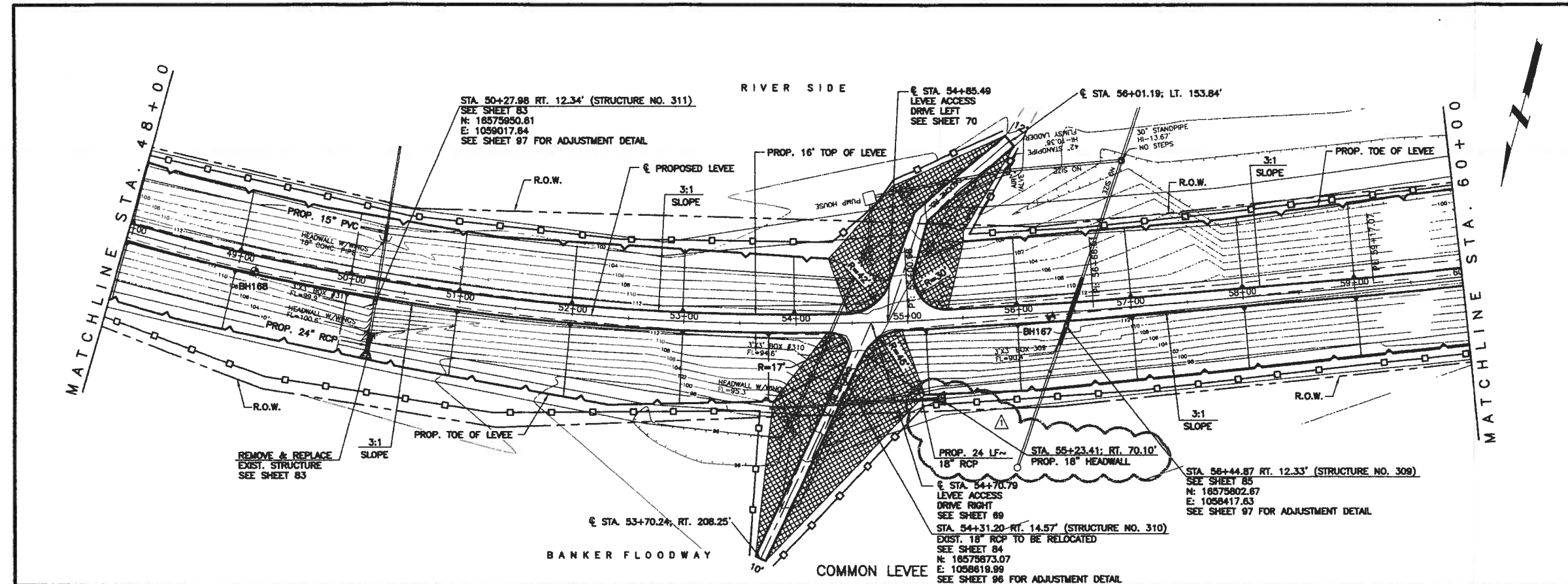
COMMON LEVEE/
ANZALDUAS DIKE
IMPROVEMENTS
PROJECT

Sheet Title:

COMMON LEVEE IMPROVEMENTS
PLAN & PROFILE SHEET
STA. 48+00 - 60+00

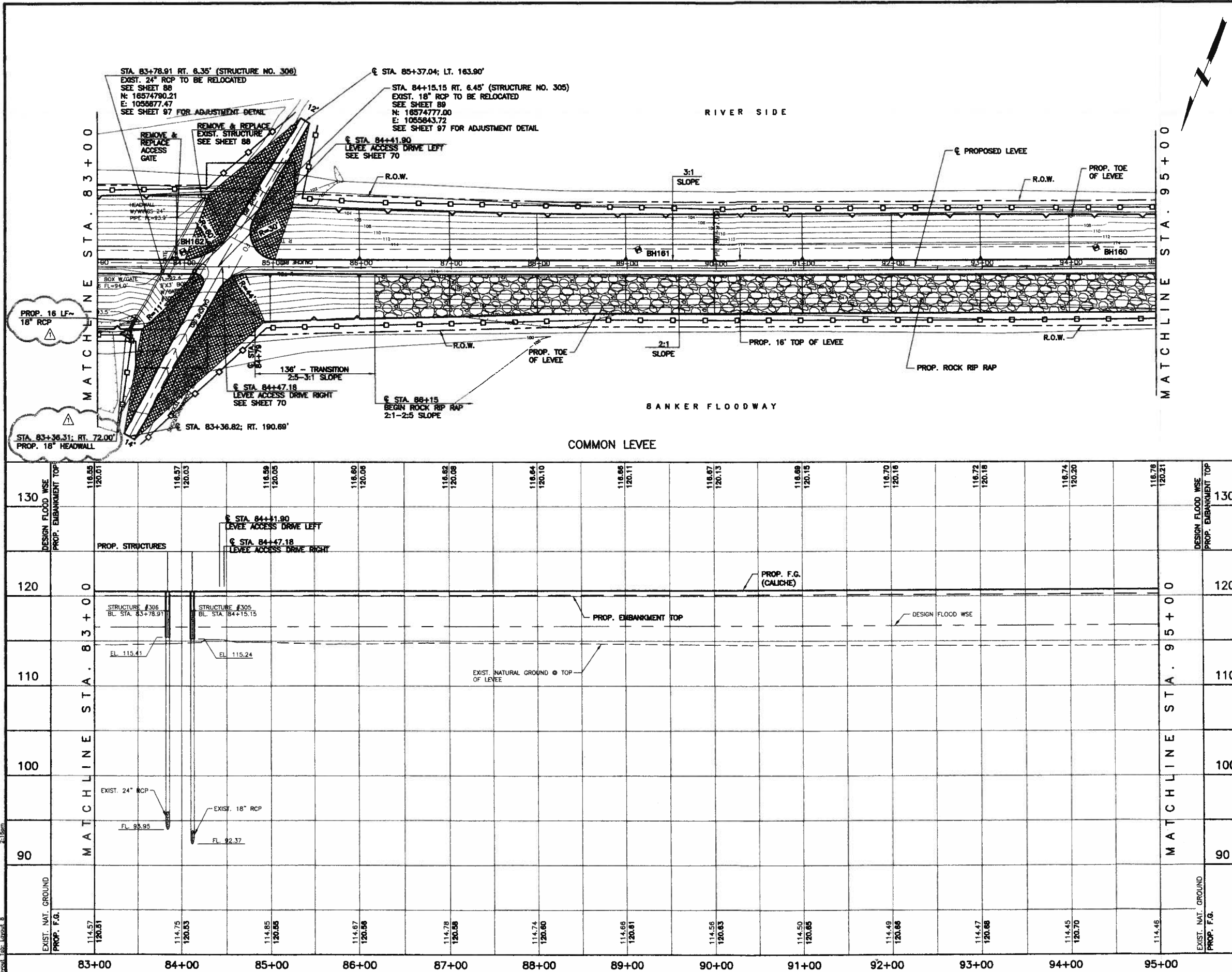
DANNENBAUM
ENGINEERING COMPANY-MCALLEN, LLC
1109 Nolana Loop, Suite 208 McAllen, TX 78504 (958) 882-3677

Date:	Jul 10, 2009	Drawn By:	H.R.V.
Designed By:	O.A.	Checked By:	A.C.F.
Project No.:	4287-04	Sheet	13 of 111



G:\1540\1587-04\Exp Common Levee\Paper\5\REVISION 1\30c48+00-60+00_REV1.dwg
 11/12/09

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Rev. No.	Description	Chk. By.	Date
IFC	ISSUED FOR CONSTRUCTION	R.S.	04-20-08
A	ADD RCP PIPE AND HEADWALL	R.S.	07-10-09

- LEGEND**
- PROPOSED METALBEAM GUARDRAIL w/POST
 - PROPOSED SEDIMENT CONTROL FENCE
 - EXISTING GEOTECHNICAL BORE
 - EXISTING OVERHEAD POWERLINE
 - PROPOSED GATE
 - EXISTING GUARDRAIL w/POST
 - PROPOSED LEVEL ACCESS DRIVE EMBANKMENT
 - PROPOSED PAVING LIMITS
 - PROPOSED STONE RIP-RAP
 - EXIST. STONE RIP-RAP
- NOTE:**
- WHERE R.O.W. IS LESS THAN 15 FEET FROM TOE OF PROPOSED LEVEE, SEDIMENT CONTROL FENCE SHALL BE PLACED AT R.O.W. LIMITS.
 - R.O.W. LEVEE SHOWN WHERE IT LIES WITHIN PLAN VIEW.
 - WSE= WATER SURFACE ELEVATION
 - F.G. = FINISHED GRADE

Omar Anzaldúa, Jr.
 Omar Anzaldúa, Jr.
 Licensed Professional Engineer # 97249
 7-10-09

Full Size Scale 1" = 50' (H)
 1" = 5' (V)

Project:

COMMON LEVEE/
ANZALDUAS DIKE
IMPROVEMENTS
PROJECT

Sheet Title:

COMMON LEVEE IMPROVEMENTS
PLAN & PROFILE SHEET
STA. 83+00 - 95+00

DANNENBAUM
ENGINEERING COMPANY-McALLEN, LLC
 1109 Nolana Loop, Suite 208 McAllen, TX 78504 (956) 682-3677

Date: Jul 10, 2009	Drawn By: H.R.V.
Designed By: O.A.	Checked By: A.C.F.
Project No.: 4287-04	Sheet: 16 of 111

DANNENBAUM ENGINEERING COMPANY - McALLEN LLC

1109 NOLANA LOOP, SUITE 208 McALLEN, TEXAS 78504 (956) 682-3677

June 16, 2009

Hidalgo County Drainage District No. 1
902 North Doolittle Rd.
Edinburg, Texas 78541

ATTN: *Mr. Godfrey Garza, Jr., CFM*
District Manager, Flood Plain Administrator

REF: *Hidalgo County Levee Rehabilitation Project*
Contract No. 08-008-07-01
DHS Segment O-5

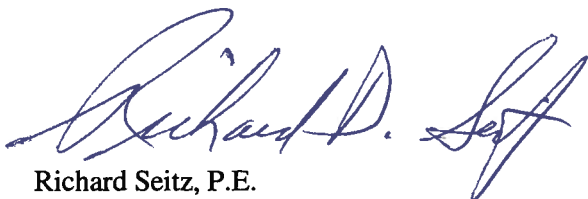
SUBJ: *Contractor's refusal to execute Change Order No. 13*

Dear Mr. Garza,

The work identified in Change Order No. 13, addressing Contractor Wall Height Error, has been completed. However, Dannenbaum Engineering and Ballenger Construction Company attempted to negotiate amount of Change Order No. 13 and were unsuccessful. Therefore, Dannenbaum is herewith submitting the unsigned change order for further action Hidalgo County Drainage District No. 1 and/or Department of Homeland Security.

If you have any questions or need clarification concerning this correspondence, please free to contact Jaime Xavier Farias or Louis Lopez at (956)682-3677.

Respectfully,



Richard Seitz, P.E.
Resident Project Representative
Dannenbaum Engineering Co. – McAllen LLC

cc: Steve McGarraugh – Dannenbaum Engineering
Jaime Xavier Farias, E.I.T. – Dannenbaum Engineering
Louis Lopez - Dannenbaum Engineering
Lora Briones – Hidalgo County Drainage District No. 1
Minerva Luna – Hidalgo County Drainage District No. 1

HIDALGO COUNTY

JUN 17 2009

DRAINAGE DISTRICT #1

HIDALGO County Drainage District No. 1
LEVEE IMPROVEMENTS PROJECT
DHS SEGMENT 0-5 (1.76 MILES)

CHANGE ORDER NO. 13

Date: June 8, 2009

Contractor: Ballenger Construction Company
24200 North FM 509
Harlingen, Texas 78550

Owner: Hidalgo County Drainage District No. 1
902 N. Doolittle Road
Edinburg, Texas 78541

Reference: LEVEE IMPROVEMENTS PROJECT
DHS SEGMENT 0-5 (1.76 MILES)

Contract No. 08-008-07-01
Dannenbaum No. 4410-01

Description:

Modification to cast-in-place concrete retaining wall footing elevation and stem height.

Contract Amount:

Original Contract Price:	\$	21,383,679.67
Previous Change Order(s):	\$	(1,268,079.83)
Contract price prior to this change order:	\$	20,115,599.84
Net increase (decrease) from this change order:	\$	(882,806.54)
Contract price with all change orders to date (including this change order):	\$	<u>19,232,793.30</u>

Contract Time:


Authorized contract time change:

This Change Order	0	days
Previous Total	0	days
Total to Date	<u>0</u>	days

APPROVALS:

ENGINEER:

Dannenbaum Engineering Company - McAllen, LLC


Richard D. Seitz, P.E. Date 6/8/09
Resident Project Representative

OWNER:

Hidalgo Co. Drainage Dist. No. 1

JD Salinas Date
Chairman of the Board

ACCEPTED:

CONTRACTOR:

Ballenger Construction Company

Joe C. Ballenger, Jr. Date
President

HIDALGO COUNTY

JUN 17 2009

DRAINAGE DISTRICT #1

**HIDALGO County Drainage District No. 1
LEVEE IMPROVEMENTS PROJECT
DHS SEGMENT 0-5 (1.76 MILES)**

CHANGE ORDER NO. 13

ATTACHMENT B

ENGINEER'S PRELIMINARY OPINION OF COST

Date: June 8, 2009

Contractor: Ballenger Construction Company

24200 North FM 509
Haringen, Texas 78550

Contract No. 08-008-07-01
Dannenbaum No. 4410-01

Description:

Modification to cast-in-place concrete retaining wall footing elevation and stem height.

COST SUMMARY

BID ITEM NO.	UNITS	ORIGINAL QNTYS			REVISED QNTYS			VARIANCE AMOUNT
		QNTYS	UNIT PRICE	COST	QNTYS	UNIT PRICE	COST	
5	REMOVE / STOCKPILE (EXISTING EMBANKMENT)	72,068.00	\$ 12.00	\$ 864,816.00	56,869.00	\$ 12.00	\$ 682,428.00	\$ (182,388.00)
7	RETAINING WALL (CAST-IN-PLACE) (STEM)	10,530.00	\$ 528.366305	\$ 5,563,697.19	9,794.00	\$ 528.366305	\$ 5,174,819.59	
	DEMINSHED QUALITY PRODUCT REDUCTION	N/A	N/A	N/A	2,850.00	\$ 98.24	\$ (279,984.00)	
	ENGINEERING & DESIGN SERVICES TO EVALUATE STRUCTURE	N/A	N/A	N/A	1.00	\$ 13,663.12	\$ (13,663.12)	
	SUBTOTAL:				9,794.00	\$ 498.383957	\$ 4,881,172.47	
	REVISED RETAINING WALL (CAST-IN-PLACE) (STEM)						\$ (38.75)	
	UNIT COST ROUNDING ADJUSTMENT						\$ (38.75)	
	ADJUSTMENT TO RETAINING WALL (CAST-IN-PLACE) (STEM)				9,794.00	\$ 498.380000	\$ 4,881,133.72	\$ (682,563.47)
32	SHEET WALL DRAIN MATERIAL				SF 143,729.00	\$ 2.63	\$ 378,007.27	\$ (17,855.07)
	GRAND TOTAL						\$ 360,152.20	\$ (882,806.54)

HIDALGO COUNTY

JUN 17 2009

DRAINAGE DISTRICT #1

SEGMENT 0-5

(CHANGE ORDER #13A - BACKUP CALCULATIONS)

32 - SHEET WALL DRAIN MATERIAL

BEGIN STATION	END STATION	LENGTH (LF)	TOTAL LENGTH (LF)
3850	3900	50	3650
5500	9100	3600	

ORIGINAL ELEVATIONS							
TOP ELEVATION OF RETAINING WALL @ STA 55+00	TOP ELEVATION OF RETAINING WALL @ STA 91+00	F.G. @ FACE OF RETAINING WALL @ STA 55+00	F.G. @ FACE OF RETAINING WALL @ STA 91+00	HEIGHT @ STA 55+00	HEIGHT @ STA 91+00	AVERAGE HEIGHT (FT)	AREA OF SHEET WALL DRAIN MATERIAL (SF)
118.85	117.04	100.85	99.04	18	18	18	65700

REVISED ELEVATIONS							
TOP ELEVATION OF RETAINING WALL @ STA 55+00	TOP ELEVATION OF RETAINING WALL @ STA 91+00	F.G. @ FACE OF RETAINING WALL @ STA 55+00	F.G. @ FACE OF RETAINING WALL @ STA 91+00	HEIGHT @ STA 55+00	HEIGHT @ STA 91+00	AVERAGE HEIGHT (FT)	AREA OF SHEET WALL DRAIN MATERIAL (SF)
118.85	117.04	102.1	101.51	16.75	15.53	16.14	58911

DIFFERENCE (ORIGINAL REVISED) (SF)
6789

HIDALGO COUNTY

JUN 17 2009

DRAINAGE DISTRICT #1

**HIDALGO County Drainage District No. 1
LEVEE IMPROVEMENTS PROJECT
DHS SEGMENT 0-5 (1.76 MILES)**

**CHANGE ORDER NO. 13
ATTACHMENT A**

TABULATION OF QUANTITY AND COST

Date: June 8, 2009

Contractor: Ballenger Construction Company

24200 North FM 509
Harlingen, Texas 78550

Contract No. 08-008-07-01
Dannenbaum No. 4410-01

Description:

Modification to cast-in-place concrete retaining wall footing elevation and stem height.

COST SUMMARY

BID ITEM NO.	UNITS	ORIGINAL QNTYS		REVISED QNTYS		VARIANCE AMOUNT
		QNTYS	UNIT PRICE	QNTYS	UNIT PRICE	
5	CY	72,068.00	\$ 12.00	56,869.00	\$ 12.00	\$ 864,816.00
7	CY	10,530.00	\$ 528.366305	9,794.00	\$ 488.380000	\$ 5,583,697.19
32	SF	143,729.00	\$ 2.63	136,940.00	\$ 2.63	\$ 378,007.27
GRAND TOTAL						\$ (882,806.54)

HIDALGO COUNTY

JUN 17 2009

DRAINAGE DISTRICT #1

DANNENBAUM ENGINEERING COMPANY - McALLEN LLC

1109 NOLANA LOOP, SUITE 208 McALLEN, TEXAS 78504 (956) 682-3677

June 16, 2009

Hidalgo County Drainage District No. 1
902 North Doolittle Rd.
Edinburg, Texas 78541

ATTN: *Mr. Godfrey Garza, Jr., CFM*
District Manager, Flood Plain Administrator

REF: *Hidalgo County Levee Rehabilitation Project*
Contract No. 08-016-09-02
DHS Segment O-6A

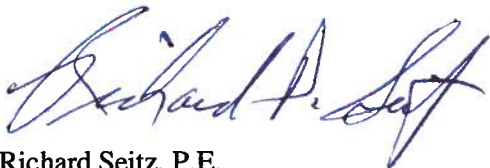
SUBJ: *Contractor's refusal to execute Change Order No. 11*

Dear Mr. Garza,

The work identified in Change Order No. 11, addressing Reduce Aggregate/Add Sheet Drain, has been completed. However, Dannenbaum Engineering and Ballenger Construction Company attempted to negotiate amount of Change Order No. 11 and were unsuccessful. Therefore, Dannenbaum is herewith submitting the unsigned change order for further action by Hidalgo County Drainage District No. 1 and/or Department of Homeland Security.

If you have any questions or need clarification concerning this correspondence please free to contact Jaime Xavier Farias or Louis Lopez at (956)682-3677.

Respectfully,



Richard Seitz, P.E.
Resident Project Representative
Dannenbaum Engineering Co. – McAllen LLC

cc: Steve McGarraugh – Dannenbaum Engineering
Jaime Xavier Farias, E.I.T. – Dannenbaum Engineering
Louis Lopez - Dannenbaum Engineering
Lora Briones – Hidalgo County Drainage District No. 1
Minerva Luna – Hidalgo County Drainage District No. 1

HIDALGO COUNTY
JUN 17 2009
DRAINAGE DISTRICT #1

HIDALGO County Drainage District No. 1
LEVEE IMPROVEMENTS PROJECT
DHS SEGMENT 0-6A (2.59 MILES)

CHANGE ORDER NO. 11

Date: June 8, 2009

Contractor: Ballenger Construction Company
24200 North FM 509
Harlingen, Texas 78550

Owner: Hidalgo County Drainage District No. 1
902 N. Doolittle Road
Edinburg, Texas 78541

Reference: LEVEE IMPROVEMENTS PROJECT
DHS SEGMENT 0-6A (2.59 MILES)

Contract No. 08-016-09-02
Dannenbaum No. 4410-07

Description:

Revised aggregate drain material quantity, and added New Bid Item for sheet wall drain material.

Contract Amount:

Original Contract Price:	\$	28,553,870.93
Previous Change Order(s):	\$	(1,289,445.61)
Contract price prior to this change order:	\$	27,264,425.32
Net increase (decrease) from this change order:	\$	(296,621.69)
Contract price with all change orders to date (including this change order):	\$	<u>26,967,803.63</u>

Contract Time:

Authorized contract time change:
Previous Total
This Change Order
Total to Date

0	days
0	days
<u>0</u>	days

APPROVALS:

ENGINEER:

Dannenbaum Engineering Company - McAllen, LLC


Richard D. Seitz, P.E. Date 6/8/09
Resident Project Representative

OWNER:

Hidalgo Co. Drainage Dist. No. 1

JD Salinas Date
Chairman of the Board

ACCEPTED:

CONTRACTOR:

Ballenger Construction Company

Joe C. Ballenger, Jr. Date
President

HIDALGO COUNTY
JUN 17 2009
DRAINAGE DISTRICT #1

Input Dimensions

Overall (do not edit)

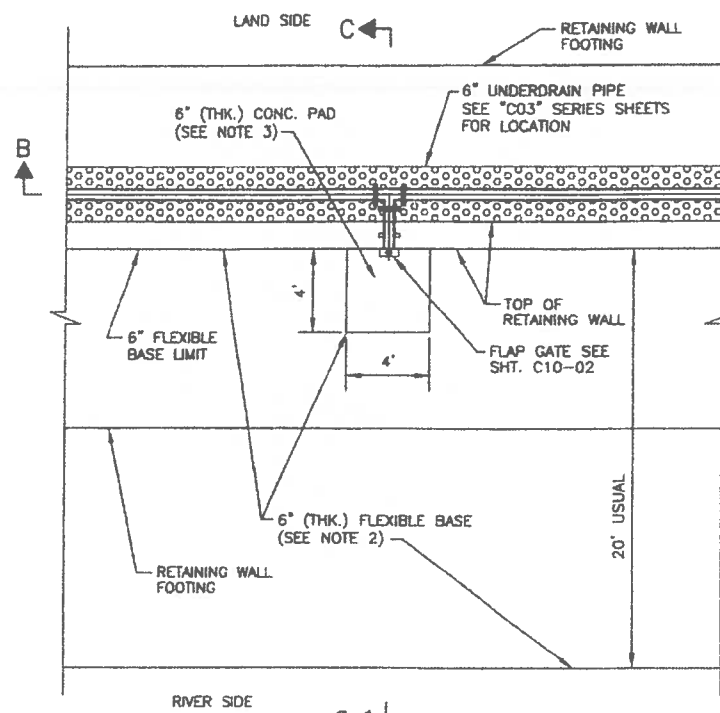
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170	13533

DHS SEGMENT 0-6A (2.59 MILES)										
Begin Sta	End Sta	FW	FT	HP	TW	HW	KW	KH		
170	1900	18.17	2.00	19.00	3.17	12.75	1.50	2.50		
1900	5300	14.50	1.50	14.00	2.58	10.50	1.00	2.00		
5300	6900	17.00	1.75	16.00	3.83	11.50	1.00	2.50		
6900	9150	15.25	1.75	17.00	2.33	11.08	1.00	2.00		
9150	13533	18.17	2.00	19.00	3.17	12.75	1.50	2.50		

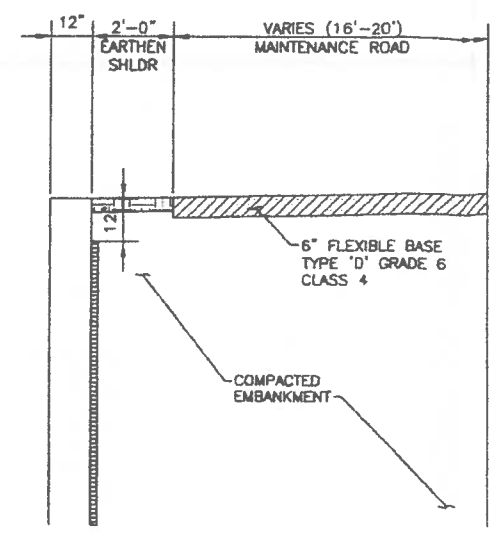
Notes:

1. These will serve as the basis of all the calculations on the ensuing sheets.
2. Do not delete blank rows.

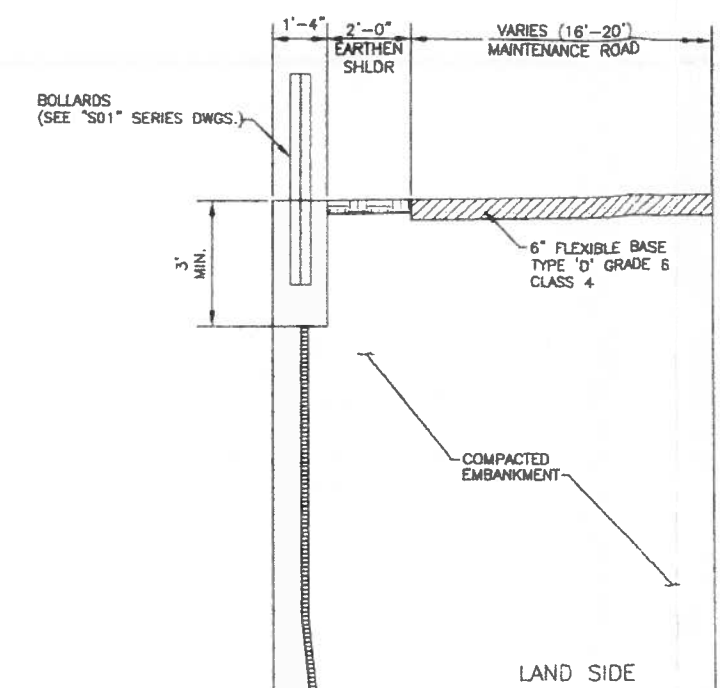
HIDALGO COUNTY
 JUN 17 2009
 DRAINAGE DISTRICT #1



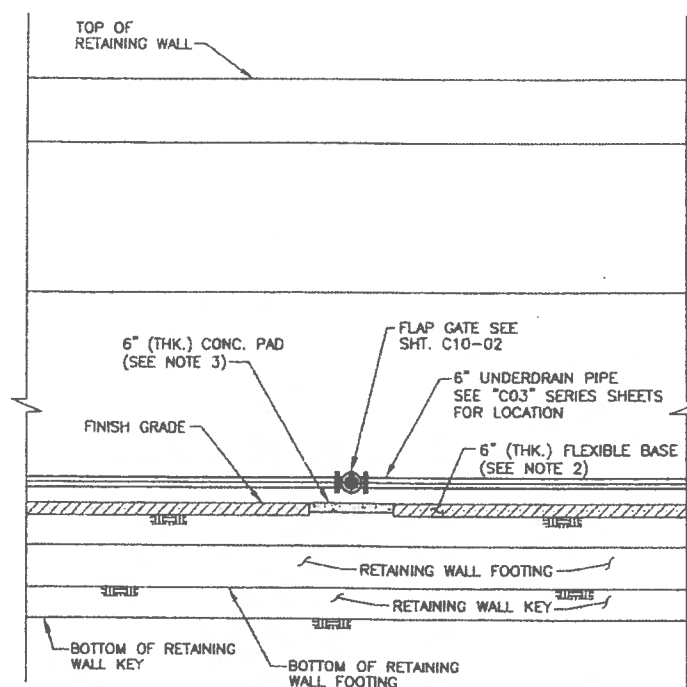
SECTION A-A
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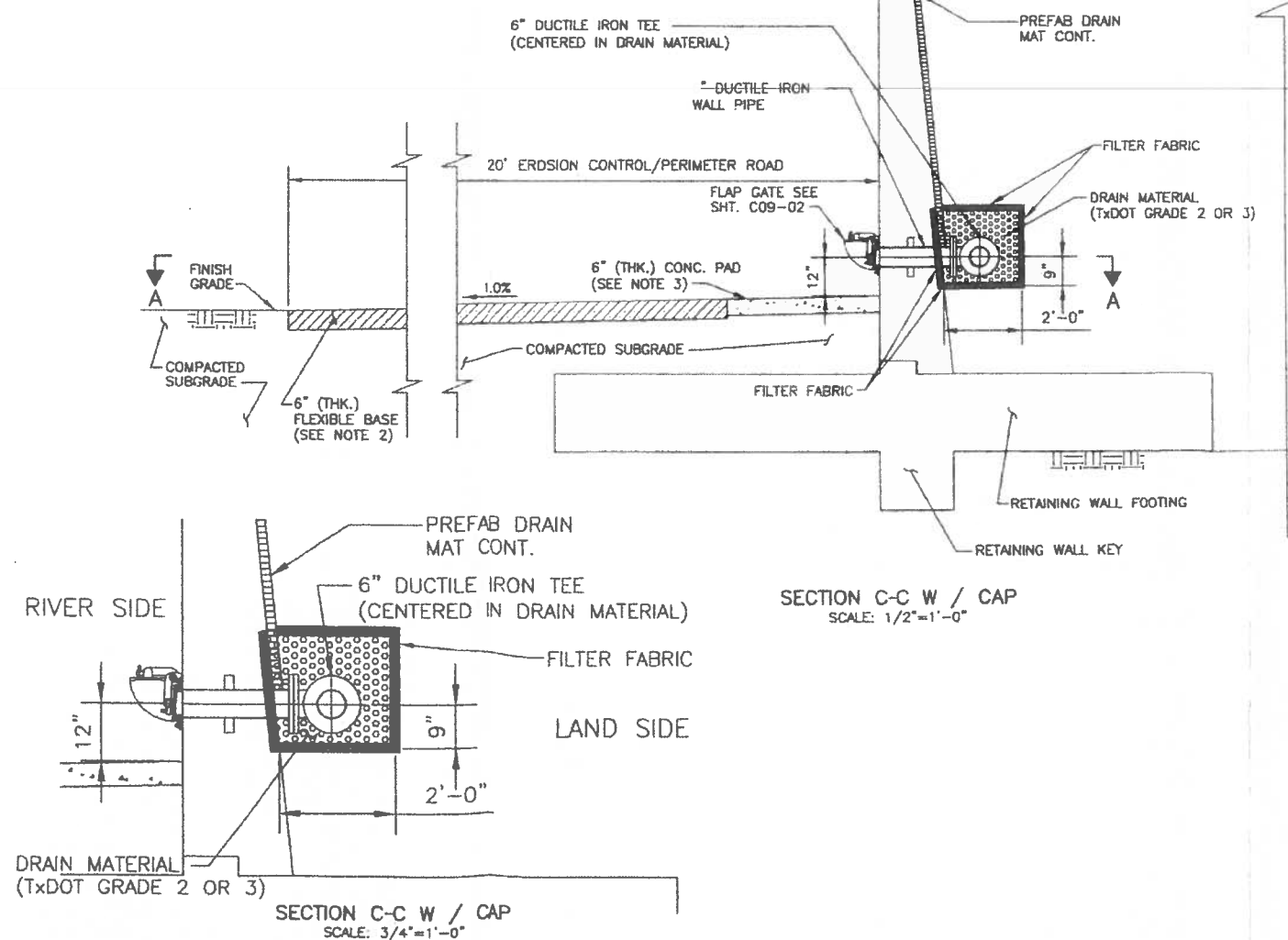
SECTION W/O CAP
SCALE: 1/2"=1'-0"



SECTION C-C W / CAP
SCALE: 1/2"=1'-0"



SECTION B-B
SCALE: 1/4"=1'-0"



SECTION C-C W / CAP
SCALE: 3/4"=1'-0"

Rev. No.	Description	Chk. By:	Date
B	ISSUED FOR CONSTRUCTION	R.S.	06-05-08
A	REPLACE IN ITS ENTIRETY	R.S.	09-25-08



DANNENBAUM
ENGINEERING COMPANY-McALLEN, LLC
1108 Nolana Loop, Suite 208 McAllen, TX 78504 (956) 682-3677

HIDALGO PROTECTIVE LEVEE
IMPROVEMENT PROJECT
DHS PF 225: O-6 A

RETAINING WALL UNDERDRAIN
SYSTEM DETAILS

SHEET (1 OF 1)



Project No.	4410-07
Designed By:	O.A.
Drawn By:	H.R.V.
Checked By:	R.S.
Sheet No.:	C10-01

Omar Anzures, Jr.
Omar Anzures, Jr., P.E.
Date: 9-25-08

C:\BATCH\2008\10\10\Drawings\0-6\Hydrology\Drawings\New\Section-a.dwg
 Created: 10/10/08 10:00:00 AM
 Plot Date: 10/10/08 10:00:00 AM
 Plot Scale: 1/4"=1'-0"

ENGINEER'S OPINION OF COST

Date: January 23, 2009
 Reference: LEVEE IMPROVEMENTS PROJECT
 DHS SEGMENT 0-6A (2.59 MILES)
 Contract No.: 08-016-09-02
 Dannenbaum: 4410-07
 Wrk Chng Dir.: WCD #11
 Description: SHEET WALL DRAIN MATERIAL

LABOR COST

Description	Each	MHS/Unit	Units	Tot. MHS	Unit Cost	Tot. Cost
Installers	8	1	EA	3,304	\$ 9.00	\$ 29,736.00
Flatbed Truck Driver	1	2.3	TRIPS	371	\$ 10.25	\$ 3,805.31
Forklift Operator	1	2.3	TRIPS	371	\$ 10.00	\$ 3,712.50
Supervisor	1	2.3	EA	330	\$ 40.00	\$ 13,216.00

Labor Cost: \$ 50,469.81
 Burden: 15% \$ 7,570.47
Total Labor Cost: \$ 58,040.28

EQUIPMENT COST

Description	Each	MHS/Units	Units	Tot. MHS	Unit Cost	Tot. Cost
Flat Bed Truck	1	2.3	TRIPS	371	\$ 15.00	\$ 5,568.75
Forklift	1	2.3	TRIPS	371	\$ 110.00	\$ 40,837.50

Total Equipment Cost: \$ 46,406.25

MATERIAL COST

Description	Units	Quantity	Unit Cost	Tot. Cost
Sheet Wall Drain Material	S.F.	144,961.00	\$ 0.75	\$ 108,720.75

Total Material Cost: \$ 108,720.75

Tot Labor, Equip, and Mtl Cost: \$ 205,596.81
 Contractor Markup: 15% \$ 30,839.52
 Bond: 5% \$ 11,821.82

Grand Total: \$ 248,258.15

ENGINEER:
 Dannenbaum Engineering Company - McAllen, LLC

Prepared By _____ Date _____

Checked By _____ Date _____

CALCULATIONS FOR INSTALLING SHEET DRAIN MATERIAL FOR AGGREGATE

Labor MHS 12 hr day

Begin	End	L	Panel Length	No. Panels	Task Duration (weeks)	Prod. Rate (Pan/wk)	Each	MHS/Panel	TOT MHS
170	13533	13363	32.33	413	12	34	8	1	3304

Equipment MHS

Begin	End	L	Panel Length	No. Panels	#Panels/Trip	Svc Time/Panel	Tot Trips	Trvl Time/Trip	Tot Time/All Panels
170	13533	13363	32.33	413	2.5	0.5	165	1	371

Drain Material Quantities

BEGIN WALL				END WALL				WALL LENGTH	AVE HP	SHEET HEIGHT-3.5'	DRN MTL SQFT
STA	TOP ELEV	FTG ELEV	HP	STA	TOP ELEV	FTG ELEV	HP				
170.00	117.97	102.59	15.38	179.48	117.96	102.59	15.37	9	15.38	13.88	132
179.48	117.96	102.59	15.37	458.04	117.93	102.24	15.69	279	15.53	12.03	3351
458.04	117.93	102.24	15.69	1700.00	117.74	101.25	16.49	1242	16.09	14.59	18120
1700.00	117.74	101.25	16.49	1900.00	117.71	106.60	11.11	200	13.80	10.30	2060
1900.00	117.71	106.60	11.11	5300.00	117.20	106.10	11.10	3400	11.11	7.61	25857
5300.00	117.20	105.98	11.22	6900.00	116.96	104.04	12.92	1600	12.07	8.57	13712
6900.00	116.96	103.97	12.99	9157.44	116.62	102.50	14.12	2257	13.56	10.06	22699
9157.44	116.62	101.44	15.18	11609.25	116.25	101.50	14.75	2452	14.97	13.47	33014
11609.25	116.25	101.50	14.75	11871.65	116.21	101.29	14.92	262	14.84	11.34	2974
11871.65	116.21	101.29	14.92	13533.00	115.96	100.14	15.82	1661	15.37	13.87	23043
											144961

- 1.5'

HIDALGO COUNTY
 JUN 17 2009
 DRAINAGE DISTRICT #1