

## Hidalgo County Head Start Program Policy Council Agenda

**DATE:** March 24, 2010

**SUBJECT:** Presentation for Discussion and Approval of Certificate of Payment #2 to Rigney Construction & Development, LLC, for the Construction of Three (3) Portable Two Classroom Buildings, Under Purchase Order № 78991

**RATIONALE/NEED:** This is the second partial payment for the construction work performed by Rigney Construction & Development LLC, on the three (3) portable two classroom buildings.

**RECOMMENDATION:** Administration recommends approval.

**COST:** Approximately \$35,650.26

**RELATED INFORMATION INCLUDED:** Memo/Application & Certification for Payment

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**INITIATED BY:** Ambrosio Tovar, Procurement Director *AT*

**REVIEWED BY:** Mr. Edmundo Garcia, Assistant Director *ES*

**PROGRAM DIRECTOR'S APPROVAL:** *Jerena Flores*



## HIDALGO COUNTY HEAD START PROGRAM

P. O. BOX 0117 ♣ EDINBURG, TEXAS 78540 ♣ TEL: (956) 383-0706 ♣ FAX: (956) 380-2588

TO: Edmundo Garcia, Assistant Director  
FROM: Ambrosio Tovar, Procurement Director *AT*  
DATE: March 5, 2010  
SUBJ: Application and Certificate for Payment #2

Rigney Construction & Development, LLC has submitted the second "Application and Certificate for Payment" for the construction of the three portable classrooms.

The payment has been certified by the architectural firm of Rike Ogden Figueroa Alex, which is managing the construction.

The amount of this request is for \$35,650.26. The first payment was \$40,568.79. After this payment our balance on the contract will be \$273,780.95. The total contract is for \$350,000.

Should you have any questions please let me know.

Thank you.

# APPLICATION AND CERTIFICATE FOR PAYMENT

SUBMITTED TO: Hidalgo County Head Start Program  
 1901 W. State Hwy 107  
 Edinburg, TX 78540

PROJECT: HC Head Start Program 3 Portable  
 Buildings

APPLICATION NO: 02  
 PERIOD TO: 3/31/10  
 PROJECT NO: 09.112  
 ARCH PROJ NO: 29009  
 CONTRACT DATE:  
 APPLICATION DATE: 2/26/10  
 INVOICE NO: 02

Distribution To:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

SUBMITTED FROM: Rigney Construction & Development, LLC  
 7011 N. Seminary Rd.  
 Edinburg, Texas 78541

ARCHITECT: Rike Ogden Figueroa Alex Architects  
 1007 Walnut Ave.  
 McAllen, TX 78501

CONTRACT FOR: General Construction

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheets are attached to substantiate this application.

ORIGINAL CONTRACT SUM.....	\$	350,000.00
NET CHANGE BY CHANGE ORDERS .....	\$	
CONTRACT SUM TO DATE .....	\$	350,000.00
TOTAL COMPLETED AND STORED TO DATE .....	\$	80,230.59
RETAINAGE:		
5% OF COMPLETED WORK \$	3,155.19	
5% OF STORED MATERIAL \$	856.35	
TOTAL RETAINAGE .....	\$	4,011.54
TOTAL EARNED LESS RETAINAGE .....	\$	76,219.05
LESS OWNER DIRECT PAYMENT BY PURCHASE ORDER	\$	0.00
LESS PREVIOUS CERTIFICATES FOR PAYMENT .....	\$	40,568.79
CURRENT PAYMENT DUE .....	\$	35,650.26
BALANCE TO FINISH INCLUDING RETAINAGE .....	\$	273,780.95

(See Attached Pages for Original Contract and Change Order Breakdown.)

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application For Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were payments have been received from Owner, and the current payment shown herein is now due.

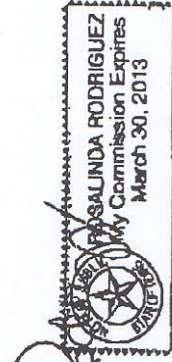
CONTRACTOR: Rigney Construction & Development, LLC

By:   
 Carlos Ozuna

Date: February 26, 2010

State of: Texas  
 County of: Hidalgo

Subscribed and sworn to before me this February 26, 2010



NOTARY PUBLIC: Rosalinda Rodriguez  
 My Commission Expires: 3/30/2013

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Construction Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ 35,650.26  
 (Attach explanation if amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheets that changed to conform to the amount certified.)

ARCHITECT: Rike Ogden Figueroa Alex Architects

By:   
 Date: 3-5-10

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.