

2. Company hereby promises and agrees to render and provide, during the term of this Contract, and shall be obligated to render and provide the Services in accordance with the Specifications within **Hidalgo County** following a request for Services by the **Hidalgo County** or his designated agent. Company agrees in performing the Services that it will use proper professional standards, comply with any and all appropriate laws and regulations in providing the Services, and devote such time as is necessary to safely and efficiently provide the Services.

3. This Contract shall be for a period of one (1) year beginning **September 30, 2008** and ending **September 29, 2009** with the County's option to extend for an additional one (1) year period **"On an As Needed Basis"** under the same rates, terms and conditions. (Prices must remain firm during the contract term). County also reserves the right to continue this bid for an additional sixty (60) day Grace Period, under the same rates terms and conditions.

4. As a condition of this Contract, Company shall hold and maintain throughout the term of this Contract all licenses and permits required, or which may be required by any authority during the term hereof to provide the Services.

5. All trucks or vehicles operated by the Company to perform the Services shall contain all equipment required by any authority to operate on streets and roads and all persons in the employ of Company who operate such trucks or vehicles shall have the required licenses, qualifications, skill and expertise to perform such Services and shall comply with all laws, rules and regulations prescribed by any agency or authority having jurisdiction with regard to the operation of such trucks or vehicles in providing the Services.

EXHIBIT "B"

HIDALGO COUNTY PRECINCT # 4
"HAULING OF ROAD MATERIALS (EXCLUDING HOT-MIX)"
BID NO: 2008-317-09-10-CGV
BID PAGE FORM

Information to Bidder:

All applicable forms in this packet must be filled out in its entirety and submitted with bid response. Incomplete sections may be considered for probable cause of disqualification and/or non-compliance.

Part I. AWARD WILL BE BASED ON THE LOWEST BID PER TON MEETING ALL REQUIRED SPECIFICATIONS.

SAMPLE:	\$ 3.00	25%	.75
Road Materials / Location of Plant:	Total Cost Per Ton:	Fuel Costs Percentage Per Ton:	Current / Base Fuel Cost
<u>Crushed Caliche:</u> Martin Marietta Materials & Frontera Materials			
Listed vendors are subject to be changed upon material contract expiration			
1.) 2 Miles S of Intersection FM 1017 & FM 3250 on 3250 Jericho Pinn Linn, TX	\$ 5.20	75%	3.90
2.) 490 & Reavis Pit ✱	\$ 6.25	75%	4.69
<u>Pit - Run Caliche</u> - Roy's Hauling			
Listed vendors are subject to be changed upon material contract expiration			
1.) <u>Big Five Pit:</u> 4 Mile N. of FM 1925 on Big Five Road.			
2.) <u>San Manuel Pit:</u> 3 Mile W. of US 281 on FM 1017 to FM 3250, then 1 Mile south on FM 3250, Pit located on West Side.	\$ 3.94	75%	2.96

Part II. BID PRICE ADJUSTMENT BY HIDALGO COUNTY PRECINCT NO 4.

At the time of bid openings South Texas is experiencing historic high fuel prices. Therefore, Hidalgo County Precinct No. 4 is requesting pricing adjustments based on the following:

Fuel Cost Base Bid Price for project will be based on the OPIS Fuel Index for September 9, 2008. For each 10% (increase or decrease) in the OPIS Index of September 9, 2008 during the contract term, the fuel cost(s) portion of the awarded bid price(s) will be adjusted accordingly. (As per above samples, a 10% increase is reflected as follows: \$ 1.00=\$1.10 and \$ 1.10=\$1.21; a 10% decrease is reflected as follows: \$1.00=\$0.90 and \$1.10=\$0.99)

In the event you submit an invoice reflecting a price change under this provision, the Hidalgo County Precinct No. 4 will only honor the change if a copy of the OPIS report on which the change is based accompanies the