

November 3, 2010

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

Re: Hidalgo County Precinct # 2- "Esperanza Estates Subdivision"

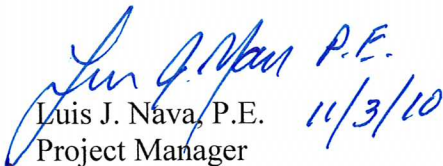
Dear Mr. Vargas:

After several meeting with Total Commitment representatives and after sending multiple notice letters regarding the above project, no significant action has been taken by the contractor to resolve the defective. It has now been over 175 days since the final walkthrough inspection was performed, and the defective work has not been corrected.

Contractor has been ignoring the Hidalgo County officials and Dos Logistics Inc. engineer's recommendation and based on provision of Article 15.02-A.2 and 15.02-A.3 in contract documents, our company recommends Hidalgo County Border Colonia Access Program **terminate** the contract with Total Commitment or proceed in accordance with Article 13.09.

If you have any questions, please contact me at 956.968.8800.

Respectfully,


Luis J. Nava, P.E.
Project Manager

Cc: Commissioner Hector "Tito" Palacios, Hidalgo County Precinct No.2
Steve Crain, Hidalgo County Attorney
Eralio Palacios, BCAP Coordinator