

APPLICATION FOR PAYMENT NO. 1

TOTAL COMMITMENT, LLC  
C/O Aacon, Inc.  
624 West University Dr., Suite #238  
Denton, Texas 76201-1889

To: Hidalgo County (OWNER)  
From: Total Commitment, LLC (CONTRACTOR)  
Contract: C-CAP-10-232-08-10  
Project: ALDAMAS I & II SUBDIVISIONS  
Owner's Contract No. C-CAP-10-232-08-10 Engineer's Project No. \_\_\_\_\_  
For Work accomplished through the date of: November 16, 2010

1. Original Contract Price:	\$	376,612.50
2. Net change by Change Order and Written Agreements(+or-):	(+) \$	-
3. Current Contract Price (1 plus 2):	\$	376,612.50
4. Total completed and stored to date:	\$	39,854.00
5. Retainage (per Agreement):		
<u>10%</u> of completed Work:	\$	3,985.40
<u>10%</u> of stored material		
Total Retainage:	\$	3,985.40
6. Total completed and stored to date less retainage (4 minus 5)	\$	35,868.60
7. Less previous Application for Payments:	\$	-
8. AMOUNT DUE THIS APPLICATION	\$	35,868.60

- Accompanying Documentation:
- \* APPLICATION AND CERTIFICATION OF PAYMENT (A)
  - \* SCHEDULE OF VALUES A/K/A 1257 / 1258
  - \* ESTIMATE QUANTITY UPDATE WORKSHEET
  - \* LIST OF SUPPLIERS AND SUB-CONTRACTORS
  - \* PARTIAL WAIVER OF LIENS (SUB-CONTRACTORS / SUI)
  - \* Tx DoT FORM 252 CONTRACT TIME STATEMENT
  - \* PARYROLL REPORT W / SIGNED WAGE FORM

REQ# 186323 P.O.# 649644  
**0-1312-431-00-122-937-0-841 → \$16,210.00**  
 <-1,621.00> = \$14,589.00

REQ# 186323 P.O.# 649644  
**0-1312-431-00-122-937-0-733 → \$23,644.00**  
 <-2,364.40> = \$21,279.60

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 1 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 12-9-10  
 State of TEXAS  
 County of Hidalgo  
 Subscribed and sworn to before me this 9th  
 day of December, 2010

Marie Garcia  
 Notary Public  
 My Commission expires: 02/23/2014

TOTAL COMMITMENT, LLC  
 CONTRACTOR  
 By: [Signature]  
 Pedro A. Gutierrez / Mngr.

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Date \_\_\_\_\_

SAM ENGINEERING & SURVEYING, INC.  
 ENGINEER  
 By: [Signature]  
 SAMUEL D. MALDONADO  
 Exhibit E-C



COPIES RECEIVED BY:  
Marie Jackson ON 12/13/10  
 GOODS/SERVICES RECEIVED BY:  
Marie Jackson ON 12/13/10

Total Commitment	Contractor Name
8-Nov-10	Starting Date
5-Jan-11	Project Ending Date
10%	Retainage Percent

Application No.:	1
Application Date:	11/30/2010
Period To:	11/16/2010
Engineer Firm:	SAM Engineering & Surveying

Summary												
CSJ#	PROJECT NAME	Original Schedule Value	Schedule Value	Payment Application No 1	Payment Application No 2	Payment Application No 3	Total To Date	Balance To Finish	Retainage	Net	Payment To Date	Payment Due
C-CAP-10-232-08-10	ALDAMAS SUB.	\$ 376,612.50	\$ -	\$ 39,854.00	\$ -	\$ -	\$ 39,854.00	\$ 336,758.50	\$ 3,985.40	\$ 35,868.60	\$ -	\$ 35,868.60
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL COMMITMENT \_\_\_\_\_ Contractor Name \_\_\_\_\_  
 10/28/2010 \_\_\_\_\_ Starting Date \_\_\_\_\_  
 \_\_\_\_\_ Project Ending Date \_\_\_\_\_  
 ALDAMAS I & II \_\_\_\_\_ Engineer's / County Project Description \_\_\_\_\_

Application No.: 1  
 Application Date: 11/16/2010  
 Period To: 11/16/2010  
 Engineer's / County Project No.: C-CAP-10-232-08-10

No.	Item Code	Description	Unit	Original Rates	Original Schedule Value		Revised Rates	Revised Schedule Value		First Month			Second Month			Third Month			Total to Date	Balance To Finish		
					Quan	Dollars		Quan	Dollars	Monthly Quan	QTY to Date	Item Cost (Monthly)	Monthly Quan	QTY to Date	Item Cost (Monthly)	Monthly Quan	QTY to Date	Item Cost (Monthly)		Quan	Dollars	
<b>ROADWAY</b>																						
1	100	PREPARING ROW	STA	\$ 500.00	29.7	14,860.00	\$ -	0.0	-	29.72	29.72	\$ 14,860.00	-	-	-	-	-	-	14,860.00	0	\$ -	
2	152	6" ROAD GRADER WORK (DENS.CONT.)SUBGRA	SY	\$ 1.50	12,216.0	18,324.00	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 18,324.00	
3	247	8" FLEX BASE (COMPL IN PLC) (TY-D GR6 CL2)	SY	\$ 6.00	11,540.0	69,240.00	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 69,240.00	
4	260	LIME TREATMENT AT 3%	TONS	\$ 160.00	104.0	16,640.00	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 16,640.00	
5	310	ASPH MATRL (MC-30)	GAL	\$ 5.00	2,309.0	11,545.00	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 11,545.00	
6	340	1 1/2" HOT MIX ASPHALT CONC. TYPE -D	SY	\$ 6.00	9,854.0	59,124.00	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 59,124.00	
7	500	MOBILIZATION	LS	\$ 1,000.00	1.0	1,000.00	\$ -	0.0	-	1.00	1.00	\$ 1,000.00	-	-	-	-	-	-	-	0	\$ -	
8	502	BARRICADES, SIGN AND TRAFFIC HANDLING	MO	\$ 350.00	2.0	700.00	\$ -	0.0	-	1.00	1.00	\$ 350.00	-	-	-	-	-	-	-	0	\$ 350.00	
<b>Total Roadway</b>						<b>191,433.00</b>						<b>\$ 16,210.00</b>								<b>\$ 16,210.00</b>		<b>\$ 175,223.00</b>
<b>DRAINAGE</b>																						
9	530	DRIVEWAY (CONCRETE)	SY	\$ 29.25	838.0	24,511.50	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 24,511.50	
10	465	INLET (COMPLETE)(TYPE A)	EA	\$ 2,000.00	8.0	16,000.00	\$ -	0.0	-	4.00	0.00	\$ 8,000.00	-	-	-	-	-	-	-	0	\$ 8,000.00	
11	465	4" CONC. STORM MANHOLE	EA	\$ 2,100.00	6.0	12,600.00	\$ -	0.0	-	2.00	0.00	\$ 4,200.00	-	-	-	-	-	-	-	0	\$ 4,200.00	
12	506	TEMP SEDMTCONT FENCE	LF	\$ 2.00	6,000.0	12,000.00	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 12,000.00	
13	506	TEMP SEDMT CONT FENCE (REMOVE)	LF	\$ 0.50	6,000.0	3,000.00	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 3,000.00	
14	529	CONC CURB & GUTTER (18"X12")	LF	\$ 6.25	6,440.0	40,250.00	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 40,250.00	
15	529	VALLEY GUTTER	SY	\$ 36.00	34.0	1,224.00	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 1,224.00	
16	530	DRIVEWAY (ASPH CONC PAV) (PB-1)	SY	\$ 22.00	575.0	12,650.00	\$ -	0.0	-	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 12,650.00	
17	556	18" RCP STORM DRAIN CL III	LF	\$ 24.00	140.0	3,360.00	\$ -	0.0	-	72.00	0.00	\$ 1,728.00	-	-	-	-	-	-	-	0	\$ 1,728.00	
18	556	24" RCP STORM DRAIN CL III	LF	\$ 28.00	1,978.0	55,384.00	\$ -	0.0	-	272.00	0.00	\$ 7,616.00	-	-	-	-	-	-	-	0	\$ 7,616.00	
		OUT FALL EXCAVATION	CY	\$ 7.00	600.0	4,200.00	\$ -	0.0	-	300.00	0.00	\$ 2,100.00	-	-	-	-	-	-	-	0	\$ 2,100.00	
<b>Total Drainage</b>						<b>185,179.50</b>						<b>\$ 23,644.00</b>								<b>\$ 23,644.00</b>		<b>\$ 161,535.50</b>
<b>TOTAL BASE AMOUNTS</b>						<b>376,612.50</b>						<b>\$ 39,854.00</b>								<b>\$ 39,854.00</b>		<b>\$ 336,758.50</b>
19	CO#1	SANITARY SEWER SERVICE ADJUST.	EA	\$ -	0	-	\$ 750.00	27.0	\$ 20,250.00	0.00	0.00	\$ -	-	-	-	-	-	-	-	0	\$ 20,250.00	
<b>TOTAL BASE AMOUNT PLUS CO:</b>						<b>\$ 376,612.50</b>			<b>\$ 20,250.00</b>			<b>\$ 39,854.00</b>								<b>\$ 39,854.00</b>		<b>\$ 357,008.50</b>

Note: Funded by City - Does not Need Tx Dot Approval

Samuel D. Malderas  
 Print Name

12/10/2010  
 Date

*Samuel D. Malderas*  
 Signature