

AI-19275
Engineering Services
DRAINAGE DISTRICT

4.

Date: 01/12/2010
Submitted By: Jaime Salazar, DRAINAGE DISTRICT
Submitted For: Jaime Salazar
Department: DRAINAGE DISTRICT

Information

CAPTION

Requesting approval to advertise for the following items as follows:

- 1.) Engineering Services
- 2.) Real Estate Appraisers & Surveyors

BACKGROUND

Fiscal Impact

Attachments

No file(s) attached.

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	01/06/2010 03:35 PM	APRV
2	Perla Lopez	Perla Lopez	01/06/2010 04:40 PM	APRV
3	Final Approval	Monica Badillo	01/08/2010 02:53 PM	APRV

Form Started By: Jaime Salazar Started On: 01/06/2010 03:17 PM

Final Approval Date: 01/08/2010

**DHS 0-9 PH II Tent. Final Cert
DRAINAGE DISTRICT**

Date: 01/12/2010
Submitted By: Minerva Luna, DRAINAGE DISTRICT
Department: DRAINAGE DISTRICT

Information

CAPTION

- A. Request approval of Payment Request No. 18 to Ballenger Construction Company for the Construction of Mission Levee Improvement Project-Banker Weir to Inspiration Rd. (3.74 miles).
- B. Request approval to process manual checks to Ballenger Construction Company for the above mentioned projects pending the completion of the audit process.
- C. Request approval of Payment Request No. 15 to Ballenger Construction Company for the Construction of DHS 0-4A (3.87 miles).
- D. Request approval of Payment Request No. 12 to Ballenger Construction Company for the Construction of DHS 0-4C (0.44 miles).
- E. Request approval of Payment Request No. 13A (Partial Release Retainage) to Ballenger Construction Company for the Construction of DHS 0-5 (1.76 miles).
- F. Request approval to process manual checks to Ballenger Construction Company for the above mentioned projects pending the approval from County Auditor and pending the electronic transfer of funds from the Department of Homeland Security (DHS).
- G. Request approval of Tentative Certificate of Final Completion of Main Floodway Levee DHS 0-9 PH II (1.75 miles).
- H. Request approval of Budget Amendment from General Fund to transfer out to Special Revenue Fund in the amount of \$500,000.00 as it relates to inkind services DHS Grant.

BACKGROUND

Fiscal Impact

Attachments

- Link: [BANKER WEIR PR 18](#)
- Link: [Budget Amendment](#)
- Link: [DHS 0-4A PR 15](#)
- Link: [DHS 0-4C PR 12](#)
- Link: [DHS 0-5 PR 13A](#)

Link: [DHS 0-9 PH II Tent. Final Cert](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	01/07/2010 03:22 PM	APRV
2	Perla Lopez	Perla Lopez	01/08/2010 11:42 AM	APRV
3	Final Approval	Monica Badillo	01/08/2010 02:53 PM	APRV

Form Started By: Minerva Luna

Started On: 12/30/2009 02:06
PM

Final Approval Date: 01/08/2010

REQUEST FOR PAYMENT NO. 18

Project Number: 4287-03 3.74 MILES
Date: 12/1/2009

CONTRACT NO. 09-005-04-29
WORK THRU: 10/25/2009 thru 11/25/2009

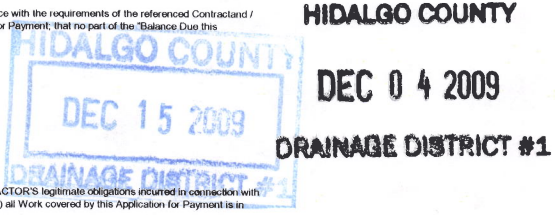
PROGRESS BILLING WORKSHEET - NO. 1

Table with columns: 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. Includes items like PREPARE RIGHT OF WAY, REMOVE AND STOCKPILE TOPSOIL, RAISE LEVEE, etc.

Table with columns: SUPPLEMENTAL BID ITEM, CONTRACTOR TO CLEAR AREA OF ANY OBSTRUCTIONS, WITHIN CHIMNEY PARK STA. (84+00 TO 100+00) THAT IMPEDES THE CONSTRUCTION OF THE LEVEE IMPROVEMENTS. Item 51 L.S. 1 \$ 44,115.72 \$ 44,115.72

Summary table with columns: ORIGINAL CONTRACT AMOUNT WITH SUPPLEMENTAL BID ITEM: \$ 6,351,808.19; NET CHANGES BY CHANGE ORDER(S): \$ (1,371.29); TOTAL CONTRACT AMOUNT TO DATE: \$ 6,350,436.90; Estimated % Project Completion to Date: 98.99%; LESS RETAINAGE @ 10%: \$ 628,615.18; RELEASED RETAINAGE PR #14: \$ 310,535.82; LESS Previous Requests for Payments: \$ 5,000.00; TOTAL AMOUNT DUE THIS REQUEST: \$ 1,164.88

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 variations, 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 the labor provision of said contract.
Signed: JOE CHARLES BALLENGER, JR. Date: 12/1/09
Title: 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 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: 12/1/09 By: JOE CHARLES BALLENGER, JR. PRESIDENT



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.
Date: 12/2/09
Inspector: DOS LOGISTICS 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.
Date: 12/03/09
Richard D. Seitz, P.E. 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.
Date:
RENE A. RAMIREZ CHAIRMAN OF THE BOARD

Project Name: MISSION LEVEE IMPROVEMENT PROJECT BANKER WEIR TO INSPIRATION RD. (3.74 MILES)
 Contractor: BALLENGER CONSTRUCTION COMPANY
 Address: 24200 N. FM 509
 City/State/Zip: HARLINGEN, TEXAS 78550

Project Number: 4287-03 3.74 MILES
 Date: 12/17/2009
 CONTRACT NO. 08-005-04-29
 WORK THRU: 10/25/2009 thru 11/25/2009

PROGRESS BILLING WORKSHEET - NO. 1

ITEM NO	UNIT	TOTAL QUANTITY	BID UNIT PRICE	TOTAL BID PRICE	NO.	QTY. +/-	UNIT PRICE +/-	VARIANCE AMOUNT +/-	CHANGE ORDERS			AMOUNT PRIOR INVOICES	AMOUNT COMPLETE TO DATE	AMOUNT DUE THIS INVOICE	BALANCE TO COMPLETE
									UNIT QTY. COMPLETE THIS PERIOD	UNIT QTY. COMPLETE PRIOR INVOICES	UNIT QTY. COMPLETE TO DATE				
1	STA	198	\$ 1,500.00	\$ 297,000.00					198.00	198.00	297,000.00	-	-	-	-
2	CY	18,500	\$ 6.00	\$ 111,000.00					18,500.00	18,500.00	111,000.00	-	-	-	-
3	CY	17,500	\$ 6.00	\$ 105,000.00					17,500.00	17,500.00	105,000.00	-	-	-	-
4	CY	263,200	\$ 12.56	\$ 3,305,792.00					263,200.00	263,200.00	3,305,792.00	-	-	-	-
5	CY	26,800	\$ 6.00	\$ 160,800.00					26,800.00	26,800.00	160,800.00	-	-	-	-
6	CY	29,100	\$ 6.00	\$ 174,600.00					29,100.00	29,100.00	174,600.00	-	-	-	-
7	CY	1,500	\$ 300.00	\$ 450,000.00					1,500.00	1,500.00	450,000.00	-	-	-	-
8	CY	1,500	\$ 85.66	\$ 128,490.00					1,500.00	1,500.00	128,490.00	-	-	-	-
9	SV	618	\$ 18.17	\$ 11,229.06					618.00	618.00	11,229.06	-	-	-	-
10	CV	7,950	\$ 31.00	\$ 246,450.00					7,950.00	7,950.00	246,450.00	-	-	-	-
11	SV	7,800	\$ 7.74	\$ 60,372.00					7,800.00	7,800.00	60,372.00	-	-	-	-
12	SV	11,300	\$ 9.79	\$ 110,627.00					11,300.00	11,300.00	110,627.00	-	-	-	-
13	GAL	3,800	\$ 3.99	\$ 15,162.00					3,800.00	3,800.00	15,162.00	-	-	-	-
14	SY	146,000	\$ 0.28	\$ 40,880.00					146,000.00	146,000.00	40,880.00	-	-	-	-
15	LF	9,215	\$ 17.00	\$ 156,655.00					9,215.00	9,215.00	156,655.00	-	-	-	-
16	SF	1,600	\$ 39.71	\$ 63,536.00					1,600.00	1,600.00	63,536.00	-	-	-	-
17	LF	81	\$ 885.26	\$ 71,706.06					81.00	81.00	71,706.06	-	-	-	-
18	EA	6	\$ 6,951.22	\$ 41,707.32					6.00	6.00	41,707.32	-	-	-	-
19	EA	12	\$ 1,941.29	\$ 23,295.48					12.00	12.00	23,295.48	-	-	-	-
20	EA	3	\$ 25,000.00	\$ 75,000.00					0.00	0.00	-	-	-	-	75,000.00
21	EA	2	\$ 4,156.83	\$ 8,313.66					1.00	1.00	4,156.83	-	-	-	-
22	EA	170	\$ 81.17	\$ 13,800.00					24.00	24.00	1,948.08	-	-	-	-
23	EA	3	\$ 11,000.00	\$ 33,000.00					2.00	2.00	22,000.00	-	-	-	-
24	EA	3	\$ 2,148.48	\$ 6,445.44					3.00	3.00	6,445.44	-	-	-	-
25	EA	3	\$ 3,860.12	\$ 11,580.36					3.00	3.00	11,580.36	-	-	-	-
26	EA	3	\$ 4,171.33	\$ 12,513.99					2.00	2.00	1,421.36	-	-	-	-
27	EA	2	\$ 710.68	\$ 1,421.36					0.00	0.00	-	-	-	-	-
28	LF	80	\$ 89.01	\$ 7,120.80					80.00	80.00	7,120.80	-	-	-	-
29	SY	12,400	\$ 1.15	\$ 14,260.00					12,400.00	12,400.00	14,260.00	-	-	-	-
30	LF	4,200	\$ 12.48	\$ 52,416.00					4,200.00	4,200.00	52,416.00	-	-	-	-
31	LF	112	\$ 241.79	\$ 27,080.48					112.00	112.00	27,080.48	-	-	-	-
32	LS	1	\$ 19,218.80	\$ 19,218.80					1.00	1.00	19,218.80	-	-	-	-
33	LF	40,500	\$ 2.28	\$ 92,340.00					39,600.00	39,600.00	90,288.00	-	-	-	-
34	EA	6	\$ 29.12	\$ 174.72					0.00	0.00	-	-	-	-	-
35	EA	20	\$ 485.32	\$ 9,706.40					20.00	20.00	9,706.40	-	-	-	-
36	LF	300	\$ 1.38	\$ 414.00					24.00	24.00	33.12	-	-	-	-
37	LS	1	\$ 9,706.46	\$ 9,706.46					1.00	1.00	9,706.46	-	-	-	-
38	LS	1	\$ 9,706.46	\$ 9,706.46					1.00	1.00	9,706.46	-	-	-	-
39	LS	1	\$ 19,644.72	\$ 19,644.72					1.00	1.00	19,644.72	-	-	-	-
40	CV	3,900	\$ 6.17	\$ 24,063.00					3,900.00	3,900.00	24,063.00	-	-	-	-
42	LS	0	\$ -	\$ -					1.00	1.00	5,563.14	-	-	-	-
43	CV	0	\$ -	\$ -					8,000.00	8,000.00	37,120.00	-	-	-	-
44	LS	0	\$ -	\$ -					1.00	1.00	12,860.62	-	-	-	-
45	LS	0	\$ -	\$ -					1.00	1.00	1,294.09	-	-	-	-

SUBTOTAL ORIGINAL CONTRACT AMOUNT: \$ 6,307,692.47

ITEM NO	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	NO.	QTY. +/-	UNIT PRICE +/-	VARIANCE AMOUNT +/-	AMOUNT PRIOR INVOICES	AMOUNT COMPLETE TO DATE	AMOUNT DUE THIS INVOICE	BALANCE TO COMPLETE
S1	LS	1	\$ 44,115.72	\$ 44,115.72					44,115.72	44,115.72	1,294.09	-

HIDALGO COUNTY
 DEC 04 2009
 DRAINAGE DISTRICT #1

ORIGINAL CONTRACT AMOUNT WITH SUPPLEMENTAL BID ITEM:	NET CHANGES BY CHANGE ORDER(S)	TOTAL CONTRACT AMOUNT TO DATE	TOTAL ORIGINAL CONTRACT AMOUNT:
\$ 6,351,806.19	\$ (1,971.39)	\$ 6,350,436.80	\$ 6,307,692.47

TOTAL CONTRACT AMOUNT TO DATE	TOTAL CURRENT CONTRACT EARNED	CONTRACT BALANCE TO COMPLETE
\$ 6,350,436.80	\$ 1,294.09	\$ 64,284.90

Estimated % Project Completion to Date: 98.99%
 Actual Damages: Current Days:
 LESS RETAINAGE @ 10%
 RELEASED RETAINAGE PR #14 \$ 129.41
 LESS Previous Requests for Payments \$ 55,966,907.96
 A/D per day \$ -
TOTAL AMOUNT DUE THIS REQUEST \$ 1,164.68

REQUEST FOR PAYMENT NO. 15

Project Number: 4297-03 3.87 MILES
Date: 11/30/2009

CONTRACT NO. 08-023-29-30
WORK THRU: 11/25/2009

PROGRESS BILLING WORKSHEET - NO. 1

Table with columns: 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: \$ 39,800,830.95
NET CHANGES BY CHANGE ORDERS: \$ 213,645.72
TOTAL CONTRACT AMOUNT TO DATE: \$ 40,014,476.67

TOTAL COMPLETE TO-DATE: \$ 39,317,695.94
TOTAL CURRENT CONTRACT EARNED: \$ 39,348,690.14
AMOUNT DUE THIS REQUEST: \$ 2,002.42

Estimated % Project Completion to Date: 98.31%

LESS RETAINAGE @ 10%: \$ 3,934,966.01
PENDING RELEASED RETAINAGE PR #14: \$ 1,965,882.00
LESS Previous Requests for Payments: \$ 536,175,713.15
TOTAL AMOUNT DUE THIS REQUEST: \$ 26,121.78

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.

Signature: [Signature] Date: 11/30/09
Title: JOE CHARLES BALLENGER, JR. - PRESIDENT

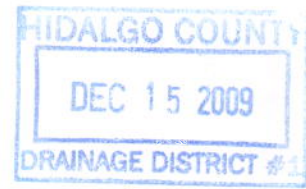
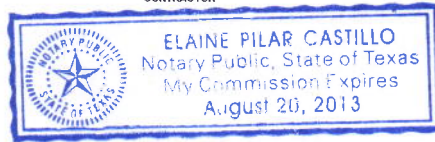
Instructions: Contractor's Certification No. 2, is to be executed for all requests for payments after the first. Notarize all requests for payments.

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 encumbrances; and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Date: 11/30/09 By: [Signature] JOE CHARLES BALLENGER, JR. - PRESIDENT

Notary Public: Elaine Pilar Castillo
My Commission Expires: August 20, 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: [Signature] Date: 12/2/09
Inspector: ARTEMIO SALAZAR

ENGINEER'S CERTIFICATION

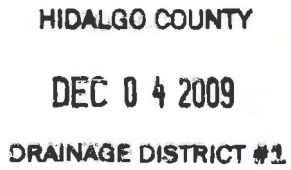
I certify that I have checked and verified the above and foregoing Periodic Estimate for Partial Payment, that to the best of my knowledge and belief it is a true and correct statement of work performed and/or material supplied by the contractor, and that partial payment claimed and requested by the 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: [Signature] Date: 12/03/09
Resident Project Representative: RICHARD D. SEITZ, P.E.

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.

Signature: [Signature] Date:
Chairman of the Board: RENE A. RAMIREZ



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

REQUEST FOR PAYMENT
 BALDWIN CONSTRUCTION COMPANY
 24200 N. FM 509
 HARLINGEN, TEXAS 78559

Project Number:
 Date:

CONTRACT NO.
 WORK TRM:

CHANGE ORDERS

ITEM NO	UNIT QUANTITY	BID UNIT PRICE	TOTAL BID PRICE	NO.	QTY. +/-	UNIT PRICE	VARIANCE AMOUNT	UNIT QTY. PRIOR INVOICES	UNIT QTY. THIS PERIOD	UNIT QTY. TO DATE	TAMOUNT INVOICES	TAMOUNT TO COMPLETE DATE	TAMOUNT DUE THIS INVOICE	BALANCE TO COMPLETE
1	EA	2,15	81,172.50	2,67				0.00	0.00	0.00	81,172.50	81,172.50	0.00	2,900.00
2	EA	2,000.00	2,000.00	8,9				0.00	0.00	0.00	2,000.00	2,000.00	0.00	0.00
3	EA	668.86	46,320.20	3,6				0.00	0.00	0.00	46,320.20	46,320.20	0.00	0.00
4	EA	12.00	1,572.00	131,3				0.00	0.00	0.00	1,572.00	1,572.00	0.00	0.00
5	EA	11.35	6,685.15	589,5				0.00	0.00	0.00	6,685.15	6,685.15	0.00	0.00
6	EA	5.00	1,250.00	250,0				0.00	0.00	0.00	1,250.00	1,250.00	0.00	0.00
7	EA	1.00	10,162.92	10,163				0.00	0.00	0.00	10,162.92	10,162.92	0.00	0.00
8	EA	2.51	2,511.19	1,000				0.00	0.00	0.00	2,511.19	2,511.19	0.00	0.00
9	EA	50.84	38,130.00	750,0				0.00	0.00	0.00	38,130.00	38,130.00	0.00	0.00
10	EA	41,070.89	269,638.01	2,67				0.00	0.00	0.00	269,638.01	269,638.01	0.00	0.00
11	EA	741.19	12,248,164.75	16,398				0.00	0.00	0.00	12,248,164.75	12,248,164.75	0.00	0.00
12	EA	545.03	33,938.54	61,9				0.00	0.00	0.00	33,938.54	33,938.54	0.00	0.00
13	EA	760.90	1,511.72	2,000				0.00	0.00	0.00	1,511.72	1,511.72	0.00	0.00
14	EA	16.39	334,831.31	20,433				0.00	0.00	0.00	334,831.31	334,831.31	0.00	0.00
15	EA	283.96	467,795.60	1,648				0.00	0.00	0.00	467,795.60	467,795.60	0.00	0.00
16	EA	351.7	107,240.50	306				0.00	0.00	0.00	107,240.50	107,240.50	0.00	0.00
17	EA	77,083.93	77,083.93	1				0.00	0.00	0.00	77,083.93	77,083.93	0.00	0.00
18	EA	17,477.14	3,852,813.70	220,6				0.00	0.00	0.00	3,852,813.70	3,852,813.70	0.00	0.00
19	EA	20.82	1,544.00	74,2				0.00	0.00	0.00	1,544.00	1,544.00	0.00	0.00
20	EA	20.82	1,544.00	74,2				0.00	0.00	0.00	1,544.00	1,544.00	0.00	0.00
21	EA	1,811.49	12,680.43	7,0				0.00	0.00	0.00	12,680.43	12,680.43	0.00	0.00
22	EA	1,811.47	1,811.47	1				0.00	0.00	0.00	1,811.47	1,811.47	0.00	0.00
23	EA	3,640.46	10,764.14	3,000				0.00	0.00	0.00	10,764.14	10,764.14	0.00	0.00
24	EA	3,640.46	10,764.14	3,000				0.00	0.00	0.00	10,764.14	10,764.14	0.00	0.00
25	EA	1,376.14	1,376.14	1				0.00	0.00	0.00	1,376.14	1,376.14	0.00	0.00
26	EA	1,135.51	1,135.51	1				0.00	0.00	0.00	1,135.51	1,135.51	0.00	0.00
27	EA	1,135.51	1,135.51	1				0.00	0.00	0.00	1,135.51	1,135.51	0.00	0.00
28	EA	7.75	1,392,972.00	179,488				0.00	0.00	0.00	1,392,972.00	1,392,972.00	0.00	0.00
29	EA	31.82	1,544.00	48,5				0.00	0.00	0.00	1,544.00	1,544.00	0.00	0.00
30	EA	301.92	12,678.80	42,0				0.00	0.00	0.00	12,678.80	12,678.80	0.00	0.00
31	EA	63.18	27,790.40	440				0.00	0.00	0.00	27,790.40	27,790.40	0.00	0.00
32	EA	32.34	5,374.95	166				0.00	0.00	0.00	5,374.95	5,374.95	0.00	0.00
33	EA	258.51	37,483.95	145				0.00	0.00	0.00	37,483.95	37,483.95	0.00	0.00
34	EA	606.51	24,396.00	40				0.00	0.00	0.00	24,396.00	24,396.00	0.00	0.00
35	EA	20.60	33,938.54	1,648				0.00	0.00	0.00	33,938.54	33,938.54	0.00	0.00
36	EA	0.48	82,965.50	172,247				0.00	0.00	0.00	82,965.50	82,965.50	0.00	0.00
37	EA	57.19	22,300.20	390				0.00	0.00	0.00	22,300.20	22,300.20	0.00	0.00
38	EA	63.47	1,544.00	24,3				0.00	0.00	0.00	1,544.00	1,544.00	0.00	0.00
39	EA	1,811.47	1,811.47	1				0.00	0.00	0.00	1,811.47	1,811.47	0.00	0.00
40	EA	3,640.46	10,764.14	3,000				0.00	0.00	0.00	10,764.14	10,764.14	0.00	0.00
41	EA	3,640.46	10,764.14	3,000				0.00	0.00	0.00	10,764.14	10,764.14	0.00	0.00
42	EA	4,143.89	27,006.51	7				0.00	0.00	0.00	27,006.51	27,006.51	0.00	0.00
43	EA	4,143.89	27,006.51	7				0.00	0.00	0.00	27,006.51	27,006.51	0.00	0.00
44	EA	6,482.03	6,482.03	1				0.00	0.00	0.00	6,482.03	6,482.03	0.00	0.00
45	EA	58.08	339,942.24	2				0.00	0.00	0.00	339,942.24	339,942.24	0.00	0.00
46	EA	58.08	339,942.24	2				0.00	0.00	0.00	339,942.24	339,942.24	0.00	0.00
47	EA	58.08	187,074.59	2				0.00	0.00	0.00	187,074.59	187,074.59	0.00	0.00
48	EA	58.17	39,361.09	2				0.00	0.00	0.00	39,361.09	39,361.09	0.00	0.00
49	EA	58.17	50,377.05	2				0.00	0.00	0.00	50,377.05	50,377.05	0.00	0.00
50	EA	58.08	50,183.52	2				0.00	0.00	0.00	50,183.52	50,183.52	0.00	0.00
51	EA	11.08	14,606.09	2				0.00	0.00	0.00	14,606.09	14,606.09	0.00	0.00
52	EA	4.10	40,290.20	9,829				0.00	0.00	0.00	40,290.20	40,290.20	0.00	0.00
53	EA	550.00	1,100.00	2				0.00	0.00	0.00	1,100.00	1,100.00	0.00	0.00
54	EA	11.52	115.20	10				0.00	0.00	0.00	115.20	115.20	0.00	0.00
55	EA	7,182.39	7,182.39	1				0.00	0.00	0.00	7,182.39	7,182.39	0.00	0.00
56	EA	7,182.39	7,182.39	1				0.00	0.00	0.00	7,182.39	7,182.39	0.00	0.00
57	EA	1,182.39	1,182.39	1				0.00	0.00	0.00	1,182.39	1,182.39	0.00	0.00
58	EA	1,182.39	1,182.39	1				0.00	0.00	0.00	1,182.39	1,182.39	0.00	0.00
59	EA	1,182.39	1,182.39	1				0.00	0.00	0.00	1,182.39	1,182.39	0.00	0.00
60	EA	1,343.71	53,748.40	40				0.00	0.00	0.00	53,748.40	53,748.40	0.00	0.00
61	EA	3,052.81	3,052.81	1				0.00	0.00	0.00	3,052.81	3,052.81	0.00	0.00
62	EA	13.37	33,967.73	2,539				0.00	0.00	0.00	33,967.73	33,967.73	0.00	0.00
63	EA	10,826.59	10,826.59	1				0.00	0.00	0.00	10,826.59	10,826.59	0.00	0.00
64	EA	11.00	19,086.00	1,735				0.00	0.00	0.00	19,086.00	19,086.00	0.00	0.00
65	EA	2,660.73	2,660.73	1				0.00	0.00	0.00	2,660.73	2,660.73	0.00	0.00
66	EA	446.10	2,408.34	5,04				0.00	0.00	0.00	2,408.34	2,408.34	0.00	0.00

ORIGINAL CONTRACT AMOUNT:	\$ 36,809,630.95
NET CHANGES BY CHANGE ORDER(S):	\$ 213,545.72
TOTAL CONTRACT AMOUNT TO DATE:	\$ 40,023,176.67
Estimated % Project Completion to Date:	98.31%
Substantial Completion:	
Final Completion:	
Liquidated Damages:	0
Liquidated Damages:	0
Current Days:	0
Current Days:	0
LESS RETAINAGE @ 10%:	\$ 3,934,638.01
PENDING RELEASED RETAINAGE PR #14:	\$ 1,965,882.80
LESS Previous Requests for Payments:	\$ 595,145,773.15
LESS Retainage:	\$ 10,000.00
LESS Retainage:	\$ 6,000.00
TOTAL AMOUNT DUE THIS REQUEST:	\$ 26,121.78

HIDALGO COUNTY
 DEC 04 2009
 DRAINAGE DISTRICT #1

REQUEST FOR PAYMENT NO. 12

Project Number: 4287-03 0.44 MILES
 Date: 11/30/2009

CONTRACT NO. 08-024-09-30
 WORK THRU: 11/25/2009

PROGRESS BILLING WORKSHEET - NO. 1

JOE CHARLES BALLENGER, JR. PRESIDENT	ITEM NO.	UNIT	TOTAL QUANTITY	BID UNIT PRICE	TOTAL BID PRICE	CHANGE ORDERS		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	
						NO.	QTY. +/-									
TEMP EROSION CONTROL (EILIER FABRIC FENCE)	1	LF	6,189	\$ 2.20	\$ 13,786.00			\$ -	6,189.00	0.00	6,189.00	13,786.00	13,786.00	-	-	
LEAP EROSION CONTROL (CONCRETE ENTRY)	2	EA	1	\$ 999.50	\$ 999.50			\$ -	1.00	0.00	1.00	999.50	999.50	-	-	
REMOVE EXIST. PAVEMENT (GRAVEL)WAY (FIN. TO A)	3	STA	1	\$ 484.14	\$ 484.14			\$ -	23.00	0.00	23.00	11,135.22	11,135.22	-	-	
REMOVE EXIST. LEAVE EMBANKMENT	4	CY	14,233	\$ 4.10	\$ 58,756.30			\$ -	14,233.00	0.00	14,233.00	58,756.30	58,756.30	-	-	
BENCH EMBANKMENT PROTECTION	5	LF	139	\$ 11.71	\$ 1,627.69			\$ -	139.00	0.00	139.00	1,627.69	1,627.69	-	-	
TEMPORARY SPECIAL SHIELDING	6	SF	24,949	\$ 2.88	\$ 71,853.12			\$ -	24,949.00	0.00	24,949.00	71,853.12	71,853.12	-	-	
CONSTRUCT GATE WELL STRUCTURE W/SLUICE GATE, BATTERY LADDER & APPURTENANCES	8	EA	1	\$ 117,386.72	\$ 117,386.72			\$ -	1.00	0.00	1.00	117,386.72	117,386.72	-	-	
RETAINING WALL (FOOTING)	9	CV	1,628	\$ 811.33	\$ 1,321,856.24	2	1,981.00	\$ 821,530.00	1,546.99	13.00	1,560.00	1,255,921.30	1,255,921.30	5,455.06	13,427.83	
RETAINING WALL (KEY)	10	CV	2,317	\$ 419.62	\$ 972,259.54			\$ -	2,317.00	0.00	2,317.00	972,259.54	972,259.54	-	2,628.01	
RETAINING WALL (KEY)	11	CV	171	\$ 842.87	\$ 144,130.87			\$ -	165.71	2.29	168.00	138,206.85	138,206.85	-	2,168.71	
SCOURPROOF BRIM MATERIAL	12	CV	350	\$ 28.62	\$ 9,997.00			\$ -	317.20	32.79	350.00	9,997.00	9,997.00	-	1,187.47	
PREPARE AND SHIP BRIM AGG. MAT	13	SF	27,078	\$ 5.44	\$ 147,405.92			\$ -	25,295.65	1,882.32	27,178.00	137,118.80	137,118.80	-	10,346.62	
PREPARED UNDERDRAIN PIPE (4 IN. DIA PVC)	14	LF	2,399	\$ 18.33	\$ 43,978.77			\$ -	2,090.00	164.60	2,254.60	43,128.70	43,128.70	-	847.88	
REMOVE / SALVAGE EXIST. SLUICE GATE & APPURTENANCES	15	EA	1	\$ 1,000.41	\$ 1,000.41			\$ -	1.00	0.00	1.00	1,000.41	1,000.41	-	-	
PREPARATION RIGHT OF WAY	16	STA	31	\$ 831.78	\$ 25,785.18			\$ -	31.00	0.00	31.00	25,785.18	25,785.18	-	-	
REMOVE EXIST. PIPE (24 IN.)	17	LF	130	\$ 18.92	\$ 2,460.00			\$ -	130.00	0.00	130.00	2,460.00	2,460.00	-	-	
REMOVE EXIST. PIPE (24 IN.)	18	EA	1	\$ 1,865.13	\$ 1,865.13			\$ -	1.00	0.00	1.00	1,865.13	1,865.13	-	-	
REMOVE EXIST. LEAVE ACCESS GATE	19	EA	1	\$ 630.52	\$ 630.52			\$ -	1.00	0.00	1.00	630.52	630.52	-	-	
REMOVE EXIST. GATEWELL	20	EA	1	\$ 3,782.32	\$ 3,782.32			\$ -	1.00	0.00	1.00	3,782.32	3,782.32	-	-	
EMBANKMENT (EXCAVATED EXIST. LEVEE EMBANKMENT)	21	CV	13,439	\$ 8.00	\$ 107,512.00			\$ -	13,080.48	0.00	13,080.48	104,991.84	104,991.84	-	2,740.16	
EMBANKMENT (EMBLANKMENT ROAD)	22	CV	1,548	\$ 11.47	\$ 17,658.36			\$ -	1,548.00	0.00	1,548.00	17,658.36	17,658.36	-	-	
BORROW (OFF-SITE LEVEE GRADE MATERIAL)	23	CV	1,524	\$ 11.47	\$ 17,400.28			\$ -	0.00	0.00	0.00	0.00	0.00	-	28,956.26	
CONC. RIP RAP (4 IN. DIA) PROTECTION	24	CV	80	\$ 322.52	\$ 25,801.60			\$ -	0.00	0.00	0.00	0.00	0.00	-	28,901.60	
CONC. PAD (4 FT. X 4 FT.)	25	EA	5	\$ 1,514.52	\$ 7,572.60			\$ -	0.00	0.00	0.00	0.00	0.00	-	1,205.00	
CONC. SHOULDER (2 FT.)	26	LF	30	\$ 43.52	\$ 1,305.60			\$ -	0.00	0.00	0.00	0.00	0.00	-	805.74	
CONCRETE FLOOR (2 FT. X 4 FT.)	27	LF	68	\$ 65.90	\$ 4,481.20			\$ -	0.00	0.00	0.00	0.00	0.00	-	4,481.20	
FINISHING & PLACING TOPSOIL (SALVAGED MATERIAL)	28	CV	1,735	\$ 285.60	\$ 494,220.00			\$ -	1,445.00	0.00	1,445.00	383,607.00	383,607.00	-	10,095.00	
FINISHING & PLACING TOPSOIL (NEW)	29	CV	1,850	\$ 8.70	\$ 16,095.00			\$ -	0.00	0.00	0.00	0.00	0.00	-	4,481.20	
FINISHING & PLACING TOPSOIL (NEW)	30	CV	2,099	\$ 23.81	\$ 49,782.00			\$ -	0.00	0.00	0.00	0.00	0.00	-	77,312.88	
FINISHING & PLACING TOPSOIL (NEW)	31	CV	515	\$ 23.48	\$ 12,092.35			\$ -	0.00	0.00	0.00	0.00	0.00	-	16,095.00	
HYDRO MULCH	32	SY	16,500	\$ 0.47	\$ 7,755.00			\$ -	13,990.00	0.00	13,990.00	6,110.00	6,110.00	-	1,645.00	
ANTI COLLAPING FENCE	33	EA	2	\$ 8,208.48	\$ 16,416.96			\$ -	0.00	0.00	0.00	0.00	0.00	-	10,412.92	
BOLLARD (TRANSFORM FROM STAGING AREA & INSTALL PER PLANS) (8 FT.) (INCLUDE GROUT/CONC. & REINF. STEEL)	34	EA	2	\$ 2,164.22	\$ 4,328.44			\$ -	0.00	0.00	0.00	0.00	0.00	-	4,208.44	
BOLLARD (TRANSFORM FROM STAGING AREA & INSTALL PER PLANS) (8 FT.) (INCLUDE GROUT/CONC. & REINF. STEEL)	35	EA	2,895	\$ 31.38	\$ 90,741.10	2	2,080.00	\$ 31.38	2,080.00	0.00	2,080.00	65,532.82	65,532.82	-	-	
BOLLARD SUPPLY CUT AND WELD ANGLE IRON SUPPORTS (4 IN. X 4 IN. X 1/2 IN.)	37	LF	2,405	\$ 15.78	\$ 37,950.90	2	2,411.00	\$ 15.78	94.98	1,551.00	0.00	1,551.00	24,474.78	24,474.78	-	13,576.80
BOLLARD SUPPLY CUT AND WELD FLAT BAR SUPPORTS (4 IN. X 1/2 IN.)	38	LF	2,260	\$ 12.12	\$ 27,385.20			\$ -	1,745.00	0.00	1,745.00	21,140.40	21,140.40	-	6,241.80	
REIN. CONC. PIPE (24 IN. DIA)	39	LF	130	\$ 7.26	\$ 943.80			\$ -	130.00	0.00	130.00	943.80	943.80	-	-	
CONC. HEADWALL (24 IN.)	40	EA	3	\$ 5,125.01	\$ 15,375.03			\$ -	2.00	0.00	2.00	10,250.02	10,250.02	-	-	
CONC. SHOULDER (2 FT.)	41	LF	80	\$ 23.37	\$ 1,869.60			\$ -	0.00	0.00	0.00	0.00	0.00	-	1,869.60	
EMBANKMENT	42	EA	4	\$ 278.80	\$ 1,115.20			\$ -	0.00	0.00	0.00	0.00	0.00	-	2,314.64	
INSTALL LEVEE ACCESS GATE (COMPLETE)	43	EA	1	\$ 7,479.31	\$ 7,479.31			\$ -	0.00	0.00	0.00	0.00	0.00	-	7,479.31	
SLUICE GATES W/ WALL PIPE & TEE (8 IN.)	44	EA	5	\$ 1,395.04	\$ 6,975.20			\$ -	3.00	2.00	5.00	4,185.12	4,185.12	-	2,790.08	
TRAFFIC CONTROL	45	MO	1	\$ 4,933.08	\$ 4,933.08			\$ -	0.00	1.00	1.00	8,096.18	8,096.18	-	4,033.99	
HOT MIX ASPHALT (1 IN.)	46	SY	1,756	\$ 22.58	\$ 39,528.08			\$ -	1,756.00	0.00	1,756.00	39,528.08	39,528.08	-	-	
PREP. OP. (4 IN. DIA)	47	CV	350	\$ 6.25	\$ 2,187.50			\$ -	0.00	0.00	0.00	0.00	0.00	-	2,187.50	
LINE STRIPING (2 IN. SURFACE) (8 IN.)	48	SY	2,187	\$ 8.22	\$ 17,977.34			\$ -	2,107.00	0.00	2,107.00	17,319.54	17,319.54	-	1,248.20	
4" SOLID STRIPPING (8 IN. DIA) YELLOW	49	LF	790	\$ 1.58	\$ 1,248.20			\$ -	0.00	780.00	780.00	1,248.20	1,248.20	-	-	
REMOVE AND REPLACE EXISTING BARRIWARE FENCE	50	LF	205	\$ 10.52	\$ 2,156.60			\$ -	0.00	170.00	170.00	388.20	388.20	-	1,788.40	
REMOVE EXISTING ASPHALT	51	LS	1	\$ 8,817.23	\$ 8,817.23			\$ -	1.00	0.00	1.00	8,817.23	8,817.23	-	-	
DRAINAGE	52	LF	2,299	\$ 42.98	\$ 98,828.02			\$ -	400.00	0.00	400.00	5,162.00	5,162.00	-	24,532.20	
MOBILIZATION, BONDS, AND INSURANCE	53	LS	1	\$ 398,348.00	\$ 398,348.00			\$ -	1.00	0.00	1.00	398,348.00	398,348.00	-	-	
MATERIALS ON HAND				\$ -	\$ -			\$ -	0.00	0.00	0.00	-	-	-	-	

ORIGINAL CONTRACT AMOUNT:	\$ 4,403,851.15														
NET CHANGES BY CHANGE ORDERS:															
TOTAL CONTRACT AMOUNT TO DATE:	\$ 4,398,333.24											\$ 4,045,880.51	\$ 4,085,261.07	\$ 38,281.46	\$ 313,051.27
Estimated % Project Completion to Date:	92.88%														
Substantial Completion	Final Completion	Liquidated Damages:	Liquidated Damages:	Current Days:	Current Days:	0	0	To Date Days:	To Date Days:	54	34	LD's per Day:	\$ 10,000.00	\$ 854,000.00	\$ -
												LD's per Day:	\$ 6,000.00	\$ 204,000.00	\$ -
												TOTAL AMOUNT DUE THIS REQUEST:	\$ 35,253.31	\$ 18,353.31	\$ -

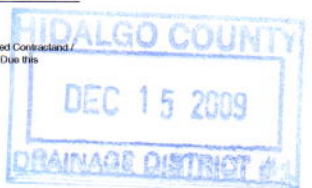
Contractor: BALLENGER CONSTRUCTION COMPANY

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 labor provisions of said contract.

Signed: *[Signature]* Date: 11/30/09

Title: JOE CHARLES BALLENGER, JR. PRESIDENT



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: 11/30/09 By: *[Signature]*

JOE CHARLES BALLENGER, JR. - PRESIDENT

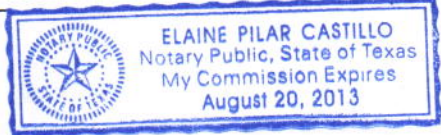
State of TEXAS

County of *[Signature]*

Subscribed and sworn to me this *[Signature]* day of *[Signature]* 2009

Notary Public: *[Signature]*

My Commission Expires: August 20, 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: 12/2/09

ARTEMIO SALAZAR 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: 12/03/09

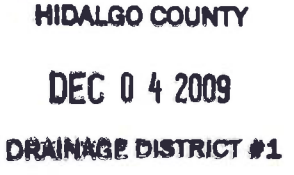
RICHARD D. SEITZ, P.E. RESIDENT PROJECT REPRESENTATIVE

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.

Date: _____

RENE A. RAMIREZ CHARMAN OF THE BOARD



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

REQUEST FOR PAYMENT
DHS SEGMENT 0-5 (1.76 MILES)
BALLENGER CONSTRUCTION COMPANY
24200 N. FM 509
HARLINGEN, TEXAS 78550

Project Number: 4416-01 1.76 MILES
Date: 11/30/2009

REQUEST FOR PAYMENT NO. 13A

CONTRACT NO. 08-008-07-01
WORK THRU: 8/25/2009

Table with columns: 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.

Summary table with columns: ORIGINAL CONTRACT AMOUNT, NET CHANGES BY CHANGE ORDER(S), TOTAL CONTRACT AMOUNT TO DATE, Estimated % Project Completion to Date, LESS RETAINAGE @ 10%, RELEASE RETAINAGE REQUESTED 50%, LESS Previous Requests for Payments, LTA per Day, TOTAL AMOUNT DUE THIS REQUEST.

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...

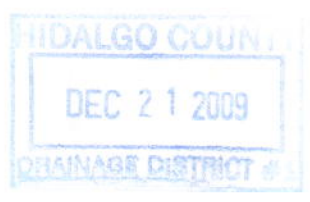
INSTRUCTIONS: Contractor's Certification No. 2: is to be executed for all requests for payments after the first. Notarize all requests for payments.
CONTRACTOR'S Certification No. 2:
The undersigned CONTRACTOR certifies that (1) all previous progress payments received from Owner on account of Work done 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 the time of payment free and clear of all Liens, security interest or encumbrances...

Notary Public section with signature of Elaine Pilar Castillo, Notary Public, State of Texas, My Commission Expires August 20, 2013.

Inspector's Certification section with signature of Hector Carru, DOS LOGISTICS INSPECTOR, Date: 12/1/09.

Engineer's Certification section with signature of Richard D. Seitz, P.E., RESIDENT PROJECT REPRESENTATIVE, Date: 12/1/09.

Owner Certification section with signature of Rene A. Ramirez, CHAIRMAN OF THE BOARD, Date: 12/1/09.



REQUEST FOR PAYMENT
 DHS SEGMENT 0-5 (1.76 MILES)
 BALLENGER CONSTRUCTION COMPANY
 24200 N. FM 509
 HARLINGEN, TEXAS 78550

Project Name: JOE CHARLES BALLENGER, JR. PRESIDENT
 Contractor:
 Address:
 City/State/Zip:

4410-01 1.76 MILES
 11/30/2009
 CONTRACT NO. 08-008-07-01
 WORK THRU: 9/25/2009

REQUEST FOR PAYMENT NO. 13A

PROGRESS BILLING WORKSHEET - NO. 1

ITEM NO	UNIT	TOTAL QUANTITY	BID UNIT PRICE	TOTAL BID PRICE	NO.	QTY. +/-	UNIT PRICE +/-	VARIANCE AMOUNT +/-	CHANGE ORDERS			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 +/-						
1	LF	9,353	\$ 2.75	\$ 25,720.75							9,353.00	0.00	9,353.00	25,720.75	-	-	-
2	EA	2	\$ 4,500.00	\$ 9,000.00							1.00	0.00	1.00	4,500.00	-	-	4,500.00
3	EA	993	\$ 11,916.00	\$ 11,916.00							993.00	0.00	993.00	11,916.00	-	-	11,916.00
4	CY	9,838	\$ 25,972.32	\$ 254,972.32							9,838.00	0.00	9,838.00	254,972.32	-	-	254,972.32
5	CY	72,068	\$ 12.00	\$ 864,816.00							56,869.00	0.00	56,869.00	682,428.00	-	-	682,428.00
6	LS	1	\$ 100,000.00	\$ 100,000.00							1.00	0.00	1.00	100,000.00	-	-	100,000.00
7	CY	11,018	\$ 492.82	\$ 5,429,890.76							9,794.00	0.00	9,794.00	4,881,133.72	-	-	4,881,133.72
8	CY	17,021	\$ 306.54	\$ 5,217,617.34							14,408.00	0.00	14,408.00	5,446,906.02	-	-	5,446,906.02
9	CY	7,014	\$ 450.00	\$ 3,156,300.00							4,382.00	0.00	4,382.00	2,260,999.82	-	-	2,260,999.82
10	LF	4,450	\$ 20.50	\$ 91,225.00							0.00	0.00	0.00	0.00	-	-	0.00
11	STA	94	\$ 137.49	\$ 12,924.06							94.00	0.00	94.00	12,924.06	-	-	12,924.06
12	LS	1	\$ 3,322.09	\$ 3,322.09							1.00	0.00	1.00	3,322.09	-	-	3,322.09
13	CY	183	\$ 310.00	\$ 56,730.00							133.00	0.00	133.00	41,230.00	-	-	41,230.00
14	CY	3,332	\$ 310.00	\$ 1,032,920.00							3,447.84	0.00	3,447.84	1,068,830.40	-	-	1,068,830.40
15	CY	2,038	\$ 37.25	\$ 75,915.50							2,256.00	0.00	2,256.00	84,036.00	-	-	84,036.00
16	CY	7,865	\$ 10.38	\$ 81,638.70							3,932.50	0.00	3,932.50	40,819.35	-	-	40,819.35
17	CY	7,812	\$ 20.87	\$ 163,036.44							7,906.00	0.00	7,906.00	164,988.22	-	-	164,988.22
18	SY	79,873	\$ 0.20	\$ 15,974.60							41,778.00	0.00	41,778.00	8,355.60	-	-	8,355.60
19	EA	8,894	\$ 12.25	\$ 108,951.50							0.00	0.00	0.00	0.00	-	-	0.00
20	EA	8,894	\$ 13.21	\$ 117,489.74							0.00	0.00	0.00	0.00	-	-	0.00
21	LF	9,100	\$ 8.77	\$ 79,807.00							0.00	0.00	0.00	0.00	-	-	0.00
22	LF	9,100	\$ 6.64	\$ 60,424.00							0.00	0.00	0.00	0.00	-	-	0.00
23	EA	8,894	\$ 20.00	\$ 177,880.00							0.00	0.00	0.00	0.00	-	-	0.00
24	LF	135	\$ 8.17	\$ 1,102.95							135.00	0.00	135.00	1,102.95	-	-	1,102.95
25	LF	6,950	\$ 25.00	\$ 173,750.00							6,950.00	0.00	6,950.00	173,750.00	-	-	173,750.00
26	SF	150,400	\$ 17.43	\$ 2,621,472.00							150,400.00	0.00	150,400.00	2,621,472.00	-	-	2,621,472.00
27	EA	18	\$ 1,848.70	\$ 33,294.60							18.00	0.00	18.00	33,294.60	-	-	33,294.60
28	CY	13,631	\$ 38.82	\$ 529,155.42							1,315.06	0.00	1,315.06	51,050.61	-	-	51,050.61
29	LF	9,100	\$ 9.67	\$ 87,997.00							9,100.00	0.00	9,100.00	87,997.00	-	-	87,997.00
30	LS	1	\$ 1,015,473.50	\$ 1,015,473.50							1.00	0.00	1.00	1,015,473.50	-	-	1,015,473.50
31	LF	40	\$ 161.56	\$ 6,462.40							0.00	0.00	0.00	0.00	-	-	0.00
32	SF	0	\$ -	\$ -							4,13	0.00	4,13	360,152.22	-	-	360,152.22

ORIGINAL CONTRACT AMOUNT: \$ 21,383,679.67
 NET CHANGES BY CHANGE ORDER(S): \$ (2,120,393.69)
 TOTAL CONTRACT AMOUNT TO DATE: \$ 19,263,285.98

Estimated % Project Completion to Date: 99.70%

Substantial Completion: Liquidated Damages: Current Days: 0
 Final Completion: Liquidated Damages: Current Days: 0

LESS RETAINAGE @ 10%: \$ 1,920,613.52
 RELEASE RETAINAGE REQUESTED 50%: \$ 960,306.76
 LESS Previous Request for Payments LD's per Day: \$ 10,000.00
 LD's per Day: \$ 6,000.00
 To Date Days: 121
 To Date Days: 41
TOTAL AMOUNT DUE THIS REQUEST: \$ 960,306.76

TOTAL CURRENT CONTRACT EARNED: \$ 960,306.76
 TOTAL TO COMPLETE DATE: \$ 19,206,135.23
 BALANCE TO COMPLETE: \$ 57,150.75



CERTIFICATE OF TENTATIVE FINAL COMPLETION
FOR
HIDALGO COUNTY LEVEE IMPROVEMENTS PROJECT
DHS SEGMENT O-9 Phase II
CONTRACT NO. 08-018-09-02

OWNER:

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

CONTRACTOR:

McAllen Construction
P.O. Box 3244
McAllen, Texas 78502

**Contractor Written Notification to Owner and
Engineer of Tentative Final Completion of Project:**

August 21, 2009

Owner, Contractor, and Engineer Inspection of Work:

December 8, 2009

**Tentative Certificate of Final Completion
Effective Date of Issuance:**

August 21, 2009

CONTRACT MANAGER:

Hidalgo County Drainage District No. 1

ENGINEER:

Dannenbaum Engineering Company-McAllen, LLC


Godfrey Garza Jr., CFM
District Manager, Flood Plan Administrator


Richard D. Seitz, P.E.
Resident Project Representative



Attached herewith and made a part of this Certificate as "Attachment 1" is a tentative list of items of work to be completed or corrected before issuance of a definitive certification of Substantial Completion. Failure to include a document or item on the applicable list does not alter the responsibility of the Contractor to complete all work in accordance with contract documents.

AMA

Purpose: CONDUCT A TENTATIVE FINAL COMPLETION WALK THROUGH FOR THE PROJECT AND GENERATE A PUNCH LIST

Location: DHS SEGMENT O-9 Phase II

Date/Time: December 08, 2009 / 9:00 a.m.

Attendees:	Jim O'Loughlin	LMI for CBP	Bernardo Elizondo	USBP
	Luther Sargent	USIBWC	Javier Salinas	USBP
	Richard Seitz	Dannenbaum	Roy Salinas	USBP
	Trey Pebley	McAllen Const	Kevin Black	McAllen Const

Prepared by: Steve McGarraugh

Issued: 15 December 2009

Notice: This report represents observations made by the attendees of the items discussed below. The observations reported herein were conducted on the date and during the period listed above. Unless notified to the contrary within seven (7) days from the date of issue, the contents of this report are assumed to be accurate and will stand for the record as written.

Items Discussed:

1. Verify that caliche gradation for maintenance and perimeter roads met contract requirements.
2. At Station 192+00 saw cut angle iron where torch was used to cut (typical throughout segment).
3. Approximately two to three locations on the landside at the top of the levee slopes have bare areas. Possibly due to ants. If ants, kill ants first. Reseed area.
4. At approximate Station 165+00 move angle iron up to proper height.
5. Remove vegetation from top of wall adjacent to bollards.
6. Remove excess concrete from top of wall.
7. Repair spalling at Station 127+50.
8. Remove silt fence from river side of project.
9. Replace broken flap gate cover at approximate Station 185+50.
10. Repair washout on landside adjacent ramp at approximate Station 161+00. Regrade and reseed.
11. Regrade and reseed area adjacent to concrete apron at both beginning and end of segment.
12. Area near large tree on land side at approximate Station 159+00 has been damaged by heavy equipment. Regrade and reseed damaged area.
13. Add fill, regrade and reseed areas on the landside along the 72" RCP that are holding water.
14. Remove forms, pallets, miscellaneous wood debris and pile of sand near stilling ponds.
15. Clean up joint in concrete stem at approximate Station 127+50.
16. Remove concrete debris near pump house on river side of wall.
17. Remove all right-of-way stakes from project.



Final Punch List

Dannenbaum Engineering-McAllen LLC.

Page 2 of 2

18. Remove concrete debris near tree at the east end of the project on the river side.
19. Reseed the ramp embankments at the east ramp.
20. Remove and reinstall angle iron where steps between panels are greater than 2" in elevation change.
21. At Station 126+50 crack runs away from chamfer on concrete stem wall.
22. Crack 60 feet from irrigation pond – 18' section 20 feet from anti-climb.



McALLEN CONSTRUCTION, INC.

P.O. Box 3244 • McAllen, Texas 78502 • Phone: (956) 686-7819 • Fax: (956) 686-7824

August 19, 2009

Mr. Richard Seitz, P.E.
Resident Project Representative
Dannenbaum Engineering
1109 Nolana Loop, Suite 208
McAllen, TX 78504

Project: HCDD #1 / DHS Segment 0-9 Ph II - Progreso River Levee Improvement

Subject: **Letter Requesting Final Inspection**

Mr. Richard Seitz, P.E.:

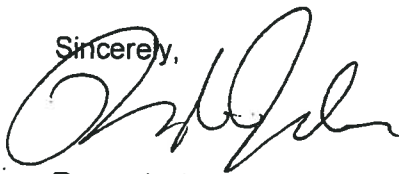
In accordance with the Standard General Conditions, Section 14.06 "Final Inspection," Paragraph A., McAllen Construction, Inc. (McCI) hereby provides written notice that, as of August 14, 2009, the above referenced project is complete, with the following exceptions:

- The quantity of Bid Item 42 - Hydromulch needs to be increased in order to complete the seeding of the disturbed areas.
- Flat Anti-Climb Panels have not been fabricated and installed, pending a formal change order.

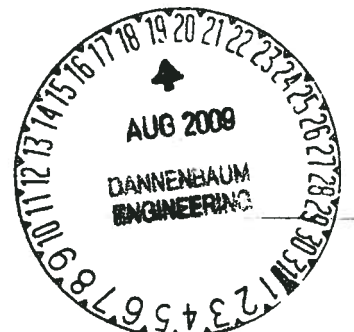
Other than the items outlined above, the project is ready for inspection to certify that the project is complete.

Should you have any questions or concerns, please contact me at 956-683-5710.

Sincerely,



Roger A. Jenkins
Project Manager



Raising Quality Through Continuous Improvement

TRANSMITTAL LETTER

DEC DANNENBAUM ENGINEERING COMPANY- MCALLEN, L.L.C.

1109 Nolana Loop, Suite 208, McAllen, Texas 78504 (956) 682-3677 Office (956) 686-1822 Fax

PROJECT: HCDD No. 1 – Hidalgo County Levee
(Name, address) Improvements Project/ DHS Segment 0-9
Phase II (1.75 Miles)

PROJECT NO. 4410-04

LOG NO. 300

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

DATE: December 16, 2009

If enclosures are not noted, please inform us immediately.

ATTN: Mr. Godfrey Garza, CFM

If checked below, please:

() Acknowledge receipt of enclosures.

() Return enclosures to us.

WE TRANSMIT:

herewith _____ under separate cover via: _____

_____ in accordance with your request _____

FOR YOUR:

approval _____ distribution to parties information usa

_____ review & comment _____ record (s)

_____ Other: _____



THE FOLLOWING:

_____ Drawings _____ Shop Drawings Prints _____ Samples

_____ Specifications _____ Shop Drawing Reproducibles _____ Product Literature

_____ Change Order Other see below

Copies	Date	Rev. No.	Description	Action Code
1	12/16/09		Levee Improvement Project Segment 0-9 Phase II Certificate of Tentative Final Completion	F
1	12/16/09		Levee Improvement Project Segment 0-9 Phase II Final Punch List	E
1	12/16/09		Letter from McAllen Construction to Mr. Richard Seitz requesting Final Inspection	E

ACTION CODE

- A. Action indicated on item transmitted
- B. No Action Required
- C. For signature and return to this office

- D. For signature and forwarding as noted below under remarks
- E. For Processing
- F. SEE REMARKS BELOW

REMARKS: Please review. Respectfully, upon your approval we request you place the above referenced item on the next Commissioner's Court Agenda for Board approval.

COPIES TO:

4410-04 PH II/File

BY:

Hand-Delivery
Signature

Printed Name: Steve McGarraugh, AIA
Project Representative