

AI-20017

4.

**D&B Recon WA 8, 9 PH I and PH II and 10 /Carry Overs
DRAINAGE DISTRICT**

Date: 02/23/2010

Submitted By: Minerva Luna, DRAINAGE DISTRICT

Department: DRAINAGE DISTRICT

Information

CAPTION

A. Request approval of Supplemental Work Authorizations for Professional Services to Dannenbaum Engineering-McAllen for interim project reconciliations as of 9-30-09 on the following DHS Segments:

1. DHS Segment 0-8 Supplemental No. 7 to Work Authorization No. 8
2. DHS Segment 0-9 PH I and DHS Segment 0-9 PH II Supplemental No. 15 to Work Authorization No. 9
3. DHS Segment 0-10 Supplemental No. 13 to Work Authorization No. 10

pending approval from Department of Homeland Security (DHS).

B. Request approval of Budget Amendment to carry over remaining available balance at December 31, 2009 for the:

1. Capital Projects Fund 130 & Fund 132
2. Special Revenue Fund 120 & 121

C. Request approval of Budget Amendment in the District General Fund in the amount of \$137,643.97 to fund open purchase orders at December 31, 2009 that will carry over into 2010.

BACKGROUND

Fiscal Impact

Attachments

Link: [DHS 0-8 Recon](#)

Link: [DHS 0-9 PH I and PH II Recon](#)

Link: [DHS 0-10 Recon](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Angela Garcia	02/19/2010 03:40 PM	APRV
2	Perla Lopez	Perla Lopez	02/19/2010 04:43 PM	APRV
3	Final Approval	Angela Garcia	02/19/2010 05:01 PM	APRV

Form Started By: Minerva Luna
Started On: 02/18/2010 03:46 PM

Final Approval Date: 02/19/2010

DANNENBAUM ENGINEERING COMPANY - McALLEN LLC

1109 NOLANA LOOP, SUITE 208 McALLEN, TEXAS 78504 (956) 682-3677

October 5, 2009

Godfrey Garza
Hidalgo County Drainage District No. 1
902 N. Doolittle
Edinburg, Texas 78541

**Re: Supplemental Agreement No. 7 (Revised 09/30/09) to Work Authorization No. 8 -
Project Interim Yearly Reconciliation of DHS Segment O-8**

Dear Mr. Garza,

Enclosed please find two originals of Supplemental Agreement No. 7 (Revised 09/30/09) to Work Authorization No. 8 for DHS Segment No. O-8. Our Supplemental Agreement No. 7 (Revised 09/30/09) is in regards to project **interim yearly reconciliation** as outlined in the Main Contract for the Hidalgo County Drainage District No. 1 Levee System Improvement Projects.

After verbal negotiations, Dannenbaum agreed to perform the basic engineering fee services for 90% of 7% or 6.3% of the final construction with certain construction management tasks (i.e.; construction bidding) being reclassified from basic services to special services as per our verbal agreement. As a result, Supplemental Agreement No. 7 (Revised 09/30/09) to Work Authorization No. 8 also addresses this modification.

As maintained by our Contract Agreement dated November 7, 2007 and Work Authorization No. 8 dated March 5, 2008, **Dannenbaum is requesting an interim yearly reconciliation of our accounting as per our contractual agreement and modify the basic service fee percentage and scope classification change as verbally agreed. A final reconciliation will be performed at the end of project closeout.**

Hence, please refer to the **Main Contract, Article 7. Work Authorization**. The work authorization is only an estimate of the engineering fee. **Article 7** refers back to **Article 5.1** and more particularly identified in Exhibit "D1"– Fee Breakdown, which define the final engineering basic service fee as the equal of 9% of the final construction cost. **Article 6; Section 6.1** refers to the project reconciliation on a yearly basis. This reconciliation only affects the basic services engineering fee and does not affect any approved special services. Refer to Exhibit I for copies of applicable Sections of the Engineering contract.

Below is Dannenbaum's contracted estimate of the engineering fees based on the preliminary estimated construction cost of \$13,951,746.25 dated May 16, 2008. The contracted engineering fee estimate breaks down to the following:

Table I

Type of Service	Total Contracted Engineering Fee Estimate for W.A. #8 (05/16/08)
Basic Services	\$878,960.01
Special Services	\$505,400.64
Total Estimated Fee	\$1,384,360.65

Dannenbaum has successfully completed the assigned tasks under Work Authorization No. 8 thru substantial/final completion for DHS Segment O-8. There have been construction change orders that have impacted the construction cost; therefore, on September 30, 2009 HCDD No. 1 Staff met with Dannenbaum Staff to discuss the construction cost of the various projects under the Hidalgo County Levee Rehabilitation Project. Both HCDD No. 1 Staff and Dannenbaum Staff agreed on the final construction cost for each project as of September 30, 2009 based on bid tabulations less approved change orders and/ or Engineer's Probable Cost of Construction as of September 30, 2009.

Hence, we will use the construction cost of \$19,722,252.80 for interim yearly reconciliation, which includes the original bid and incorporated change orders thru September 30, 2009 for this project and utilizing the verbal agreement of providing the basic services for 90% of 7% of the final construction cost.

Based on the revised construction cost, the engineering fees are revised as follows:

Table II

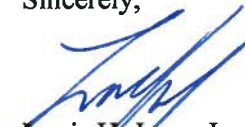
Type of Service	Revised Engineering Fee September 30, 2009 (90% of 7% of CC)	Previously Approved Engineering Fee	Difference in Total Engineering Fee
Basic Services	\$1,242,501.93	\$878,960.01	\$363,541.92
Special Services	-	\$505,400.64	\$0.00
Net Increase for WA No. 8		\$1,384,360.65	\$363,541.92

Original Amount for Work Authorization No. 8	\$1,384,360.65
Plus Net Increase due to Reconciliation	\$363,541.92
Total Amount for W.A. No. 8 (Reconciliation – August 29, 2008)	\$1,747,902.57

Please review our Supplemental Agreement No. 8 (Revised 09/30/09) for interim yearly reconciliation of Work Authorization No. 8 and based on your approval, please sign both copies and return one original to us for our records.

We appreciate the opportunity to be of service to the Hidalgo County Drainage District No.1. If you have any questions or need further clarification of this correspondence, please do not hesitate to call me at (956)682-3677 or (832)771-4904.

Sincerely,



Louis H. Jones Jr., P.E.
President

Enclosure(s)

cc: James D. Dannenbaum, P.E.
Wayne Ahrens, P.E.
Richard Seitz, P.E.
Sandra Spence, Administrative Manager
Shari Bricarell, Senior Account Executive

EXHIBIT "I"

Sections of Engineering Contract Referring to Reconciliation;
Basic Service Fee Percentage Change and Scope Classification Change

**Article 7, Work Authorization; Article 5.1, Basic Services and Exhibit "D1"; Article 6, Section 6.1
defining the reconciliation of engineering fees; and Article 8, Supplemental Agreements**

HIDALGO COUNTY
DEC 10 2009
DRAINAGE DISTRICT #1

EXHIBIT "II"

Two Partially Executed Originals of
Supplemental Agreement No. 7 (Revised 09/30/09) to Work Authorization No. 8
To Agreement for Professional Services

Interim Yearly Reconciliation

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

EXHIBIT “F”
Supplemental Agreement Form

SUPPLEMENTAL AGREEMENT NO. 7 (Revised 09/30/09)
TO WORK AUTHORIZATION NO. 8
TO AGREEMENT FOR PROFESSIONAL SERVICES

THIS SUPPLEMENTAL AGREEMENT is made pursuant to the terms and conditions of Section 4 of the Agreement made by and between the **HIDALGO COUNTY DRAINAGE DISTRICT NO. 1**, acting herein by and through its **BOARD OF DIRECTORS**, hereinafter called the **OWNER** and **DANNENBAUM ENGINEERING COMPANY – MCALLEN, LLC**, professional engineers of McAllen, Texas, hereinafter called the **ENGINEER**.

W I T N E S S E T H

WHEREAS, the **OWNER** and the **ENGINEER** executed the Main Contract Agreement on the 7th day November, 2006 concerning engineering and related services of the facilities for the “Levee System Improvements within Hidalgo County, Texas” (hereinafter referred to as the “Project”); and executed Work Authorization No. 8 under said agreement on February 20, 2008 for partial preliminary engineering; and relative supplemental agreements thereafter; and,

WHEREAS, Section Part 2 of Work Authorization No. 8, Estimated Cost, establishes the estimated professional engineering services fee and Part 3 of Work Authorization No. 1, Payment, establishes the method of payment for the proposed improvements for the

Hidalgo County Drainage District No. 1 / Dannenbaum Engineering Company – McAllen, LLC
SA No. 7 (Revised 09/30/09) to WA No. 8–USIBWC/DHS Concrete Flood Protection Structure Segment 0-8
“Levee System Improvements within Hidalgo County, Texas”

USIBWC and DHS Concrete Flood Protection Structure - DHS Segment 0-8 for a total distance of 3.25 miles; and,

WHEREAS, it has become necessary to amend Work Authorization No. 8 to reconcile the project as per the **Main Contract, Work Authorization, Article 7, Section 5.1 and Exhibit “D-1”**, which define the final engineering basic service fee as the equal of 9% of the final construction cost; and **Article 6; Section 6.1** defining reconciliation of engineering fees; and,

WHEREAS, upon execution of this supplemental agreement, the final engineering basic service fee outlined in **Article 5.1 and Exhibit “D-1”** shall be changed from 9% to 90% of 7% or 6.3% of the final construction cost.

WHEREAS, upon execution of this supplemental agreement, the final engineering basic service fee outlined in **Article 5.1**, and identified in **Article 2** and more particularly identified in **Exhibit “B” “Services to be Provided by the Engineer”**; shall be modified to change the “Classification of Services”, Item I: Engineering Management (EM); Item D – Construction Management Items one (1) through ten (10) shall be classified as “Special Services”.

NOW, THEREFORE, premises considered, the **OWNER and ENGINEER** agree the construction cost estimate of this project is modified as outlined in Attachment “B” – Construction Cost Tabulation, which includes the original bid tabulation with incorporated change orders for Levee System Improvements for the USIBWC and DHS Concrete Flood Protection Structure for DHS Segment 0-8.

I. Work Authorization No. 8, Part 2, Engineering Fee, is revised as follows: the engineering fee for providing engineering services under Work Authorization No. 8 for the Levee System Improvements for the USIBWC and DHS Concrete Flood Protection Structure for

DHS Segment 0-8 for a total distance of 3.25 miles, are updated in accordance with the Main Contract, Article 7, Work Authorization; Article 5.1, Basic Services and Exhibit "D1"; Article 6, Section 6.1 defining the reconciliation of engineering fees; and Article 8, Supplemental Agreements. Total basic fee added to the contract agreement under this work authorization is \$363,541.92. (See Attachment A – Breakdown of Project Reconciliation).

IN WITNESS WHEREOF, the ENGINEER and the OWNER have caused this Supplemental Agreement No. 7 (Revised 09/30/09) to be effective as of the ____ day of _____, 2009.

ENGINEER:
DANNENBAUM ENGINEERING COMPANY –
MCALLEN, LLC

BY: _____
Louis H. Jones, Jr., P.E., President

OWNER:
HIDALGO COUNTY

BY: _____
Rene A. Ramirez, County Judge

ATTACHMENTS:

- Attachment "A" - Breakdown of Project Reconciliation
- Attachment "B" - Construction Cost Tabulation, including the Original Bid Tabulation with Incorporated Change Orders

Hidalgo County Drainage District No. 1 / Dannenbaum Engineering Company – McAllen, LLC
SA No. 7 (Revised 09/30/09) to WA No. 8–USIBWC/DHS Concrete Flood Protection Structure Segment 0-8
HIDALGO COUNTY "Levee System Improvements within Hidalgo County, Texas"

DEC 10 2009

DRAINAGE DISTRICT #1

EXHIBIT "F"
Page 3 of 3

ATTACHMENT "A"

**BREAKDOWN OF PROJECT RECONCILIATION
SEPTEMBER 30, 2009**

Hidalgo County Drainage District No. 1
Supplemental Agreement No. 7 to Work Authorization No. 8
DHS Segment O-8
HCDD No. 1 Contract No. 08-012-07-08 / DEC Project No. 4410-03

Summary of Engineering Fees Based on Percentage of Construction Cost

	Reconciled Engineering Fees based on Final Constuction Cost Estimate September 30, 2009 \$19,722,252.80	Contracted Engineering Fees (Actual) based on Constuction Cost Estimate May 16, 2008 \$13,951,746.25	DIFFERENCE IN ENGINEERING FEES
BASIC SERVICES ONLY			
Preliminary Engineering and Design (Thru 30% Plans) Final Design / Bid Phase Services (30% of 7% of Total Construction Cost)	\$ 414,167.31	\$ 292,986.67	\$ 121,180.64
Final Design/Bid Phase Services (Thru 100% Plans) (60% of 7% of Total Construction Cost)	\$ 828,334.62	\$ 585,973.34	\$ 242,361.28
TOTALS	\$ 1,242,501.93	\$ 878,960.01	\$ 363,541.92
Percent of Construction Cost	6.3%		
TOTAL AMOUNT FOR SUPPLEMENTAL AGREEMENT NO. 5			\$363,541.92

Amount due after Project Reconciliation	
Total Fees Based on Revised Const Cost	\$ 1,242,501.93
Previously Billed thru Final Design Phase	\$ 878,960.01
Amount Due After Reconciliation	\$ 363,541.92

**Copies of Bid Tabulations
and Change Orders
and/or
Engineer's Probable Cost of Construction**

**HIDALGO COUNTY LEVEE REHABILITATION PROJECT
FINAL CONTRACT AMOUNT
BASED ON ORIGINAL BID AND INCORPORATED CHANGE ORDERS
AS OF SEPTEMBER 30, 2009**

DHS SEGMENT O-8	
Original Engineer's Estimate:	\$ 13,951,746.25
CONTRACTOR: ZACHRY CONSTRUCTION COMPANY	
Original Contract Amount (BID):	\$ 21,908,762.00
Approved Change Order's:	
CO #1 (Remove Bollards (Cut & Weld))	\$ (1,354,758.15)
CO #2 (Concrete Wall Change)	\$ (250,397.41)
CO #3 (Reduce Aggregate / Add Sheet Drain)	\$ (210,584.50)
CO #4 (Waterstop Changes)	\$ (127,188.42)
CO #7 (Change Date of Substantial Completion - 41 Days)	\$ -
CO #10A (Time Extension for Weather Delays - 7 Days)	\$ -
CO #15 (24" Pipe Crossing)	\$ 10,032.00
CO #16 (Lower Existing 2" Waterline at Sta. 107+00)	\$ 3,084.00
CO #17 (Relocate Irrigation Line at Sta. 80+00)	\$ 13,425.43
CO #18 (3 Inch Gas Line at Sta. 148+10)	\$ -
CO#19 (Stem Quantity Reduction due to Bollards)	\$ (270,122.15)
<i>Subtotal for Approved Change Orders</i>	
	\$ (2,186,509.20)
Anticipated Change Order's:	
<i>Subtotal for Anticipated Change Orders</i>	
	\$ -
Revised Contract Amount for Project Reconciliation	
	\$ 19,722,252.80

HCDD #1- Levee Improvement Project
DHS Segment 0-8

BID TABULATION Monday June 30, 2008

Description	Unit	Quantity	ZACHRY			WILLIAMS BROTHERS			KIEWIT / McALLEN CONST.		
			Unit Price	Total	Unit Price	Total	Unit Price	Total			
TEMP EROSION CONTROL (FILTER FABRIC FENCE)	LF	34,200	\$2.20	\$75,240.00	\$3.00	\$102,600.00	\$2.10	\$71,820.00			
TEMP EROSION CONTROL (CONST EXIT/FENTH)	EA	4	\$2,250.00	\$8,900.00	\$2,000.00	\$8,000.00	\$3,000.00	\$12,000.00			
EXCAVATE AND STOCKPILE EXIST EMBANKMENT	CY	21,510	\$12.00	\$258,120.00	\$10.00	\$215,100.00	\$10.00	\$215,100.00			
TRENCH EXCAV. PROTECTION (RET. ALL KEY)	LF	2,600	\$5.00	\$13,000.00	\$1.00	\$2,600.00	\$1.00	\$2,600.00			
TRENCH EXCAV. PROTECTION (STRUCTURES)	LF	115	\$5.00	\$575.00	\$1.00	\$115.00	\$1.00	\$115.00			
TEMPORARY SPECIAL SHORING	SF	185,285	\$9.00	\$1,667,565.00	\$5.00	\$926,425.00	\$0.01	\$1,852.85			
TRAFFIC CONTROL PLAN	LS	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00			
CONC. COLLAR (30 IN.)	EA	1	\$5,500.00	\$5,500.00	\$700.00	\$700.00	\$5,000.00	\$5,000.00			
CONSTRUCT GATE WELL STRUCTURE W/ SLUICE GATE, GRATE & LADDER. (8' x 3' 6")	EA	1	\$80,000.00	\$80,000.00	\$50,000.00	\$50,000.00	\$75,000.00	\$75,000.00			
RETAINING WALL (CAST-IN-PLACE) (STEM)	CY	7,448	\$700.00	\$5,213,600.00	\$950.00	\$7,074,160.00	\$890.00	\$6,630,720.00			
RETAINING WALL (CAST-IN-PLACE) (FOOTING)	CY	10,465	\$500.00	\$5,232,500.00	\$890.00	\$9,313,850.00	\$890.00	\$9,313,850.00			
RETAINING WALL (CAST-IN-PLACE) (KEY)	CY	2,081	\$400.00	\$832,400.00	\$1,450.00	\$3,016,050.00	\$890.00	\$1,852,090.00			
AGGREGATE DRAIN MATERIAL	CY	11,824	\$50.00	\$591,200.00	\$40.00	\$473,360.00	\$50.00	\$591,200.00			
PVC UNDERDRAIN PIPE (6 IN)	LF	17,106	\$18.00	\$307,908.00	\$15.00	\$256,590.00	\$20.00	\$342,120.00			
METAL BEAM GUARD RAIL	LF	16,884	\$25.00	\$422,100.00	\$21.00	\$354,564.00	\$21.00	\$354,564.00			
PREPARATION RIGHT OF WAY	STA	171	\$12,612.00	\$2,146,644.00	\$15,000.00	\$2,565,000.00	\$15,820.00	\$2,705,220.00			
EMBANKMENT	CY	22,846	\$12.00	\$274,152.00	\$10.00	\$228,460.00	\$10.00	\$228,460.00			
REMOVE PIPE (80 IN) RCP	EA	3	\$6,300.00	\$18,900.00	\$700.00	\$2,100.00	\$23,000.00	\$69,000.00			
REMOVE CONC. HEADWALL	EA	1	\$4,200.00	\$4,200.00	\$600.00	\$600.00	\$3,000.00	\$3,000.00			
REMOVE EXISTING GATE WELL STRUCTURES AND SALVAGE SLUICE GATE ASSEMBLIES	EA	1	\$32,859.00	\$32,859.00	\$4,000.00	\$4,000.00	\$15,000.00	\$15,000.00			
CAPPED EXISTING GATE WELL STRUCTURES AND SALVAGE SLUICE GATE ASSEMBLIES	EA	1	\$18,000.00	\$18,000.00	\$3,000.00	\$3,000.00	\$20,000.00	\$20,000.00			
CONC. RIP RAP (3-8) (SLOPE PROTECTION)	CY	200	\$380.00	\$76,000.00	\$375.00	\$75,000.00	\$500.00	\$100,000.00			
CONC. PAU (4 FT X 4 FT) (6 IN)	EA	34	\$1,300.00	\$44,200.00	\$250.00	\$8,500.00	\$1,000.00	\$34,000.00			
CONC. SHOULDER (2 FT X 4 IN)	LF	180	\$65.00	\$11,700.00	\$100.00	\$18,000.00	\$15.00	\$2,700.00			
FURNISHING & PLACING TOPSOIL (SALVAGED MATERIAL)(8 IN)	STA	152	\$340.00	\$51,680.00	\$1,750.00	\$2,660,000.00	\$500.00	\$76,000.00			
FURNISHING & PLACING TOPSOIL (NEW)(8 IN)	STA	19	\$680.00	\$12,920.00	\$1,900.00	\$36,100.00	\$1,000.00	\$19,000.00			
FLEXBASE (SALVAGED MATERIAL) (CALICHE) (TY D GR 6) (6 IN)	CY	1,267	\$12.00	\$15,204.00	\$10.00	\$12,670.00	\$9.00	\$11,403.00			
FLEXBASE (CALICHE) (TY D GR 6) (6 IN)	CY	12,033	\$30.00	\$360,990.00	\$45.00	\$541,485.00	\$14.00	\$168,462.00			
FLEXBASE (CALICHE) (TY D GR 6) (6 IN)	CY	444	\$30.00	\$13,320.00	\$45.00	\$19,980.00	\$18.00	\$7,992.00			
HYDRO MULCH	SY	47,500	\$1.00	\$47,500.00	\$1.00	\$47,500.00	\$1.15	\$54,625.00			
REINF. CONC. PIPE (80 IN) (CL V)	LF	123	\$125.00	\$15,375.00	\$70.00	\$8,610.00	\$200.00	\$24,600.00			
CONC. HEADWALL (80 IN) (CAST IN PLACE)	EA	1	\$8,000.00	\$8,000.00	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00			
REGRADE DITCH	LF	7,825	\$4.00	\$31,300.00	\$5.00	\$39,125.00	\$1.00	\$7,825.00			
BOLLARD (CUT TO PLANT DIMENSIONS)	EA	16,580	\$81.00	\$1,342,980.00	\$25.00	\$414,750.00	\$60.00	\$994,800.00			
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (8 FT TO 12 FT LONG)	EA	16,037	\$90.00	\$1,443,330.00	\$50.00	\$801,850.00	\$90.00	\$1,443,330.00			
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (14 FT TO 20 FT LONG)	EA	553	\$270.00	\$149,310.00	\$100.00	\$55,300.00	\$60.00	\$33,180.00			
BOLLARD (SUPPLY, CUT & WELD ANGLE IRON SUPPORTS) (4 IN X 4 IN X 1/4 IN 8 FT)	LF	17,485	\$4.00	\$69,940.00	\$30.00	\$524,550.00	\$12.00	\$209,820.00			
BOLLARD (INSTALL & WELD CAPS)	EA	16,580	\$45.00	\$746,550.00	\$110.00	\$1,823,800.00	\$1.00	\$16,580.00			
FLAP GATES WALL PIPE & TEE (6 IN)	EA	34	\$2,300.00	\$78,200.00	\$1,500.00	\$51,000.00	\$1,200.00	\$40,800.00			
REMOVE AND REPLACE EXIST. SIGN	EA	8	\$1,500.00	\$12,000.00	\$500.00	\$4,000.00	\$500.00	\$4,000.00			
Base Bid				\$21,908,782.00		\$27,184,165.00		\$27,796,368.85			

HCDD #1- Levee Improvement Project
DHS Segment 0-8
BID TABULATION Monday June 30, 2008

Description	Unit	Quantity	ZACHRY		WILLIAMS BROTHERS		KIEWIT / McALLEN CONST.	
			Unit Price	Total	Unit Price	Total	Unit Price	Total
TEMP EROSION CONTROL (FILTER FABRIC FENCE)	LF	34,200	\$2.20	\$75,240.00	\$3.00	\$102,600.00	\$2.10	\$71,820.00
TEMP EROSION CONTROL (CONST EXIT / ENTR)	EA	4	\$2,250.00	\$9,000.00	\$2,000.00	\$8,000.00	\$3,000.00	\$12,000.00
EXCAVATE AND STOCKPILE EXIST EMBANKMENT	CY	21,210	\$12.00	\$254,520.00	\$10.00	\$212,100.00	\$10.00	\$212,100.00
TRENCH EXCAV. PROTECTION (RET. ALL KEY)	LF	2,600	\$5.00	\$13,000.00	\$1.00	\$2,600.00	\$1.00	\$2,600.00
TRENCH EXCAV. PROTECTION (STRUCTURES)	LF	115	\$5.00	\$575.00	\$1.00	\$115.00	\$1.00	\$115.00
TEMPORARY SPECIAL SHORING	SF	195,285	\$9.00	\$1,757,565.00	\$5.00	\$976,425.00	\$0.01	\$1,952.85
TRAFFIC CONTROL PLAN	LS	1	\$35,000.00	\$35,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
CONC. COLLAR (30 IN.)	EA	1	\$5,500.00	\$5,500.00	\$700.00	\$700.00	\$5,000.00	\$5,000.00
CONSTRUCT GATE WELL STRUCTURE W/ SLUICE GATE, GRATE & LADDER. (3 ft x 3 ft)	EA	1	\$80,000.00	\$80,000.00	\$50,000.00	\$50,000.00	\$75,000.00	\$75,000.00
RETAINING WALL(CAST-IN-PLACE) (STEM)	CY	7,449	\$700.00	\$5,214,300.00	\$650.00	\$4,841,850.00	\$990.00	\$7,374,510.00
RETAINING WALL(CAST-IN-PLACE) (FOOTING)	CY	10,465	\$500.00	\$5,232,500.00	\$890.00	\$9,313,850.00	\$990.00	\$10,360,350.00
RETAINING WALL(CAST-IN-PLACE) (KEY)	CY	2,091	\$400.00	\$836,400.00	\$1,450.00	\$3,031,950.00	\$990.00	\$2,070,090.00
AGGREGATE DRAIN MATERIAL	CY	11,934	\$50.00	\$596,700.00	\$40.00	\$477,360.00	\$50.00	\$596,700.00
PVC UNDERDRAIN PIPE (6 IN)	LF	17,105	\$18.00	\$307,890.00	\$15.00	\$256,575.00	\$20.00	\$342,100.00
METAL BEAM GUARD RAIL	LF	16,884	\$25.00	\$422,100.00	\$21.00	\$354,564.00	\$21.00	\$354,564.00
PREPARATION RIGHT OF WAY	STA	171	\$12,812.00	\$2,190,852.00	\$15,000.00	\$2,565,000.00	\$15,820.00	\$2,705,220.00
EMBANKMENT	CY	22,946	\$12.00	\$275,352.00	\$10.00	\$229,460.00	\$10.00	\$229,460.00
REMOVE PIPE (30 IN) RCP	EA	3	\$6,300.00	\$18,900.00	\$700.00	\$2,100.00	\$23,000.00	\$69,000.00
REMOVE CONC. HEADWALL	EA	1	\$4,200.00	\$4,200.00	\$600.00	\$600.00	\$3,000.00	\$3,000.00
REMOVE EXISTING GATE WELL STRUCTURES AND SALVAGE SLUICE GATE ASSEMBLIES	EA	1	\$32,859.00	\$32,859.00	\$4,000.00	\$4,000.00	\$15,000.00	\$15,000.00
CAPPED EXISTING GATE WELL STRUCTURES AND SALVAGE SLUICE GATE ASSEMBLIES	EA	1	\$18,000.00	\$18,000.00	\$3,000.00	\$3,000.00	\$20,000.00	\$20,000.00
CONC. RIP RAP CL-B (SLOPE PROTECTION)	CY	200	\$380.00	\$76,000.00	\$375.00	\$75,000.00	\$500.00	\$100,000.00
CONC. PAD (4 FT X 4 FT) (6 IN)	EA	34	\$1,300.00	\$44,200.00	\$250.00	\$8,500.00	\$1,000.00	\$34,000.00
CONC. SHOULDER (2 FT X 4 IN)	LF	160	\$65.00	\$10,400.00	\$100.00	\$16,000.00	\$15.00	\$2,400.00
FURNISHING & PLACING TOPSOIL (SALVAGED MATERIAL)(6IN)	STA	152	\$340.00	\$51,680.00	\$1,750.00	\$266,000.00	\$500.00	\$76,000.00
FURNISHING & PLACING TOPSOIL (NEW)(6IN)	STA	19	\$580.00	\$11,020.00	\$1,900.00	\$36,100.00	\$1,000.00	\$19,000.00
FLEXBASE (SALVAGED MATERIAL) (CALICHE) (TY D GR 6) (6 IN.)	CY	1,267	\$12.00	\$15,204.00	\$10.00	\$12,670.00	\$9.00	\$11,403.00
FLEXBASE (CALICHE) (TY D GR 6) (6 IN.)	CY	12,033	\$30.00	\$360,990.00	\$45.00	\$541,485.00	\$14.00	\$168,462.00
FLEXBASE (CALICHE) (TY D GR 6) (8 IN.)	CY	444	\$30.00	\$13,320.00	\$45.00	\$19,980.00	\$18.00	\$7,992.00
HYDRO MULCH	SY	47,500	\$1.00	\$47,500.00	\$1.00	\$47,500.00	\$1.15	\$54,625.00
REINF. CONC. PIPE (30 IN.) (CL V)	LF	123	\$125.00	\$15,375.00	\$70.00	\$8,610.00	\$200.00	\$24,600.00
CONC. HEADWALL (30 IN.) (CAST IN PLACE)	EA	1	\$9,000.00	\$9,000.00	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00
REGRADE DITCH	LF	7,625	\$4.00	\$30,500.00	\$5.00	\$38,125.00	\$1.00	\$7,625.00
BOLLARD (CUT TO PLAN DIMENSIONS)	EA	16,590	\$81.00	\$1,343,790.00	\$25.00	\$414,750.00	\$90.00	\$1,493,100.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (8 FT TO 12 FT LONG)	EA	16,037	\$90.00	\$1,443,330.00	\$50.00	\$801,850.00	\$60.00	\$962,220.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (14 FT TO 20 FT LONG)	EA	553	\$270.00	\$149,310.00	\$100.00	\$55,300.00	\$60.00	\$33,180.00
BOLLARD (SUPPLY, CUT & WELD ANGLE IRON SUPPORTS) (4 IN X 4 IN X 1/4 IN 8 FT)	LF	17,485	\$4.00	\$69,940.00	\$30.00	\$524,550.00	\$12.00	\$209,820.00
BOLLARD (INSTALL & WELD CAPS)	EA	16,590	\$45.00	\$746,550.00	\$110.00	\$1,824,900.00	\$1.00	\$16,590.00
FLAP GATES W/WALL PIPE & TEE (6 IN.)	EA	34	\$2,300.00	\$78,200.00	\$1,500.00	\$51,000.00	\$1,200.00	\$40,800.00
REMOVE AND REPLACE EXIST. SIGN	EA	8	\$1,500.00	\$12,000.00	\$500.00	\$4,000.00	\$500.00	\$4,000.00
Base Bid				\$21,908,762.00		\$27,194,169.00		\$27,796,398.85

EXHIBIT "III"

Construction Cost Estimates as of September 30, 2009

**(Agreed to between HCDD No. 1 Staff and Dannenbaum Staff
at the meeting held on September 30, 2009)**

**Hidalgo County Levee Rehabilitation Project
USIBWC Earthen Levee Projects and DHS Levee/Wall Projects
Construction Cost Estimates as of September 30, 2009
(Based on the meeting held between HCDD No. 1 Staff and Dannenbaum Staff on September 30, 2009)**

Final construction cost based on the following criteria respectively:

- 1) Used the amount of all the actual change orders approved by Commissioner's Court
- 2) If there were change orders approved by Commissioner's Court and DHS issued a PF225; however, change order amount and PF225 amount differ, the amount of the change order was used.
- 3) If there were change orders that had not been approved by Commissioner's Court and DHS issued a PF225, then the amount of the PF225 was used.
- 4) If DHS issued a PF225, but no change order had been developed, the amount of the PF225 was used.
- 5) If a change order was sent to DHS for approval, but DHS had not issued a PF 225, the amount of the change order was used.

DHS Segment	Contractor	Change Order No.	Amount	225	BOD	PF225/CO	Difference
DHS 0-4A	Ballenger	Original Contract	\$ 39,809,630.95			9/30/2008	
Pending Change Orders:							
#4A-Revised Beg.wall	\$ (139,908.78)	*	38,571.45	37	1/28/2009		
#9-Wall Stem qty	\$ (30,291.71)	9/29	292,500.00	85	4/21/2009		
#11-Dewatering		***	26,267.39	87	6/15/2009		
HCDD#1 Est.	\$ 39,968,634.64		(17,556.40)	88	6/30/2009		
			1,972.31	110	6/30/2009		
			(15,211.32)	89	6/30/2009		(14,547.00) \$
			2,660.75	111	7/14/2009		(664.32)
			\$ 40,138,835.13		BOD Approved		
DHS 0-4C	Ballenger	Original Contract	\$ 4,403,851.15			9/30/2008	
Pending Change Orders:							
#3-Wall Stem qty	\$ (5,726.31)	9/29	188.40	38	1/28/2009		
#4-Dewatering		***	4,404,039.55	76	3/17/2009		
HCDD#1 Est.	\$ 4,398,313.24						
DHS 0-5	Ballenger	Original Contract	\$ 21,383,679.67			7/1/2008	
Pending Change Orders:							
#12-extension of time	\$ -	9/22	(378,056.50)	8	8/19/2008		
#16-gatewell structure	\$ 11,649.55	9/29	(532,205.07)	9	8/19/2008		
HCDD#1 Est.	\$ 19,274,935.53		(257,720.74)	10	8/19/2008		
			(100,097.52)	11	9/30/2008		
			-	39	1/28/2009		
			(15,286.50)	113	6/30/2009		
			45,779.18	124	8/25/2009		
			(882,806.54)	130	9/1/2009		
			\$ 19,263,285.98				
DHS 0-6A	Ballenger	Original Contract	\$ 28,553,870.93			9/2/2008	
Pending Change Orders:							
#13B-Wall Realignment		***	(530,085.28)	55	1/28/2009		28.98
#14-Rerouting irr.line	\$ 22,896.11	9/22	(86,888.03)	56	1/28/2009		6.06
#16-Deletion of contract		***	(781,964.42)	57	1/28/2009		
#17-rev. wall beg. Str.		****	-	40	1/28/2009		
#18-Stem qty	\$ (18,330.70)	****	6,115.25	112	7/14/2009		6118.24 \$
#20-Bollards		****	109,492.12	127	8/25/2009		
#21-Proj. Recon		****	14,007.09	125	8/25/2009		
HCDD#1 Est.	\$ 26,992,491.38	****	(296,621.69)	131	9/1/2009		
		****	26,987,925.97				

DHS Segment	Contractor	Change Order No.	Amount	225	BOD	PF225/CO	Difference
DHS 0-6BC	SER Construction	Original Contract	\$ 14,197,729.40			PF225/CO	Difference
Pending Change Orders:						(116,115.04)	\$ (20.06)
		1	(116,135.10)	58	9/2/2008		
		2	(80,484.75)	59	1/28/2009		
		5	(123,300.00)	60	1/28/2009		
		6	-	41	1/28/2009		
		7A	16,505.80	61	2/17/2009		
		10A	(79,647.00)	62	2/17/2009		
		11A	-	63	2/17/2009		
		15	14,250.00	64	3/3/2009		
		17A	(3,386.80)	73	4/28/2009		
		18B	26,340.00	74	4/28/2009		
		19A	(123,960.00)	75	4/28/2009		
		21	199,952.10	51	4/28/2009		
		22	24,844.16	94	5/26/2009		
		23	(14,231.91)	95	6/8/2009		
		24	(0.01)	24	6/22/2009		
		25	428,271.65	49	7/7/2009		
		26	381,710.34	77	6/15/2009		
		28	92,955.88	123	7/7/2009		
		29	14,813.68	122	6/30/2009		
		27	254,299.64	129	8/25/2009		
		30	341,665.00	128	8/25/2009		
		33A	9,396.05	142	8/25/2009		
		34	212,776.56	141	8/25/2009		
			<u>\$ 15,674,364.69</u>				
HCDD#1 Est.	\$ 15,674,364.69						
#35-Encasing Bollards	\$ 499,781.20						
authorization not given yet							
							14,500.00 \$ (250.00)
							8,517.20 \$ (11,904.00)
							275,000.00 \$ (75,047.90)
							27,252.16 \$ (2,408.00)
							(78,483.30) \$ 64,251.39
							*6-15-09 Approved by Scott
DHS 0-7	SER Construction	Original Contract	\$ 11,980,892.00				
Pending Change Orders:							
		1	(230,295.00)	12	7/1/2008		
		2	(414,996.00)	13	9/9/2008		
		3	(885,175.01)	14	9/9/2008		
		4	(67,560.00)	15	9/30/2008		
		5	(31,655.32)	16	9/30/2008		
		8	-	42	1/28/2009		
		9A	20,000.00	65	3/3/2009		
		10A	7,848.00	66	3/3/2009		
		11	17,808.00	67	3/3/2009		
		12	8,700.00	83	6/2/2009		
		13	-	102	6/2/2009		
		14	6,173.71	114	6/30/2009		
		15	(887.19)	96	6/8/2009		
			<u>\$ 10,410,853.19</u>				
HCDD#1 Est.	\$ 10,652,826.80						
#18-Rip Rap DHS 0-8	\$ 23,925.00						
#19-Anti-Climb Fence	\$ 131,526.00						
*authorization not given yet							
DHS 0-8	Zachry Construction	Original Contract	\$ 21,908,762.00				
Pending Change Orders:							
		1	(1,354,758.15)	29	7/8/2008		
		2	(250,397.41)	19	9/30/2008		
		3	(210,584.50)	20	9/30/2008		
		4	(127,188.42)	21	10/14/2008		
		7	-	43	1/28/2009		
		10A	-	79	3/3/2009		
		15	10,032.00	84	6/2/2009		
		16	3,084.00	97	6/2/2009		
		17	13,425.43	104	6/2/2009		
		18	-				
			<u>\$ 19,992,374.95</u>				
HCDD#1 Est.	\$ 19,722,252.80						
#20-Proj. Recon	\$ 46,938.40						
#21-Equip. Standby	\$ 73,964.61						
*authorization not given yet							
							8,700.00 \$ 1,332.00
							*5-21-09 Approved by Scott

PF

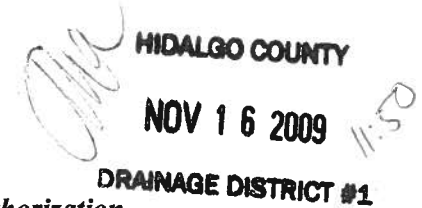
DHS Segment	Contractor	Change Order No.	Amount	225	BOD	PF225/CO	Difference
DHS 0-9 Phase I	Williams Bros.	Original Contract	\$ 20,253,897.40			7/8/2008	
Pending Change Orders:							
#8A-Wall penetration	\$ 74,517.68	9/22	(1,206,600.00)	18		9/30/2008	
#14-Stem qty	\$ (109,400.51)	*	(2,524,024.11)	23		9/30/2008	(2,524,024.00) \$
#15-Proj. Recon		***	1,121,450.00	24		9/30/2008	
HCDD#1 Est.	\$ 17,459,098.83		(113,076.63)	30		11/12/2008	
			(22,500.00)	31		11/12/2008	
			-	108		7/14/2009	
			(15,165.00)			7/28/2009	*7-17-09 Approved by Scott
			\$ 17,493,981.66	134		8/25/2009	
DHS 0-9 Phase II	McAllen Const.	Original Contract	\$ 13,425,119.85			9/2/2008	
Pending Change Orders:							
#25-Stem Qty	\$ 11,115.00	9/29	(62,904.68)	68		1/6/2009	
#18-Add'l Silt Fence	\$ 37,922.88	9/29	(77,036.45)	69		1/28/2009	
#19-Fabricated Boll.	\$ 331,695.88	9/29	45,047.80	70		1/28/2009	
#22-Reinforcing Steel	\$ 10,435.75	9/22	-	45		1/28/2009	
#26-Add'l Silt Fence	\$ 14,020,933.21	9/22	(11,680.00)	71		1/28/2009	
HCDD#1 Est.			(7,997.20)	72		1/28/2009	
			82,656.18	80		3/3/2009	
			(25,762.99)	81		4/7/2009	
			-	78		4/7/2009	
			150,996.13	50		4/7/2009	
			2,258.30	107		6/2/2009	
			7,727.50	100		6/2/2009	
			89,507.62	118		6/15/2009	
			5,195.64	119		6/15/2009	
			-	138		8/25/2009	
			6,636.00	139		8/25/2009	
			\$ 13,629,763.70				(128,533.44) \$
DHS 0-10	Williams Bros	Original Contract	\$ 18,763,215.00			7/8/2008	
Pending Change Orders:							
#7A-Wall Penetration	\$ 17,961.60	9/22	(593,346.00)	25		9/30/2008	
#14-Stem Qty	\$ (134,877.72)	*	1,034,700.00	26		9/30/2008	
#15-Proj. Recon		***	(87,737.90)	32		11/12/2008	
HCDD#1 Est.	\$ 18,950,066.98		(27,900.00)	33		11/12/2008	
			-	109		7/14/2009	
			(21,948.00)	132		8/25/2009	
			\$ 19,066,983.10				

DANNENBAUM ENGINEERING COMPANY - McALLEN LLC

1109 NOLANA LOOP, SUITE 208 McALLEN, TEXAS 78504 (956) 682-3677

November 4 2009

Godfrey Garza
Hidalgo County Drainage District No. 1
902 N. Doolittle
Edinburg, Texas 78541



Re: Supplemental Agreement No. 15 (Revised 11/04/09) to Work Authorization No. 9 - Project Interim Yearly Reconciliation of DHS Segments O-9 Phase I and O-9 Phase II (Excluding Reconciliation of DHS Segment O-9A)

Dear Mr. Garza,

Enclosed please find two originals of Supplemental Agreement No. 15 (Revised 11/04/09) to Work Authorization No. 9 for DHS Segments No. O-9 Phase I and O-9 Phase II. Our Supplemental Agreement No. 15 (Revised 11/04/09) is in regards to project interim yearly reconciliation as outlined in the Main Contract for the Hidalgo County Drainage District No. 1 Levee System Improvement Projects. ***Please note this supplemental agreement excludes the interim reconciliation of DHS Segment O-9A.***

After verbal negotiations, Dannenbaum agreed to perform the basic engineering fee services for 90% of 7% or 6.3% of the final construction with certain construction management tasks (i.e.; construction bidding) being reclassified from basic services to special services as per verbal agreement. As a result, Supplemental Agreement No. 15 (Revised 11/04/09) to Work Authorization No. 9 also addresses this modification.

As maintained by our Contract Agreement dated November 7, 2006 and Work Authorization No. 9 dated March 5, 2008, Dannenbaum is requesting an interim yearly reconciliation of our accounting as per our contractual agreement and modify the basic service fee percentage and scope classification change as verbally agreed. A final reconciliation will be performed at the end of project closeout

Hence, please refer to the **Main Contract, Article 7. Work Authorization**. The work authorization is only an estimate of the engineering fee. **Article 7** refers back to **Article 5.1** and more particularly identified in Exhibit "D1"– Fee Breakdown, which define the final engineering basic service fee as the equal of 9% of the final construction cost. **Article 6; Section 6.1** refers to the project reconciliation on a yearly basis. This reconciliation only affects the basic services engineering fee and does not affect any approved special services. Refer to Exhibit I for copies of applicable Sections of the Engineering contract.

Below is Dannenbaum's contracted estimate of the fees based on the preliminary estimated construction cost for all of DHS Segment O-9 (which included O-9 Phase I to O-9 Phase II) was \$16,613,310.00, which if you prorate the cost per mile translates into a preliminary estimated construction cost estimate of \$9,137,320.50 for DHS Segment O- 9 Phase I; and \$7,475,989.50 for DHS Segment O-9 Phase II, all dated March 5, 2009. The contracted engineering fee estimate breaks down to the following:

Table IA Basic Services for DHS Segment O-9 Phase I and DHS Segment O-9 Ph II

Type of Service	Total Contracted Engineering Fee Estimate for W.A. #9 (03/05/08)
Basic Services – DHS Seg O-9 Ph I	\$575,651.45
Basic Services – DHS Seg O-9 Ph II	\$470,987.55
Basic Services – Total Estimated Fee	\$1,046,639.00
Type of Service	
Special Services – DHS Seg O-9 Ph I and DHS Seg O-9 Ph II	\$603,690.99
Grand Total – WA No. 9	\$1,650,329.99

Dannenbaum has successfully completed the assigned tasks under Work Authorization No. 9 thru the final design phase for DHS Segments O-9 Phase I and O-9 Phase II. There have been construction change orders that have impacted the construction cost; therefore, on September 30, 2009 HCDD No. 1 Staff met with Dannenbaum Staff to discuss the construction cost of the various projects under the Hidalgo County Levee Rehabilitation Project. Both HCDD No. 1 Staff and Dannenbaum Staff agreed on the final construction cost for each project as of September 30, 2009 based on bid tabulations less approved change orders and/ or Engineer's Probable Cost of Construction as of September 30, 2009.

However, on October 29, 2009 and November 3, 2009, Dannenbaum met with HCDD No. 1 to further discuss the construction cost of these projects and questions arose regarding Change Order Nos. 17A, 22 and 24 for DHS Segment O-9 Ph II. At the direction of HCDD No. 1, these Change Orders were removed from the list.

Hence, we will use the construction cost of \$17,459,098.83 as of September 30, 2009 for DHS Seg O-9 Ph I and the construction cost of \$13,533,045.56 for DHS Seg O-9 Ph II as of November 4, 2009 for interim yearly reconciliation, which includes the original bid and incorporated change orders for these projects; utilizing the verbal agreement of providing the basic services for 90% of 7% of the final construction cost. **Please note the construction cost of DHS Seg O-9 Ph II excludes the construction cost of DHS Seg O-9A Wall Extension.**

Based on the revised construction cost, the engineering fees are revised as follows:

Table II

Type of Service	Revised Engineering Fee September 30, 2009 (90% of 7% of CC)	Previously Approved Engineering Fee	Difference in Total Engineering Fee
Basic Services (O-9 Phase I)	\$1,099,923.23	\$575,651.45	\$524,271.78
Basic Services (O-9 Phase II) (Excl O-9 Ph II Wall Ext)	\$852,581.87	\$470,987.55	\$381,594.32
Special Services	-	\$603,690.99	\$0.00
Net Increase for WA No. 9		1,650,329.99	\$905,866.10

HIDALGO COUNTY

NOV 16 2009

DRAINAGE DISTRICT #1


Work Authorization No. 9 total is revised as follows:

Original Amount for Work Authorization No. 9	\$1,650,329.99
Plus Net Increase for DHS Seg O-9 Ph I due to Reconciliation	\$524,271.78
Plus Net Increase for DHS O-9 Ph II due to Reconciliation	\$381,594.32
Total Amount for W.A. No. 9 after Reconciliation	<u>\$2,556,196.09</u>

Please review our Supplemental Agreement No. 15 (Revised 11/04/09) for **interim yearly reconciliation** of Work Authorization No. 9 and based on your approval, please sign both copies and return one original to us for our records.

We appreciate the opportunity to be of service to the Hidalgo County Drainage District No.1. If you have any questions or need further clarification of this correspondence, please do not hesitate to call me at (956)682-3677 or (832)771-4904.

Sincerely,



Louis H. Jones Jr., P.E.
President

Enclosure(s)

cc: James D. Dannenbaum, P.E.
Wayne Ahrens, P.E.
Richard Seitz, P.E.
Sandra Spence, Administrative Manager
Shari Bricarell, Senior Account Executive

HIDALGO COUNTY
NOV 16 2009
DRAINAGE DISTRICT #1

EXHIBIT "I"

Sections of Engineering Contract Referring to Reconciliation;
Basic Service Fee Percentage Change and Scope Classification Change

**Article 7, Work Authorization; Article 5.1, Basic Services and Exhibit "D1"; Article 6, Section 6.1
defining the reconciliation of engineering fees; and Article 8, Supplemental Agreements**

HIDALGO COUNTY

DEC 10 2009

DRAINAGE DISTRICT #1

EXHIBIT "II"

Two Partially Executed Originals of
Supplemental Agreement No. 15 (Revised 11/04/09) to Work Authorization No. 9
To Agreement for Professional Services

Interim Yearly Reconciliation

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

EXHIBIT “F”
Supplemental Agreement Form

SUPPLEMENTAL AGREEMENT NO. 15 (Revised 11/04/09)
TO WORK AUTHORIZATION NO. 9
TO AGREEMENT FOR PROFESSIONAL SERVICES

THIS SUPPLEMENTAL AGREEMENT is made pursuant to the terms and conditions of Section 4 of the Agreement made by and between the **HIDALGO COUNTY DRAINAGE DISTRICT NO. 1**, acting herein by and through its **BOARD OF DIRECTORS**, hereinafter called the **OWNER** and **DANNENBAUM ENGINEERING COMPANY – MCALLEN, LLC**, professional engineers of McAllen, Texas, hereinafter called the **ENGINEER**.

W I T N E S S E T H

WHEREAS, the **OWNER** and the **ENGINEER** executed the Main Contract Agreement on the 7th day November, 2006 concerning engineering and related services of the facilities for the “Levee System Improvements within Hidalgo County, Texas” (hereinafter referred to as the “Project”); and executed Work Authorization No. 9 under said agreement on March 5, 2008 for partial preliminary engineering; and relative supplemental agreements thereafter; and,

WHEREAS, Section Part 2 of Work Authorization No. 9, Estimated Cost, establishes the estimated professional engineering services fee and Part 3 of Work Authorization No. 9, Payment, establishes the method of payment for the proposed improvements for the

Hidalgo County Drainage District No. 1 / Dannenbaum Engineering Company – McAllen, LLC
SA No. 15 (Revised 11/04/09) to WA No. 9
USIBWC/DHS Concrete Flood Protection Structure Segment 0-9 Phase I and Segment O-9 Phase II
“Levee System Improvements within Hidalgo County, Texas”

USIBWC and DHS Concrete Flood Protection Structures - DHS Segment 0-9 Phase I a distance of 0.2.12 miles and DHS Segment O-9 Phase II a distance of 1.67 miles; and,

WHEREAS, it has become necessary to amend Work Authorization No. 9 to reconcile the project as per the **Main Contract, Work Authorization, Article 7, Section 5.1 and Exhibit “D-1”**, which define the final engineering basic service fee as the equal of 9% of the final construction cost; and **Article 6; Section 6.1** defining reconciliation of engineering fees; and,

WHEREAS, upon execution of this supplemental agreement, the final engineering basic service fee outlined in **Article 5.1 and Exhibit “D-1”** shall be changed from 9% to 90% of 7% or 6.3% of the final construction cost.

WHEREAS, upon execution of this supplemental agreement, the final engineering basic service fee outlined in **Article 5.1**, and identified in **Article 2** and more particularly identified in **Exhibit “B” “Services to be Provided by the Engineer”**; shall be modified to change the “Classification of Services”, Item I: Engineering Management (EM); Item D – Construction Management Items one (1) through ten (10) shall be classified as “Special Services”.

NOW, THEREFORE, premises considered, the **OWNER and ENGINEER** agree the construction cost estimate of these projects is modified as outlined in Attachment “B” – Construction Cost Tabulation, which includes the original bid tabulation with incorporated change orders for Levee System Improvements for the USIBWC and DHS Concrete Flood Protection Structures for DHS Segment O-9 Phase I and DHS Segment O-9 Phase II.

I. Work Authorization No. 9, Part 2, Engineering Fee, is revised as follows: the engineering fee for providing engineering services under Work Authorization No. 9 for the Levee System Improvements for the USIBWC and DHS Concrete Flood Protection Structures

Hidalgo County Drainage District No. 1 / Dannenbaum Engineering Company – McAllen, LLC
SA No. 15 (Revised 11/04/09) to WA No. 9
USIBWC/DHS Concrete Flood Protection Structure Segment 0-9 Phase I and Segment O-9 Phase II
“Levee System Improvements within Hidalgo County, Texas”

Segment 0-9 Phase I and Segment O-9 Phase II, are updated in accordance with the Main Contract, Article 7, Work Authorization; Article 5.1, Basic Services and Exhibit "D1"; Article 6, Section 6.1 defining the reconciliation of engineering fees; and Article 8, Supplemental Agreements. Total basic fee added to the contract agreement under this work authorization is \$524,271.78 for DHS Segment O-9 Phase I and \$381,594.32 for DHS Segment O-9 Phase II. (See Attachment A – Breakdown of Project Reconciliation).

IN WITNESS WHEREOF, the ENGINEER and the OWNER have caused this Supplemental Agreement No. 15 (Revised 11/04/09) to be effective as of the ____ day of _____, 2009.

ENGINEER:
DANNENBAUM ENGINEERING COMPANY –
MCALLEN, LLC

BY: 
Louis H. Jones, Jr., P.E., President

OWNER:
HIDALGO COUNTY

BY: _____
Rene A. Ramirez, County Judge

ATTACHMENTS:

- Attachment "A" - Breakdown of Project Reconciliation (Rev 11/04/09)
- Attachment "B" - Construction Cost Tabulation, including the Original Bid Tabulation with Incorporated Change Orders (Rev 11/04/09)

Hidalgo County Drainage District No. 1 / Dannenbaum Engineering Company – McAllen, LLC
SA No. 15 (Revised 11/04/09) to WA No. 9
USIBWC/DHS Concrete Flood Protection Structure Segment 0-9 Phase I and Segment O-9 Phase II
"Levee System Improvements within Hidalgo County, Texas"

HIDALGO COUNTY

DEC 10 2009

DRAINAGE DISTRICT #1

EXHIBIT "F"
Page 3 of 3

ATTACHMENT "A"

**BREAKDOWN OF PROJECT RECONCILIATION
SEPTEMBER 30, 2009**

Hidalgo County Drainage District No. 1
Supplemental Agreement No. 15 to Work Authorization No. 9
Levee / Wall DHS Segment O-9 Phase I
HCDD No. 1 Contract No. 08-013-07-08 / DEC Project No. 4410-04

Summary of Engineering Fees Based on Percentage of Construction Cost

	Reconciled Engineering Fees based on Final Constuction Cost Estimate September 30, 2009 \$17,459,098.83	Contracted Engineering Fees (Actual) based on Constuction Cost Estimate March 5, 2008 \$9,137,320.50	DIFFERENCE IN ENGINEERING FEES
BASIC SERVICES ONLY			
Preliminary Engineering and Design (Thru 30% Plans) Final Design / Bid Phase Services (30% of 7% of Total Construction Cost)	\$ 366,641.08	\$ 191,884.00	\$ 174,757.08
Final Design/Bid Phase Services (Thru 100% Plans) (60% of 7% of Total Construction Cost)	\$ 733,282.15	\$ 383,767.45	\$ 349,514.70
TOTALS	\$ 1,099,923.23	\$ 575,651.45	\$ 524,271.78
(Percent of Construction Cost)	6.3%		
TOTAL AMOUNT FOR SUPPLEMENTAL AGREEMENT NO. 4			\$524,271.78

Amount due after Project Reconciliation	
Total Fees Based on Revised Const Cost	\$ 1,099,923.23
Previously Billed thru Final Design Phase	\$ 575,651.45
Amount Due After Reconciliation	\$ 524,271.78

ATTACHMENT "A"

BREAKDOWN OF PROJECT RECONCILIATION
REVISED NOVEMBER 4, 2009

Hidalgo County Drainage District No. 1
 Supplemental Agreement No. 15 to Work Authorization No. 9
 Levee / Wall DHS Segment O-9 Phase II (Excluding O-9A Wall Extension)
 HCDD No. 1 Contract No. 08-018-09-02 / DEC Project No. 4410-04

Summary of Engineering Fees Based on Percentage of Construction Cost

	Reconciled Engineering Fees based on Final Constuction Cost Estimate November 2, 2009 \$13,533,045.56	Contracted Engineering Fees (Actual) based on Constuction Cost Estimate March 5, 2008 \$7,475,989.50	DIFFERENCE IN ENGINEERING FEES
BASIC SERVICES ONLY			
Preliminary Engineering and Design (Thru 30% Plans) Final Design / Bid Phase Services (30% of 7% of Total Construction Cost)	\$ 284,193.96	\$ 156,996.00	\$ 127,197.96
Final Design/Bid Phase Services (Thru 100% Plans) (60% of 7% of Total Construction Cost)	\$ 568,387.91	\$ 313,991.55	\$ 254,396.36
TOTALS	\$ 852,581.87	\$ 470,987.55	\$ 381,594.32
(Percent of Construction Cost)	6.3%		
TOTAL AMOUNT FOR SUPPLEMENTAL AGREEMENT NO. 15			\$381,594.32

Amount due after Project Reconciliation	
Total Fees Based on Revised Const Cost	\$ 852,581.87
Previously Billed thru Final Design Phase	\$ 470,987.55
Amount Due After Reconciliation	\$ 381,594.32

NOTE:
 Construction Cost Revised on November 04, 2009 to Remove Change Order Nos. 17A, 22 and 24.

EXHIBIT "III"

DHS Segment O-9 Ph I ~ Construction Cost Estimates as of September 30, 2009

DHS Segment O-9 Ph II ~ Construction Cost Estimates as of November 4, 2009

(Backup is the same as previously submitted less Change Order Nos. 17A, 22 and 24)

**HIDALGO COUNTY LEVEE REHABILITATION PROJECT
FINAL CONTRACT AMOUNT
BASED ON ORIGINAL BID AND INCORPORATED CHANGE ORDERS
AS OF NOVEMBER 4, 2009**

DHS SEGMENT O-9 Ph II	
Original Engineer's Estimate:	\$ 7,475,989.50
CONTRACTOR: MCALLEN CONSTRUCTION COMPANY	
Original Contract Amount (BID):	\$ 13,425,119.85
Approved Change Order's:	
CO #1 (Reduce Aggregate / Add Sheet Drain)	\$ (62,904.68)
CO #2 (Waterstop Changes)	\$ (77,036.45)
CO #5A (Proposed Irrigation Line Changes)	\$ 45,047.80
CO #7 (Change Date of Substantial Completion - 42 Days)	\$ -
CO #10 (Tee and Riser's)	\$ (11,680.00)
CO #12 (48" Balance Tube Realignment)	\$ (7,997.20)
CO #14A (Bollard Revisions due to Wall Height Adjustment Qty)	\$ 82,656.18
CO #15B (Wall Alignment at Pump Sta.)	\$ (25,762.99)
CO #16A (Change Date of Substantial Completion (52 Days)	\$ -
CO #18 (Additional Silt Fence)	\$ 11,115.00
CO #19 (Fabricated Bollards)	\$ 37,922.88
CO #20 (Waterstop Retrofitting)	\$ 2,258.30
CO #21 (Security Gates at Headwalls)	\$ 7,727.50
CO #23 (Pump House Bollard Foundation Change)	\$ 89,507.62
CO #26 (Additional Silt Fence)	\$ 10,435.75
CO #27 (Time Extension for 83 Days)	\$ -
CO #28 (Remove 5' x 4' Box & Time Extension for 10 Days)	\$ 6,636.00
<i>Subtotal for Approved Change Orders</i>	\$ 107,925.71
Anticipated Change Order's:	
<i>Subtotal for Anticipated Change Orders</i>	\$ -
Revised Contract Amount for Project Reconciliation	\$ 13,533,045.56

Prepared: September 30, 2009

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HCDD #1 - Levee Improvement Project
DHS Segment 0-9 Phase I (2.12 Miles)
BID TABULATION Thursday July, 3, 2008

Description	Unit	Quantity	WILLIAMS BROTHERS CONSTRUCTION CO.		ZACHRY		BALLINGER CONSTRUCTION CO	
			Unit Price	Total	Unit Price	Total	Unit Price	Total
TEMP EROSION CONTROL (FILTER FABRIC/FENCE)	LF	11,082	\$3.00	\$33,276.00	\$10.00	\$110,820.00	\$5.00	\$55,460.00
TEMP EROSION CONTROL (CONST EXIT/ENTR)	EA	2	\$2,000.00	\$4,000.00	\$7,500.00	\$15,000.00	\$5,000.00	\$10,000.00
EXCAVATE & STOCKPILE EXIST LEVEE EMBANKMENT	CY	60,757	\$12.20	\$741,235.40	\$2.80	\$170,119.80	\$80.00	\$1,215,140.00
TRENCH EXCAVATION PROTECTION (STRUTCHES)	LF	300	\$1.00	\$300.00	\$20.00	\$6,000.00	\$190.04	\$39,012.00
TEMPORARY SPECIAL SHORING	SF	108,200	\$1.00	\$108,200.00	\$12.00	\$1,310,400.00	\$80.00	\$2,194,000.00
CONC. DOLLAR (18 IN)	EA	3	\$500.00	\$1,500.00	\$8,000.00	\$18,000.00	\$641.69	\$2,525.07
CONSTRUCT GATE WELL STRUCTURE W/ SLUICE GATE, GRATE & LADDER. (8 X 3 IN)	EA	3	\$30,000.00	\$14,000.00	\$70,000.00	\$210,000.00	\$75,000.00	\$225,000.00
AGGREGATE DRAIN MATERIAL	CY	9,168	\$46.00	\$366,768.00	\$75.00	\$687,675.00	\$75.00	\$687,675.00
PERFORATED UNDERDRAIN PIPE (6 IN) (PVC)	LF	11,280	\$15.00	\$169,200.00	\$20.00	\$225,600.00	\$55.00	\$292,000.00
RETAINING WALL (CAST-IN-PLACE) (SYSTEM)	CY	7,222	\$550.00	\$3,972,100.00	\$900.00	\$6,499,800.00	\$1,082.44	\$7,456,281.68
RETAINING WALL (CAST-IN-PLACE) (FOOTING)	CY	10,882	\$780.00	\$8,381,960.00	\$900.00	\$9,798,960.00	\$900.00	\$6,408,200.00
RETAINING WALL (CAST-IN-PLACE) (KEY)	CY	940	\$150.00	\$141,000.00	\$900.00	\$846,000.00	\$1,800.00	\$1,692,000.00
PREPARATION RIGHT OF WAY	STA	113	\$16,000.00	\$2,008,000.00	\$16,454.70	\$2,065,381.10	\$662.22	\$66,920.88
CONCRETE SHOULDER (2 FT X 4 IN)	LF	110	\$100.00	\$11,000.00	\$20.00	\$2,200.00	\$24.41	\$2,685.10
REMOVE EXIST. GATEWELL (8 FT X 3 FT)	EA	1	\$4,000.00	\$12,000.00	\$10,000.00	\$30,000.00	\$4,980.94	\$14,702.82
REMOVE EXIST. CONC. HEADWALL (8 IN)	EA	3	\$900.00	\$2,700.00	\$10,000.00	\$10,000.00	\$1,948.89	\$1,948.89
REMOVE EXIST. CONC. STAND PIPE (48 IN)	EA	2	\$900.00	\$1,800.00	\$5,782.00	\$11,564.00	\$1,752.92	\$3,504.84
REMOVE EXIST. CONC. STAND PIPE (64 IN)	EA	2	\$900.00	\$1,800.00	\$5,782.00	\$11,564.00	\$1,752.92	\$3,504.84
REMOVE EXIST. CONC. PIPE (18 IN)	EA	3	\$2,000.00	\$6,000.00	\$10,455.00	\$31,365.00	\$1,752.92	\$5,258.76
EXCAVATE & REUSE EXIST. LEVEE EMBANKMENT	CY	34,946	\$9.50	\$331,987.00	\$4.20	\$146,778.20	\$8.29	\$289,729.34
CONC. RIP RAP (2.5) (SLOPE PROTECTION)	CY	118	\$400.00	\$47,200.00	\$950.00	\$76,700.00	\$389.27	\$39,915.88
FURNISHING & PLACING TOPSOIL (SALVAGED MATERIAL)	STA	81	\$2,000.00	\$162,000.00	\$800.00	\$64,800.00	\$732.01	\$59,292.81
FURNISHING & PLACING TOPSOIL (NEW)	STA	81	\$2,000.00	\$162,000.00	\$800.00	\$64,800.00	\$732.01	\$59,292.81
FLEXBASE (SALVAGED MATERIAL) (CALCHE) (TY D GR 6) (6 IN)	CY	33	\$2,000.00	\$66,000.00	\$1,250.00	\$41,250.00	\$1,005.64	\$33,188.12
FLEXBASE (NEW) (CALCHE) (TY D GR 6) (6 IN)	CY	887	\$15.00	\$13,305.00	\$30.00	\$26,610.00	\$8.20	\$8,000.00
FLEXBASE (NEW) (CALCHE) (TY D GR 6) (6 IN)	CY	7,803	\$35.00	\$273,605.00	\$33.00	\$258,799.00	\$29.70	\$234,718.10
FLEXBASE (NEW) (CALCHE) (TY D GR 6) (6 IN)	CY	1,020	\$35.00	\$35,700.00	\$33.00	\$33,660.00	\$29.70	\$30,294.00
HYDRO MULCH	SF	52,439	\$1.00	\$52,439.00	\$0.33	\$17,304.87	\$0.92	\$27,288.28
HEAVY CONC. PIPE (18 IN) (CL V)	LF	348	\$50.00	\$17,400.00	\$80.00	\$31,320.00	\$55.57	\$19,328.38
CONSTRUCT STAND PIPE (48 IN)	EA	1	\$10,000.00	\$10,000.00	\$45,000.00	\$45,000.00	\$3,198.26	\$3,198.26
CONSTRUCT STAND PIPE (64 IN)	EA	1	\$10,000.00	\$10,000.00	\$45,000.00	\$45,000.00	\$3,437.22	\$3,437.22
BOLLARD (OUT TO PLAN DIMENSIONS)	EA	11,160	\$25.00	\$279,000.00	\$100.00	\$1,116,000.00	\$50.00	\$558,000.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (8 FT)	EA	10,424	\$55.00	\$573,320.00	\$100.00	\$1,042,400.00	\$16.11	\$167,830.64
BOLLARD (SUPPLY, CUT & WELD ANGLE IRON SUPPORTS) (4 IN X 4 IN X 14 IN 8 FT)	EA	736	\$90.00	\$66,240.00	\$400.00	\$294,400.00	\$13.19	\$9,707.84
BOLLARD (INSTALL & WELD CAPS)	LF	11,896	\$80.00	\$951,680.00	\$3.00	\$35,688.00	\$32.05	\$381,295.76
FLUX GATES W/ WALL PIPE &TEE (6 IN)	EA	11,160	\$110.00	\$1,227,600.00	\$77.00	\$859,320.00	\$25.81	\$289,028.80
DEWATERING (0'-3')	LF	647	\$50.00	\$32,350.00	\$46.37	\$30,001.39	\$1,231.89	\$30,829.87
DEWATERING (3'-6')	LF	64	\$150.00	\$9,600.00	\$73.13	\$5,000.32	\$900.00	\$399,200.00
Base Bid				\$20,283,897.40		\$20,447,465.48		\$22,085,087.18

HCDD #1- Levee Improvement Project
DHS Segment 0-9 PHASE II (1.75 Miles)
BID TABULATION Friday August 8, 2008

Description	Unit	Quantity	McALLEN CONSTRUCTION		BRH GARVER	
			Unit Price	Total	Unit Price	Total
MOBILIZATION	LS	1	\$1,300,000.00	\$1,300,000.00	\$1,650,000.00	\$1,650,000.00
TEMP EROSION CONTROL (FILTER FABRIC FENCE)	LF	1,753	\$4.75	\$8,326.75	\$2.00	\$3,506.00
TEMP EROSION CONTROL (CONST EXIT / ENTR)	EA	2	\$2,000.00	\$4,000.00	\$1,500.00	\$3,000.00
TRENCH EXCAVATION PROTECTION (STRUCTURES)	LF	100	\$1.00	\$100.00	\$1.00	\$100.00
TRENCH EXCAVATION PROTECTION (72 IN RCP PIPE)	LF	2,728	\$1.00	\$2,728.00	\$1.00	\$2,728.00
TEMPORARY SPECIAL SHORING	SF	68,140	\$6.00	\$408,840.00	\$0.50	\$34,070.00
CONSTRUCT GATE WELL STRUCTURE W/ SLUICE GATE, HATCH, LADDER & APPURTENANCES. (9 ft x 10 ft)	EA	2	\$45,000.00	\$90,000.00	\$72,000.00	\$144,000.00
CONSTRUCT IRRIGATION CONTROL BOXW/ 2 SLUICE GATES, HATCH, LADDER & APPURTENANCES. (9 ft x 9.5 ft)	EA	1	\$75,000.00	\$75,000.00	\$151,400.00	\$151,400.00
CONC. COLLAR (30 IN)	EA	1	\$1,300.00	\$1,300.00	\$1,000.00	\$1,000.00
CONC. COLLAR (48 IN)	EA	2	\$2,000.00	\$4,000.00	\$1,200.00	\$2,400.00
CONC. COLLAR (54 IN)	EA	1	\$3,700.00	\$3,700.00	\$1,900.00	\$1,900.00
AGGREGATE DRAIN MATERIAL	CY	3,336	\$70.00	\$233,520.00	\$38.00	\$126,768.00
PERFORATED UNDERDRAIN PIPE (6 IN)(PVC)	LF	8,192	\$6.00	\$49,152.00	\$13.00	\$106,496.00
RETAINING WALL (CAST-IN-PLACE) (STEM)	CY	4,105	\$700.00	\$2,873,500.00	\$1,000.00	\$4,105,000.00
RETAINING WALL(CAST-IN-PLACE) (FOOTING)	CY	5,655	\$652.00	\$3,687,960.00	\$800.00	\$4,524,000.00
RETAINING WALL (CAST-IN-PLACE) (KEY)	CY	634	\$800.00	\$507,200.00	\$550.00	\$348,700.00
METAL BEAM GUARD FENCE	LF	160	\$25.00	\$4,000.00	\$188.00	\$30,080.00
SLUICE GATE (72 IN) (@ HEADWALL SELF CONTAINED)	EA	1	\$35,000.00	\$35,000.00	\$39,100.00	\$39,100.00
PREPARATION RIGHT OF WAY	STA	88	\$1,500.00	\$132,000.00	\$10,000.00	\$880,000.00
EXCAVATE & STOCKPILE EXIST LEBEE EMBANKMENT	CY	40,133	\$2.20	\$88,292.60	\$10.00	\$401,330.00
REMOVE EXIST CONC. PIPE & PLUG (30 IN)	EA	2	\$1,300.00	\$2,600.00	\$750.00	\$1,500.00
REMOVE EXIST CONC. PIPE (48 IN)	EA	4	\$1,000.00	\$4,000.00	\$1,000.00	\$4,000.00
REMOVE EXIST CONC. PIPE (54 IN)	EA	1	\$1,200.00	\$1,200.00	\$1,250.00	\$1,250.00
REMOVE EXIST CONC. HEADWALL (30 IN)	EA	1	\$800.00	\$800.00	\$2,500.00	\$2,500.00
REMOVE EXIST CONC. HEADWALL (48 IN)	EA	4	\$1,300.00	\$5,200.00	\$3,760.00	\$15,040.00
REMOVE EXIST CONC. HEADWALL (54 IN)	EA	1	\$1,800.00	\$1,800.00	\$5,000.00	\$5,000.00
REMOVE & DISPOSAL EXIST CONC. RIP RAP (reservoir 1)	LS	1	\$1,900.00	\$1,900.00	\$4,000.00	\$4,000.00
REMOVE & DISPOSAL EXIST CONC. RIP RAP (reservoir 2)	LS	1	\$1,900.00	\$1,900.00	\$5,000.00	\$5,000.00
REMOVE & DISPOSAL EXIST CONC. RIP RAP (canal)	LS	1	\$30,000.00	\$30,000.00	\$7,500.00	\$7,500.00
REMOVE & DISPOSAL EXIST STAND PIPE	EA	1	\$1,800.00	\$1,800.00	\$5,000.00	\$5,000.00
EXCAVATE & REUSE EXIST. EMBANKMENT	CY	40,133	\$6.50	\$260,864.50	\$14.00	\$561,862.00
EMBANKMENT (NEW)	CY	4,710	\$8.00	\$37,680.00	\$20.00	\$94,200.00
CONCRETE (BOLLARD FOUNDATION)	CY	173	\$300.00	\$51,900.00	\$1,100.00	\$190,300.00
CONC. PAD (4 FT X 4 FT)	EA	15	\$700.00	\$10,500.00	\$3,200.00	\$48,000.00
CONC. RIP RAP CL-B (SLOPE PROTECTION)	CY	30	\$500.00	\$15,000.00	\$500.00	\$15,000.00
CONC. RIP RAP CL-B (RESERVOIR BASINS)	CY	353	\$500.00	\$176,500.00	\$500.00	\$176,500.00
FURNISHING & PLACING TOPSOIL (SALVAGED MATERIAL)	STA	29	\$1,100.00	\$31,900.00	\$6,284.00	\$182,236.00
FURNISHING & PLACING TOPSOIL (NEW)	STA	59	\$1,500.00	\$88,500.00	\$3,770.00	\$222,430.00
FLEXBASE (SALVAGED MATERIAL) (CALICHE) (TY D GR 6) (6 IN)	CY	1,111	\$22.00	\$24,442.00	\$19.00	\$21,109.00
FLEXBASE (NEW) (CALICHE) (TY D GR 6) (6 IN)	CY	5,198	\$26.00	\$135,148.00	\$36.00	\$187,128.00
FLEXBASE (NEW) (CALICHE) (TY D GR 6) (8 IN)	CY	244	\$25.00	\$6,100.00	\$40.00	\$9,760.00
HYDRO MULCH	SY	62,670	\$1.00	\$62,670.00	\$0.50	\$31,335.00
REINF. CONC. PIPE (30 IN) (CL III)	LF	155	\$130.00	\$20,150.00	\$120.00	\$18,600.00
REINF. CONC. PIPE (48 IN) (CL III)	LF	203	\$260.00	\$52,780.00	\$210.00	\$42,630.00
REINF. CONC. PIPE (54 IN) (CL III)	LF	20	\$300.00	\$6,000.00	\$240.00	\$4,800.00
REINF. CONC. PIPE (72 in.) (CL III)	LF	2,728	\$340.00	\$927,520.00	\$460.00	\$1,254,880.00
REINF. CONC. TEE/MANHOLE (72 IN. X 48 IN.) (CL III)	EA	4	\$10,000.00	\$40,000.00	\$11,000.00	\$44,000.00
CONC. HEADWALL (48 IN)	EA	4	\$12,000.00	\$48,000.00	\$20,000.00	\$80,000.00
CONC. HEADWALL (72 IN)	EA	1	\$18,000.00	\$18,000.00	\$31,700.00	\$31,700.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (6 FT)	EA	4,290	\$130.00	\$557,700.00	\$75.00	\$321,750.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (8 FT)	EA	1,832	\$132.00	\$241,824.00	\$88.00	\$161,216.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (10 FT)	EA	1,955	\$135.00	\$263,925.00	\$90.00	\$175,950.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (20 FT)	EA	590	\$150.00	\$88,500.00	\$150.00	\$88,500.00
BOLLARD (SUPPLY, CUT & WELD ANGLE IRON SUPPORTS) (4 IN X 4 IN X 1/4 IN 8 FT)	LF	9,433	\$9.00	\$84,897.00	\$15.00	\$141,495.00
FLAP GATES W/ WALL PIPE & TEE (6 IN.)	EA	15	\$1,500.00	\$22,500.00	\$1,800.00	\$27,000.00
CAT OPENING	EA	2	\$1,000.00	\$2,000.00	\$1,880.00	\$3,760.00
CONTINUOUS BY PASS TO RESIVOIR # 3 @ 44 cfs	LS	1	\$700,000.00	\$700,000.00	\$100.00	\$100.00
ANTI CLIMBING FENCE	EA	2	\$9,000.00	\$18,000.00	\$15,000.00	\$30,000.00
Base Bid				\$13,425,119.85		\$16,774,969.00
						\$120.00

HCDD #1 - Levee Improvement Project
DHS Segment 0-9 PHASE II (1.75 Miles)
BID TABULATION Friday August 8, 2008

Description	Unit	Quantity	McALLEN CONSTRUCTION		BRH GARVER	
			Unit Price	Total	Unit Price	Total
MOBILIZATION	LS	1				
TEMP EROSION CONTROL (FILTER FABRIC FENCE)	LF	1,753	\$1,300,000.00	\$1,300,000.00	\$1,650,000.00	\$1,650,000.00
TEMP EROSION CONTROL (CONST EXIT / ENTR)	EA	2	\$4.75	\$8,326.75	\$2.00	\$3,506.00
TRENCH EXCAVATION PROTECTION (STRUCTURES)	LF	100	\$2,000.00	\$4,000.00	\$1,500.00	\$3,000.00
TRENCH EXCAVATION PROTECTION (72 IN RCP PIPE)	LF	2,728	\$1.00	\$2,728.00	\$1.00	\$2,728.00
TEMPORARY SPECIAL SHORING	SF	68,140	\$6.00	\$408,840.00	\$0.50	\$34,070.00
CONSTRUCT GATE WELL STRUCTURE W/ SLUICE GATE, HATCH, LADDER & APPURTENANCES. (9 ft x 10 ft)	EA	2	\$45,000.00	\$90,000.00	\$72,000.00	\$144,000.00
CONSTRUCT IRRIGATION CONTROL BOXW/ 2 SLUICE GATES, HATCH, LADDER & APPURTENANCES. (9 ft x 9.5 ft)	EA	1	\$75,000.00	\$75,000.00	\$151,400.00	\$151,400.00
CONC. COLLAR (30 IN)	EA	1	\$1,300.00	\$1,300.00	\$1,000.00	\$1,000.00
CONC. COLLAR (48 IN)	EA	2	\$2,000.00	\$4,000.00	\$1,200.00	\$2,400.00
CONC. COLLAR (54 IN)	EA	1	\$3,700.00	\$3,700.00	\$1,900.00	\$1,900.00
AGGREGATE DRAIN MATERIAL	CY	3,336	\$70.00	\$233,520.00	\$38.00	\$126,768.00
PERFORATED UNDERDRAIN PIPE (6 IN.)X(PVC)	LF	8,192	\$6.00	\$49,152.00	\$13.00	\$106,496.00
RETAINING WALL (CAST-IN-PLACE) (STEM)	CY	4,105	\$700.00	\$2,873,500.00	\$1,000.00	\$4,105,000.00
RETAINING WALL(CAST-IN-PLACE) (FOOTING)	CY	5,655	\$652.00	\$3,687,060.00	\$800.00	\$4,524,000.00
RETAINING WALL (CAST-IN-PLACE) (KEY)	CY	634	\$600.00	\$380,400.00	\$550.00	\$348,700.00
METAL BEAM GUARD FENCE	LF	160	\$25.00	\$4,000.00	\$188.00	\$30,080.00
SLUICE GATE (72 IN) (@ HEADWALL SELF CONTAINED)	EA	1	\$35,000.00	\$35,000.00	\$39,100.00	\$39,100.00
PREPARATION RIGHT OF WAY	STA	88	\$1,500.00	\$132,000.00	\$10,000.00	\$880,000.00
EXCAVATE & STOCKPILE EXIST LEVEE EMBANKMENT	CY	40,133	\$2.20	\$88,292.60	\$10.00	\$401,330.00
REMOVE EXIST CONC. PIPE & PLUG (30 IN)	EA	2	\$1,300.00	\$2,600.00	\$750.00	\$1,500.00
REMOVE EXIST CONC. PIPE (48 IN)	EA	4	\$1,000.00	\$4,000.00	\$1,000.00	\$4,000.00
REMOVE EXIST CONC. PIPE (54 IN)	EA	1	\$1,200.00	\$1,200.00	\$1,250.00	\$1,250.00
REMOVE EXIST CONC. HEADWALL (30 IN)	EA	1	\$800.00	\$800.00	\$2,500.00	\$2,500.00
REMOVE EXIST CONC. HEADWALL (48 IN)	EA	4	\$1,300.00	\$5,200.00	\$3,760.00	\$15,040.00
REMOVE EXIST CONC. HEADWALL (54 IN)	EA	1	\$1,800.00	\$1,800.00	\$5,000.00	\$5,000.00
REMOVE & DISPOSAL EXIST CONC. RIP RAP (reservoir 1)	LS	1	\$1,900.00	\$1,900.00	\$4,000.00	\$4,000.00
REMOVE & DISPOSAL EXIST CONC. RIP RAP (reservoir 2)	LS	1	\$1,900.00	\$1,900.00	\$5,000.00	\$5,000.00
REMOVE & DISPOSAL EXIST CONC. RIP RAP (canal)	LS	1	\$30,000.00	\$30,000.00	\$7,500.00	\$7,500.00
REMOVE & DISPOSAL EXIST STAND PIPE	EA	1	\$1,800.00	\$1,800.00	\$5,000.00	\$5,000.00
EXCAVATE & REUSE EXIST. EMBANKMENT	CY	40,133	\$6.50	\$260,864.50	\$14.00	\$561,862.00
EMBANKMENT (NEW)	CY	4,710	\$8.00	\$37,680.00	\$20.00	\$94,200.00
CONCRETE (BOLLARD FOUNDATION)	CY	173	\$300.00	\$51,900.00	\$1,100.00	\$190,300.00
CONC. PAD (4 FT X 4 FT)	EA	15	\$700.00	\$10,500.00	\$3,200.00	\$48,000.00
CONC. RIP RAP CL-B (SLOPE PROTECTION)	CY	30	\$500.00	\$15,000.00	\$500.00	\$15,000.00
CONC. RIP RAP CL-B (RESERVOIR BASINS)	CY	353	\$500.00	\$176,500.00	\$500.00	\$176,500.00
FURNISHING & PLACING TOPSOIL (SALVAGED MATERIAL)	STA	29	\$1,100.00	\$31,900.00	\$6,284.00	\$182,236.00
FURNISHING & PLACING TOPSOIL (NEW)	STA	59	\$1,500.00	\$88,500.00	\$3,770.00	\$222,430.00
FLEXBASE (SALVAGED MATERIAL) (CALICHE) (TY D GR 6) (6 IN)	CY	1,111	\$22.00	\$24,442.00	\$19.00	\$21,109.00
FLEXBASE (NEW) (CALICHE) (TY D GR 6) (6 IN)	CY	5,198	\$26.00	\$135,148.00	\$36.00	\$187,128.00
FLEXBASE (NEW) (CALICHE) (TY D GR 6) (8 IN)	CY	244	\$25.00	\$6,100.00	\$40.00	\$9,760.00
HYDRO MULCH	SY	62,670	\$1.00	\$62,670.00	\$0.50	\$31,335.00
REINF. CONC. PIPE (30 IN) (CL III)	LF	155	\$130.00	\$20,150.00	\$120.00	\$18,600.00
REINF. CONC. PIPE (48 IN) (CL III)	LF	203	\$260.00	\$52,780.00	\$210.00	\$42,630.00
REINF. CONC. PIPE (54 IN) (CL III)	LF	20	\$300.00	\$6,000.00	\$240.00	\$4,800.00
REINF. CONC. PIPE (72 in.) (CL III)	LF	2,728	\$340.00	\$927,520.00	\$460.00	\$1,254,880.00
REINF. CONC. TEE/MANHOLE (72 IN. X 48 IN.) (CL III)	EA	4	\$10,000.00	\$40,000.00	\$11,000.00	\$44,000.00
CONC. HEADWALL (48 IN)	EA	4	\$12,000.00	\$48,000.00	\$20,000.00	\$80,000.00
CONC. HEADWALL (72 IN)	EA	1	\$18,000.00	\$18,000.00	\$31,700.00	\$31,700.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (6 FT)	EA	4,290	\$130.00	\$557,700.00	\$75.00	\$321,750.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (8 FT)	EA	1,832	\$132.00	\$241,824.00	\$88.00	\$161,216.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (10 FT)	EA	1,955	\$135.00	\$263,925.00	\$90.00	\$175,950.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (20 FT)	EA	590	\$150.00	\$88,500.00	\$150.00	\$88,500.00
BOLLARD (SUPPLY, CUT & WELD ANGLE IRON SUPPORTS) (4 IN X 4 IN X 1/4 IN 8 FT)	LF	9,433	\$9.00	\$84,897.00	\$15.00	\$141,495.00
FLAP GATES W/ WALL PIPE & TEE (6 IN.)	EA	15	\$1,500.00	\$22,500.00	\$1,890.00	\$28,350.00
CAT OPENING	EA	2	\$1,000.00	\$2,000.00	\$1,880.00	\$3,760.00
CONTINUOUS BY PASS TO RESIVOIR # 3 @ 44 cfs	LS	1	\$700,000.00	\$700,000.00	\$100.00	\$100.00
ANTI CLIMBING FENCE	EA	2	\$9,000.00	\$18,000.00	\$15,000.00	\$30,000.00
Base Bid				\$13,425,119.85		\$16,774,079.00
						\$120.00

HCDD #1- Levee Improvement Project
DHS Segment 0-9 Phase I (2.12 Miles)
BID TABULATION Thursday July, 3, 2008

Description	Unit	Quantity	WILLIAMS BROTHERS CONSTRUCTION CO.		ZACHRY		BALLENGER CONSTRUCTION CO	
			Unit Price	Total	Unit Price	Total	Unit Price	Total
TEMP EROSION CONTROL (FILTER FABRIC FENCE)	LF	11,092	\$3.00	\$33,276.00	\$10.00	\$110,920.00	\$5.00	\$55,460.00
TEMP EROSION CONTROL (CONST EXIT / ENTR)	EA	2	\$2,000.00	\$4,000.00	\$7,500.00	\$15,000.00	\$5,000.00	\$10,000.00
EXCAVATE & STOCKPILE EXIST LEVEE EMBANKMENT	CY	60,757	\$12.20	\$741,235.40	\$2.80	\$170,119.60	\$20.00	\$1,215,140.00
TRENCH EXCAVATION PROTECTION (STRUCTURES)	LF	300	\$1.00	\$300.00	\$20.00	\$6,000.00	\$130.04	\$39,012.00
TEMPORARY SPECIAL SHORING	SF	109,200	\$1.00	\$109,200.00	\$12.00	\$1,310,400.00	\$20.00	\$2,184,000.00
CONC. COLLAR (18 IN.)	EA	3	\$500.00	\$1,500.00	\$6,000.00	\$18,000.00	\$841.69	\$2,525.07
CONSTRUCT GATE WELL STRUCTURE W/ SLUICE GATE, GRATE & LADDER. (3 ft x 3 ft)	EA	3	\$38,000.00	\$114,000.00	\$70,000.00	\$210,000.00	\$75,000.00	\$225,000.00
AGGREGATE DRAIN MATERIAL	CY	9,169	\$40.00	\$366,760.00	\$75.00	\$687,675.00	\$75.00	\$687,675.00
PERFORATED UNDERDRAIN PIPE (6 IN.) (PVC)	LF	11,280	\$15.00	\$169,200.00	\$20.00	\$225,600.00	\$25.00	\$282,000.00
RETAINING WALL (CAST-IN-PLACE) (STEM)	CY	7,222	\$550.00	\$3,972,100.00	\$900.00	\$6,499,800.00	\$1,032.44	\$7,456,281.68
RETAINING WALL (CAST-IN-PLACE) (FOOTING)	CY	10,682	\$780.00	\$8,331,960.00	\$365.00	\$3,898,930.00	\$600.00	\$6,409,200.00
RETAINING WALL (CAST-IN-PLACE) (KEY)	CY	940	\$150.00	\$141,000.00	\$900.00	\$846,000.00	\$1,800.00	\$1,692,000.00
PREPARATION RIGHT OF WAY	STA	113	\$18,000.00	\$2,034,000.00	\$18,454.70	\$2,085,381.10	\$592.22	\$66,920.86
CONCRETE SHOULDER (2 FT x 4 IN)	LF	110	\$100.00	\$11,000.00	\$20.00	\$2,200.00	\$24.41	\$2,685.10
REMOVE EXIST. GATEWELL (3 FT X 3 FT)	EA	3	\$4,000.00	\$12,000.00	\$10,000.00	\$30,000.00	\$4,900.94	\$14,702.82
REMOVE EXIST CONC. HEADWALL (18 IN)	EA	1	\$600.00	\$600.00	\$10,000.00	\$10,000.00	\$1,948.93	\$1,948.93
REMOVE EXIST CONC. STAND PIPE (48 IN)	EA	2	\$800.00	\$1,600.00	\$5,762.00	\$11,524.00	\$1,752.32	\$3,504.64
REMOVE EXIST CONC. STAND PIPE (54 IN)	EA	2	\$800.00	\$1,600.00	\$5,762.00	\$11,524.00	\$1,752.32	\$3,504.64
REMOVE EXIST CONC. PIPE (18 IN)	EA	3	\$2,000.00	\$6,000.00	\$10,455.00	\$31,365.00	\$1,205.66	\$3,616.98
EXCAVATE & REUSE EXIST. LEVEE EMBANKMENT	CY	34,946	\$9.50	\$331,987.00	\$4.20	\$146,773.20	\$8.29	\$289,702.34
CONC. RIP RAP CL-B (SLOPE PROTECTION)	CY	118	\$400.00	\$47,200.00	\$650.00	\$76,700.00	\$338.27	\$39,915.86
FURNISHING & PLACING TOPSOIL (SALVAGED MATERIAL)	STA	81	\$2,000.00	\$162,000.00	\$800.00	\$64,800.00	\$732.01	\$59,292.81
FURNISHING & PLACING TOPSOIL (NEW)	STA	33	\$2,000.00	\$66,000.00	\$1,250.00	\$41,250.00	\$1,005.64	\$33,186.12
FLEXBASE (SALVAGED MATERIAL) (CALICHE) (1Y D GR 6) (6 IN)	CY	987	\$15.00	\$14,805.00	\$30.00	\$29,610.00	\$8.20	\$8,093.40
FLEXBASE (NEW) (CALICHE) (1Y D GR 6) (6 IN)	CY	7,903	\$35.00	\$276,605.00	\$33.00	\$260,799.00	\$29.70	\$234,719.10
FLEXBASE (NEW) (CALICHE) (1Y D GR 6) (6 IN)	CY	1,020	\$35.00	\$35,700.00	\$33.00	\$33,660.00	\$29.70	\$30,294.00
HYDRO MULCH	SY	52,439	\$1.00	\$52,439.00	\$0.33	\$17,304.87	\$0.52	\$27,268.28
REINF. CONC. PIPE (18 IN) (CL V)	LF	348	\$50.00	\$17,400.00	\$90.00	\$31,320.00	\$55.57	\$19,338.36
CONSTRUCT STAND PIPE (48 IN)	EA	1	\$10,000.00	\$10,000.00	\$45,000.00	\$45,000.00	\$3,139.26	\$3,139.26
CONSTRUCT STAND PIPE (54 IN)	EA	1	\$10,000.00	\$10,000.00	\$45,000.00	\$45,000.00	\$3,437.22	\$3,437.22
BOLLARD (CUT TO PLAN DIMENSIONS)	EA	11,160	\$25.00	\$279,000.00	\$100.00	\$1,116,000.00	\$50.00	\$558,000.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (8 FT)	EA	10,424	\$55.00	\$573,320.00	\$100.00	\$1,042,400.00	\$16.11	\$167,930.64
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (20 FT)	EA	736	\$80.00	\$58,880.00	\$400.00	\$294,400.00	\$13.19	\$9,707.84
BOLLARD (SUPPLY, CUT & WELD ANGLE IRON SUPPORTS) (4 IN X 4 IN X 1/4 IN 8 FT)	LF	11,896	\$80.00	\$951,680.00	\$3.00	\$35,688.00	\$32.06	\$381,385.76
BOLLARD (INSTALL & WELD CAPS)	EA	11,160	\$110.00	\$1,227,600.00	\$77.00	\$859,320.00	\$25.81	\$288,039.60
FLAP GATES W/ WALL PIPE & TEE (6 IN.)	EA	23	\$2,000.00	\$46,000.00	\$4,000.00	\$92,000.00	\$1,331.69	\$30,628.87
DEWATERING (0' - 3')	LF	647	\$50.00	\$32,350.00	\$46.37	\$30,001.39	\$600.00	\$388,200.00
DEWATERING (3' - 6')	LF	64	\$150.00	\$9,600.00	\$78.13	\$5,000.32	\$900.00	\$57,600.00
Base Bid				\$20,253,897.40		\$20,447,465.48		\$22,985,057.18

DANNENBAUM ENGINEERING COMPANY - McALLEN LLC

1109 NOLANA LOOP, SUITE 208 McALLEN, TEXAS 78504 (956) 682-3677

October 5, 2009

Godfrey Garza
Hidalgo County Drainage District No. 1
902 N. Doolittle
Edinburg, Texas 78541

Re: Supplemental Agreement No. 13 (Revised 09/30/09) to Work Authorization No. 10 - Project Interim Yearly Reconciliation of DHS Segment O-10 (Not including Reconciliation of DHS Segment O-10A Wall Extension)

Dear Mr. Garza,

Enclosed please find two originals of Supplemental Agreement No. 13 (Revised 09/30/09) to Work Authorization No. 10 for DHS Segment No.O-10. Our Supplemental Agreement No. 13 (Revised 09/30/09) is in regards to project **interim yearly reconciliation** as outlined in the Main Contract for the Hidalgo County Drainage District No. 1 Levee System Improvement Projects. **Please note this does not include reconciliation of DHS Segment O-10A Wall Extension.**

After verbal negotiations, Dannenbaum agreed to perform the basic engineering fee services for 90% of 7% or 6.3% of the final construction with certain construction management tasks (i.e.; construction bidding) being reclassified from basic services to special services as per verbal agreement. As a result, Supplemental Agreement No. 13 to Work Authorization No. 10 (Revised 09/30/09) also addresses this modification.

As maintained by our Contract Agreement dated November 7, 2007 and Work Authorization No. 10 dated March 5, 2008, Dannenbaum is requesting an interim yearly reconciliation of our accounting as per our contractual agreement and modify the basic service fee percentage and scope classification change as verbally agreed. A final reconciliation will be performed at the end of project closeout.

Hence, please refer to the **Main Contract, Article 7. Work Authorization**. The work authorization is only an estimate of the engineering fee. **Article 7** refers back to **Article 5.1** and more particularly identified in Exhibit "D1"- Fee Breakdown, which define the final engineering basic service fee as the equal of 9% of the final construction cost. **Article 6; Section 6.1** refers to the project reconciliation on a yearly basis. This reconciliation only affects the basic services engineering fee and does not affect any approved special services. Refer to Exhibit I for copies of applicable Sections of the Engineering contract.

Below is Dannenbaum's contracted estimate of the fees based on the preliminary estimated construction cost of \$10,216,976.00 dated March 5, 2008. The contracted engineering fee estimate breaks down to the following:

Table I

Type of Service	Total Contracted Engineering Fee Estimate for W.A. #10 (03/05/08)
Basic Services	\$643,669.00
Special Services	\$373,065.68
Total Estimated Fee	\$1,016,734.68

Dannenbaum has successfully completed the assigned tasks under Work Authorization No. 10 thru substantial/final completion for DHS Segment O-10. There have been construction change orders that have impacted the construction cost; therefore, on September 30, 2009 HCDD No. 1 Staff met with Dannenbaum Staff to discuss the construction cost of the various projects under the Hidalgo County Levee Rehabilitation Project. Both HCDD No. 1 Staff and Dannenbaum Staff agreed on the final construction cost for each project as of September 30, 2009 based on bid tabulations less approved change orders and/ or Engineer's Probable Cost of Construction as of September 30, 2009.

Hence, we will use the construction cost of \$18,950,066.98 for **interim yearly reconciliation**, which includes the original bid and incorporated change orders thru September 30, 2009 for this project and utilizing the verbal agreement of providing the basic services for 90% of 7% of the final construction cost.

Based on the revised construction cost, the engineering fees are revised as follows:

Table II

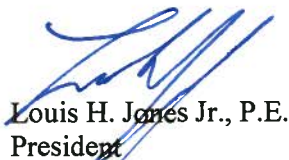
Type of Service	Revised Engineering Fee September 30, 2009 (90% of 7% of CC)	Previously Approved Engineering Fee	<i>Difference in Total Engineering Fee</i>
Basic Services	\$1,193,854.22	\$643,669.00	\$550,185.22
Special Services	-	\$373,065.68	\$0.00
Net Increase for WA No. 10		\$1,016,734.68	\$550,185.22

Original Amount for Work Authorization No. 10	\$1,016,734.68
Plus Net Increase due to Reconciliation	\$550,185.22
Total Amount for W.A. No. 10 after Reconciliation	\$1,566,919.90

Please review our Supplemental Agreement No. 13 (Revised 09/30/09) for **interim yearly reconciliation** of Work Authorization No. 10 and based on your approval, please sign both copies and return one original to us for our records.

We appreciate the opportunity to be of service to the Hidalgo County Drainage District No.1. If you have any questions or need further clarification of this correspondence, please do not hesitate to call me at (956)682-3677 or (832)771-4904.

Sincerely,



Louis H. Jones Jr., P.E.
President

Enclosure(s)

cc: James D. Dannenbaum, P.E.
Wayne Ahrens, P.E.
Richard Seitz, P.E.
Sandra Spence, Administrative Manager
Shari Bricarell, Senior Account Executive

EXHIBIT "I"

Sections of Engineering Contract Referring to Reconciliation;
Basic Service Fee Percentage Change and Scope Classification Change

**Article 7, Work Authorization; Article 5.1, Basic Services and Exhibit "D1"; Article 6, Section 6.1
defining the reconciliation of engineering fees; and Article 8, Supplemental Agreements**

HIDALGO COUNTY

DEC 10 2009

DRAINAGE DISTRICT #1

EXHIBIT "II"

Two Partially Executed Originals of
Supplemental Agreement No. 13 (Revised 09/30/09) to Work Authorization No. 10
To Agreement for Professional Services

Interim Yearly Reconciliation

THE STATE OF TEXAS §
COUNTY OF HIDALGO §

EXHIBIT “F”
Supplemental Agreement Form

SUPPLEMENTAL AGREEMENT NO. 13 (Revised 09/30/09)
TO WORK AUTHORIZATION NO. 10
TO AGREEMENT FOR PROFESSIONAL SERVICES

THIS SUPPLEMENTAL AGREEMENT is made pursuant to the terms and conditions of Section 4 of the Agreement made by and between the **HIDALGO COUNTY DRAINAGE DISTRICT NO. 1**, acting herein by and through its **BOARD OF DIRECTORS**, hereinafter called the **OWNER** and **DANNENBAUM ENGINEERING COMPANY – MCALLEN, LLC**, professional engineers of McAllen, Texas, hereinafter called the **ENGINEER**.

W I T N E S S E T H

WHEREAS, the **OWNER** and the **ENGINEER** executed the Main Contract Agreement on the 7th day November, 2006 concerning engineering and related services of the facilities for the “Levee System Improvements within Hidalgo County, Texas” (hereinafter referred to as the “Project”); and executed Work Authorization No. 10 under said agreement on March 5, 2008 for partial preliminary engineering; and relative supplemental agreements thereafter; and,

WHEREAS, Section Part 2 of Work Authorization No. 10, Estimated Cost, establishes the estimated professional engineering services fee and Part 3 of Work Authorization No. 1, Payment, establishes the method of payment for the proposed improvements for the

USIBWC and DHS Concrete Flood Protection Structure - DHS Segment 0-10 east of Progreso Port of Entry to west of DHS Segment 0-10; and,

WHEREAS, it has become necessary to amend Work Authorization No. 10 to reconcile the project as per the **Main Contract, Work Authorization, Article 7, Section 5.1 and Exhibit “D-1”**, which define the final engineering basic service fee as the equal of 9% of the final construction cost; and **Article 6; Section 6.1** defining reconciliation of engineering fees; and,

WHEREAS, upon execution of this supplemental agreement, the final engineering basic service fee outlined in **Article 5.1 and Exhibit “D-1”** shall be changed from 9% to 90% of 7% or 6.3% of the final construction cost.

WHEREAS, upon execution of this supplemental agreement, the final engineering basic service fee outlined in **Article 5.1**, and identified in **Article 2** and more particularly identified in **Exhibit “B” “Services to be Provided by the Engineer”**; shall be modified to change the “Classification of Services”, Item I: Engineering Management (EM); Item D – Construction Management Items one (1) through ten (10) shall be classified as “Special Services”.

NOW, THEREFORE, premises considered, the **OWNER and ENGINEER** agree the construction cost estimate of this project is modified as outlined in Attachment “B” – Construction Cost Tabulation, which includes the original bid tabulation with incorporated change orders for Levee System Improvements for the USIBWC and DHS Concrete Flood Protection Structure for DHS Segment 0-10.

I. Work Authorization No. 10, Part 2, Engineering Fee, is revised as follows: the engineering fee for providing engineering services under Work Authorization No. 10 for the Levee System Improvements for the USIBWC and DHS Concrete Flood Protection Structure for

DHS Segment 0-10 east of Progreso Port of Entry to west of DHS Segment 0-10, a total distance of 2.43 miles, are updated in accordance with the Main Contract, Article 7, Work Authorization; Article 5.1, Basic Services and Exhibit "D1"; Article 6, Section 6.1 defining the reconciliation of engineering fees; and Article 8, Supplemental Agreements. Total basic fee added to the contract agreement under this work authorization is \$550,185.22. (See Attachment A – Breakdown of Project Reconciliation).

IN WITNESS WHEREOF, the ENGINEER and the OWNER have caused this Supplemental Agreement No. 13 (Revised 09/30/09) to be effective as of the ____ day of _____, 2009.

ENGINEER:
DANNENBAUM ENGINEERING COMPANY –
MCALLEN, LLC

BY: _____
Louis H. Jones, Jr., P.E., President

OWNER:
HIDALGO COUNTY

BY: _____
Rene A. Ramirez, County Judge

ATTACHMENTS:

- Attachment "A" - Breakdown of Project Reconciliation
- Attachment "B" - Construction Cost Tabulation, including the Original Bid Tabulation with Incorporated Change Orders

ATTACHMENT "A"

**BREAKDOWN OF PROJECT RECONCILIATION
SEPTEMBER 30, 2009**

**Hidalgo County Drainage District No. 1
Supplemental Agreement No. 13 to Work Authorization No. 10
Levee / Wall DHS Segment O-10
HCDD No. 1 Contract No. 08-014-07-08 / DEC Project No. 4410-05**

Summary of Engineering Fees Based on Percentage of Construction Cost

	Reconciled Engineering Fees based on	Contracted Engineering Fees (Actual) based on	
BASIC SERVICES ONLY	Final Constuction Cost Estimate September 30, 2009	Constuction Cost Estimate March 5, 2008	DIFFERENCE IN ENGINEERING FEES
	\$18,950,066.98	\$10,216,976.00	
Preliminary Engineering and Design (Thru 30% Plans) Final Design / Bid Phase Services (30% of 7% of Total Construction Cost)	\$ 397,951.41	\$ 214,556.00	\$ 183,395.41
Final Design/Bid Phase Services (Thru 100% Plans) (60% of 7% of Total Construction Cost)	\$ 795,902.81	\$ 429,113.00	\$ 366,789.81
TOTALS	\$ 1,193,854.22	\$ 643,669.00	\$ 550,185.22
(Percent of Construction Cost)	6.3%		
TOTAL AMOUNT FOR SUPPLEMENTAL AGREEMENT NO. 4			\$550,185.22

Amount due after Project Reconciliation	
Total Fees Based on Revised Const Cost	\$ 1,193,854.22
Previously Billed thru Final Design Phase	\$ 643,669.00
Amount Due After Reconciliation	\$ 550,185.22

**Copies of Bid Tabulations
and Change Orders
and/or
Engineer's Probable Cost of Construction**

**HIDALGO COUNTY LEVEE REHABILITATION PROJECT
FINAL CONTRACT AMOUNT
BASED ON ORIGINAL BID AND INCORPORATED CHANGE ORDERS
AS OF SEPTEMBER 30, 2009**

DHS SEGMENT O-10	
Original Engineer's Estimate:	\$ 10,216,976.00
CONTRACTOR: WILLIAMS BROTHERS CONSTRUCTION CO.	
Original Contract Amount (BID):	\$ 18,763,215.00
Approved Change Order's:	
CO #1 (Remove Bollards (Cut & Weld))	\$ (593,346.00)
CO #2 (Concrete Wall Change)	\$ 1,034,700.00
CO #3 (Reduce Aggregate / Add Sheet Drain)	\$ (87,737.90)
CO #4 (Waterstop Changes)	\$ (27,900.00)
CO #7A (Wall Penetrations)	\$ 17,961.60
CO #10 (Bollard Rectification)	\$ (21,948.00)
CO #13 (Final Completion)	\$ -
CO #14 (Stem Quantity Reduction due to Bollards)	\$ (134,877.72)
<i>Subtotal for Approved Change Orders</i>	
	\$ 186,851.98
Anticipated Change Order's:	
<i>Subtotal for Anticipated Change Orders</i>	
	\$ -
Revised Contract Amount for Project Reconciliation	
	\$ 18,950,066.98

HCDD #1- Progreso River Levee Improvements Project
DHS Segment 0-10 (2.33 Miles)
BID TABULATION Thursday July, 3, 2008

Description	Unit	Quantity	WILLIAMS BROTHERS CONSTRUCTION CO.		ZACHRY		KIEWITT / MCALLEN CONSTRUCTION	
			Unit Price	Total	Unit Price	Total	Unit Price	Total
TEMP EROSION CONTROL (FILTER FABRIC FENCE)	LF	24,679	\$3.00	\$74,037.00	\$3.00	\$74,037.00	\$2.10	\$51,825.90
TEMP EROSION CONTROL (CONST EXIT / ENTR)	EA	2	\$2,000.00	\$4,000.00	\$2,250.00	\$4,500.00	\$3,000.00	\$6,000.00
REMOVE/STOCKPILE EXIST EMBANKMENT	CY	64,277	\$13.00	\$835,601.00	\$12.00	\$771,324.00	\$10.00	\$642,770.00
TRENCH EXCAVATION PROTECTION	LF	415	\$1.00	\$415.00	\$8.00	\$3,320.00	\$1.00	\$415.00
TEMPORARY SPECIAL SHORING	SF	98,672	\$1.00	\$98,672.00	\$12.00	\$1,184,064.00	\$30.00	\$2,960,160.00
CONC. COLLAR (18 IN)	EA	3	\$1,000.00	\$3,000.00	\$4,500.00	\$13,500.00	\$4,000.00	\$12,000.00
CONC. COLLAR (30 IN)	EA	2	\$1,000.00	\$2,000.00	\$5,000.00	\$10,000.00	\$5,000.00	\$10,000.00
CONSTRUCT GATE WELL STRUCTURE W/ SLUICE GATE, GRATE & LADDER. (3 ft x 3 ft)	EA	4	\$40,000.00	\$160,000.00	\$85,000.00	\$340,000.00	\$75,000.00	\$300,000.00
AGGREGATE DRAIN MATERIAL	CY	7,474	\$42.00	\$313,908.00	\$65.00	\$485,810.00	\$50.00	\$373,700.00
PERFORATED UNDERDRAIN PIPE (6 IN.)(PVC)	LF	12,334	\$17.00	\$209,678.00	\$15.00	\$185,010.00	\$20.00	\$246,680.00
RETAINING WALL (CAST-IN-PLACE) (STEM)	CY	6,375	\$550.00	\$3,506,250.00	\$800.00	\$5,100,000.00	\$750.00	\$4,781,250.00
RETAINING WALL (CAST-IN-PLACE) (FOOTING)	CY	8,905	\$967.00	\$8,611,135.00	\$550.00	\$4,897,750.00	\$750.00	\$6,678,750.00
RETAINING WALL (CAST-IN-PLACE) (KEY)	CY	1,028	\$150.00	\$154,200.00	\$500.00	\$514,000.00	\$750.00	\$771,000.00
INSTALL SALVAGED SLUICE GATE (18 IN)	EA	2	\$2,000.00	\$4,000.00	\$15,000.00	\$30,000.00	\$10,000.00	\$20,000.00
PREPARATION RIGHT OF WAY	STA	124	\$15,000.00	\$1,860,000.00	\$13,931.00	\$1,727,444.00	\$18,745.00	\$2,324,380.00
REMOVE EXIST. GATEWELL (3 FT X 3 FT)	EA	6	\$3,000.00	\$18,000.00	\$18,000.00	\$108,000.00	\$15,000.00	\$90,000.00
REMOVE EXIST. PIPE (18 IN.)	EA	7	\$800.00	\$5,600.00	\$3,500.00	\$24,500.00	\$3,000.00	\$21,000.00
REMOVE EXIST PIPE (30 IN.)	EA	1	\$100.00	\$100.00	\$7,500.00	\$7,500.00	\$3,000.00	\$3,000.00
REMOVE EXIST. HEADWALL (18 IN.)	EA	7	\$700.00	\$4,900.00	\$7,000.00	\$49,000.00	\$3,000.00	\$21,000.00
REMOVE /SALVAGED (EXIST SLUICE GATE & APPURTENANCES) (18 IN) (RCP)	EA	5	\$1,000.00	\$5,000.00	\$15,000.00	\$75,000.00	\$8,000.00	\$40,000.00
REMOVE /SALVAGED (EXIST SLUICE GATE & APPURTENANCES) (30 IN) (RCP)	EA	1	\$2,000.00	\$2,000.00	\$18,100.00	\$18,100.00	\$10,000.00	\$10,000.00
EXCAVATE & REUSE EXIST LEVEE EMBANKMENT	CY	16,426	\$6.00	\$98,556.00	\$6.50	\$106,769.00	\$10.00	\$164,260.00
CONC. RIPRAP (CL-B) (SLOPE PROTECTION)	CY	74	\$400.00	\$29,600.00	\$425.00	\$31,450.00	\$500.00	\$37,000.00
CONCRETE SHOULDER (2 FT x 4 IN)	LF	60	\$150.00	\$9,000.00	\$80.00	\$4,800.00	\$15.00	\$900.00
FURNISHING & PLACING TOPSOIL (SALVAGED MATERIAL)	STA	122	\$1,700.00	\$207,400.00	\$650.00	\$79,300.00	\$500.00	\$61,000.00
FURNISHING & PLACING TOPSOIL (NEW)	STA	2	\$6,000.00	\$12,000.00	\$855.00	\$1,710.00	\$1,000.00	\$2,000.00
FLEXBASE (SALVAGED MATERIAL) (CALICHE) (TY D GR 6) (6 IN)	CY	1,178	\$10.00	\$11,780.00	\$18.00	\$21,204.00	\$9.00	\$10,602.00
FLEXBASE (NEW) (CALICHE) (TY D GR 6) (6 IN)	CY	8,383	\$30.00	\$251,490.00	\$30.00	\$251,490.00	\$14.00	\$117,362.00
FLEXBASE (NEW) (CALICHE) (TY D GR 6) (8 IN)	CY	732	\$30.00	\$21,960.00	\$35.00	\$25,620.00	\$18.00	\$13,176.00
HYDRO MULCH	SY	46,093	\$1.00	\$46,093.00	\$2.50	\$115,232.50	\$1.15	\$53,006.95
REINF. CONC. PIPE (18 IN) (CL V)	LF	114	\$80.00	\$9,120.00	\$105.00	\$11,970.00	\$200.00	\$22,800.00
REINF. CONC. PIPE (30 IN) (CL V)	LF	38	\$120.00	\$4,560.00	\$150.00	\$5,700.00	\$200.00	\$7,600.00
BOLLARD (CUT TO PLAN DIMENSIONS)	EA	12,195	\$20.00	\$243,900.00	\$100.00	\$1,219,500.00	\$90.00	\$1,097,550.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (10 FT)	EA	9,970	\$35.00	\$348,950.00	\$98.00	\$977,060.00	\$60.00	\$598,200.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (11 FT)	EA	1,585	\$40.00	\$63,400.00	\$100.00	\$158,500.00	\$60.00	\$95,100.00
BOLLARD (TRANSPORT FROM STAGING AREA & INSTALL PER PLANS) (20 FT)	EA	640	\$50.00	\$32,000.00	\$277.00	\$177,280.00	\$60.00	\$38,400.00
BOLLARD (SUPPLY, CUT & WELD ANGLE IRON SUPPORTS) (4 IN X 4 IN X 1/4 IN 8 FT)	LF	12,835	\$56.00	\$718,760.00	\$4.00	\$51,340.00	\$12.00	\$154,020.00
BOLLARD (INSTALL & WELD CAPS)	EA	12,195	\$60.00	\$731,700.00	\$75.00	\$914,625.00	\$1.00	\$12,195.00
FLAP GATES W/ WALL PIPE & TEE (6 IN.)	EA	23	\$1,500.00	\$34,500.00	\$4,000.00	\$92,000.00	\$1,200.00	\$27,600.00
DEWATERING (0 TO 2 FT)	LF	319	\$50.00	\$15,950.00	\$180.00	\$57,420.00	\$1.00	\$319.00
Base Bid				\$18,763,215.00		\$19,925,829.50		\$21,877,021.85

EXHIBIT "III"

Construction Cost Estimates as of September 30, 2009

**(Agreed to between HCDD No. 1 Staff and Dannenbaum Staff
at the meeting held on September 30, 2009)**

**Hidalgo County Levee Rehabilitation Project
USIBWC Earthen Levee Projects and DHS Levee/Wall Projects
Construction Cost Estimates as of September 30, 2009
(Based on the meeting held between HCDD No. 1 Staff and Dannenbaum Staff on September 30, 2009)**

Final construction cost based on the following criteria respectively:

- 1) Used the amount of all the actual change orders approved by Commissioner's Court
- 2) If there were change orders approved by Commissioner's Court and DHS issued a PF225; however, change order amount and PF225 amount differ, the amount of the change order was used.
- 3) If there were change orders that had not been approved by Commissioner's Court and DHS issued a PF225, then the amount of the PF225 was used.
- 4) If DHS issued a PF225, but no change order had been developed, the amount of the PF225 was used.
- 5) If a change order was sent to DHS for approval, but DHS had not issued a PF 225, the amount of the change order was used.

DHS Segment	Contractor	Change Order No.	Amount	225	BOD	PF225/CO	Difference
DHS 0-4A	Ballenger	Original Contract	\$ 39,809,630.95			9/30/2008	
Pending Change Orders:							
#4A-Revised Beg.wall	\$ (139,908.78)	*	38,571.45	37		1/28/2009	
#9-Wall Stem qty	\$ (30,291.71)	9/29	292,500.00	85		4/21/2009	
#11-Dewatering		***	26,267.39	87		6/15/2009	
HCDD#1 Est.	\$ 39,968,634.64		(17,556.40)	88		6/30/2009	
			1,972.31	110		6/30/2009	
			(15,211.32)	89		6/30/2009	(14,547.00) \$
			2,660.75	111	BOD Approved	7/14/2009	(664.32)
			\$ 40,138,835.13				
DHS 0-4C	Ballenger	Original Contract	\$ 4,403,851.15			9/30/2008	
Pending Change Orders:							
#3-Wall Stem qty	\$ (5,726.31)	9/29	188.40	38		1/28/2009	
#4-Dewatering		***	4,404,039.55	76		3/17/2009	
HCDD#1 Est.	\$ 4,398,313.24						
DHS 0-5	Ballenger	Original Contract	\$ 21,353,679.67			7/1/2008	
Pending Change Orders:							
#12-extension of time	\$ -	9/22	(378,056.50)	8		8/19/2008	
#16-gatewell structure	\$ 11,649.55	9/29	(532,205.07)	9		8/19/2008	
HCDD#1 Est.	\$ 19,274,935.53		(257,720.74)	10		8/19/2008	
			(100,097.52)	11		9/30/2008	
			-	39		1/28/2009	
			(15,286.50)	113		6/30/2009	
			45,779.18	124		8/25/2009	
			(882,806.54)	130		9/1/2009	
			\$ 19,263,285.98				
DHS 0-6A	Ballenger	Original Contract	\$ 28,553,870.93			9/2/2008	
Pending Change Orders:							
#13B-Wall Realignment	\$ 22,896.11	9/22	(530,085.28)	55		1/28/2009	(530,114.26) \$
#14-Rerouting irr.line		***	(86,888.03)	56		1/28/2009	(86,894.09) \$
#16-Deletion of contract		***	(781,964.42)	57		1/28/2009	
#17-rev. wall beg. Stn.		***	-	40		1/28/2009	
#18-Stem qty	\$ (18,330.70)	***	6,115.25	112		7/14/2009	6118.24 \$
#20-Bollards		****	109,492.12	127		8/25/2009	
#21-Proj. Recon		****	14,007.09	125		8/25/2009	
HCDD#1 Est.	\$ 26,992,491.38	***	(296,621.69)	131		9/1/2009	(2.99)
			26,987,925.97				

DHS Segment	Contractor	Change Order No.	Amount	225	BOD	PF225/CO	Difference
DHS 0-6BC	SER Construction	Original Contract	\$ 14,197,729.40			PF225/CO	Difference
Pending Change Orders:						(116,115.04)	\$ (20.06)
		1	(116,135.10)	58	9/2/2008		
		2	(80,484.75)	59	1/28/2009		
		5	(123,300.00)	60	1/28/2009		
		6	-	41	1/28/2009		
		7A	16,505.80	61	2/17/2009		
		10A	(79,647.00)	62	2/17/2009		
		11A	-	63	2/17/2009		
		15	14,250.00	64	3/3/2009		14,500.00 \$
		17A	(3,386.80)	73	4/28/2009		8,517.20 \$
		18B	26,340.00	74	4/28/2009		
		19A	(123,960.00)	75	4/28/2009		
		21	199,952.10	51	4/28/2009		275,000.00 \$
		22	24,844.16	94	5/26/2009		27,252.16 \$
		23	(14,231.91)	95	6/8/2009		(78,483.30) \$
		24	(0.01)		6/22/2009	*6-15-09 Approved by Scott	
		25	428,271.65	49	7/7/2009		
		26	381,710.34	77	6/15/2009		
		28	92,955.88	123	7/7/2009		
		29	14,813.68	122	6/30/2009		
		27	254,299.64	129	8/25/2009		
		30	341,665.00	128	8/25/2009		
		33A	9,396.05	142	8/25/2009		
		34	212,776.56	141	8/25/2009		
			<u>15,674,364.69</u>				
HCDD#1 Est.	\$ 15,674,364.69						(250.00)
#35-Encasing Bollards	\$ 499,781.20						(11,904.00)
authorization not given yet							
DHS 0-7	SER Construction	Original Contract	\$ 11,980,892.00				
Pending Change Orders:							
		1	(230,295.00)	12	7/1/2008		
		2	(414,996.00)	13	9/9/2008		
		3	(885,175.01)	14	9/9/2008		
		4	(67,560.00)	15	9/30/2008		
		5	(31,655.32)	16	9/30/2008		
		8	-	42	1/28/2009		
		9A	20,000.00	65	3/3/2009		
		10A	7,848.00	66	3/3/2009		
		11	17,808.00	67	3/3/2009		
		12	8,700.00	83	6/2/2009		
		13	-	102	6/2/2009		
		14	6,173.71	114	6/30/2009		
		15	(887.19)	96	6/8/2009		
			<u>10,410,853.19</u>				
#16-Levee Access	\$ (80,000.00)	9/22					
#17-Reinforcing Steel	\$ 321,973.61	9/29					
#18-Rip Rap DHS 0-8	\$ -	***					
#19-Anti-Climb Fence	\$ -	***					
HCDD#1 Est.	\$ 10,652,826.80						
#18-Rip Rap DHS 0-8	\$ 23,925.00	*					
#19-Anti-Climb Fence	\$ 131,526.00	*					
*authorization not given yet							
DHS 0-8	Zachry Construction	Original Contract	\$ 21,908,762.00				
Pending Change Orders:							
		1	(1,354,758.15)	29	7/8/2008		
		2	(250,397.41)	19	9/30/2008		
		3	(210,584.50)	20	9/30/2008		
		4	(127,188.42)	21	10/14/2008		
		7	-	43	1/28/2009		
		10A	-	79	3/3/2009		
		15	10,032.00	84	6/2/2009		8,700.00 \$
		16	3,084.00	97	6/2/2009		
		17	13,425.43	104	6/2/2009		
		18	-				
			<u>19,992,374.95</u>				
#20-Proj. Recon	\$ 46,938.40						
#21-Equip. Standby	\$ 73,964.61						
HCDD#1 Est.	\$ 19,722,252.80						1,332.00
*authorization not given yet							
*authorization not given yet							
*authorization not given yet							
*authorization not given yet							

DHS Segment	Contractor	Change Order No.	Amount	225	BOD	PF225/CO	Difference
DHS 0-9 Phase I	Williams Bros.	Original Contract	\$ 20,253,897.40			7/8/2008	
Pending Change Orders:							
#8A-Wall penetration	\$ 74,517.68	9/22	(1,206,600.00)	18		9/30/2008	
#14-Stem qty	\$ (109,400.51)	*	(2,524,024.11)	23		9/30/2008	(0.11)
#15-Proj. Recon		***	1,121,450.00	24		9/30/2008	
HCDD#1 Est.	\$ 17,459,098.83		(113,076.63)	30		11/12/2008	
			(22,500.00)	31		11/12/2008	
			-	108		7/14/2009	
			(15,165.00)	134		7/28/2009	*7-17-09 Approved by Scott
			<u>\$ 17,493,981.66</u>			8/25/2009	
DHS 0-9 Phase II	McAllen Const.	Original Contract	\$ 13,425,119.85			9/2/2008	
Pending Change Orders:							
#25-Stem Qty	\$ 11,115.00	***	(62,904.68)	68		1/6/2009	
#18-Add'l Silt Fence	\$ 37,922.88	9/29	(77,036.45)	69		1/28/2009	
#19-Fabricated Boil.	\$ 331,695.88	9/29	45,047.80	70		1/28/2009	
#22-Reinforcing Steel	\$ 10,435.75	9/22	-	45		1/28/2009	
#26-Add'l Silt Fence	\$ 14,020,933.21	9/22	(11,680.00)	71		1/28/2009	
HCDD#1 Est.			(7,997.20)	72		1/28/2009	
			82,656.18	80		3/3/2009	
			(25,762.99)	81		4/7/2009	
			-	78		4/7/2009	
			150,996.13	50		4/7/2009	
			2,258.30	107		6/2/2009	
			7,727.50	100		6/2/2009	
			89,507.62	118		6/15/2009	
			5,195.64	119		6/15/2009	
			-	138		8/25/2009	
			6,636.00	139		8/25/2009	
			<u>\$ 13,629,763.70</u>				(128,533.44) \$ 136,260.94
DHS 0-10	Williams Bros	Original Contract	\$ 18,763,215.00			7/8/2008	
Pending Change Orders:							
#7A-Wall Penetration	\$ 17,961.60	9/22	(593,346.00)	25		9/30/2008	
#14-Stem Qty	\$ (134,877.72)	*	1,034,700.00	26		9/30/2008	
#15-Proj. Recon		***	(87,737.90)	32		11/12/2008	
HCDD#1 Est.	\$ 18,950,066.98		(27,900.00)	33		11/12/2008	
			-	109		7/14/2009	
			(21,948.00)	132		8/25/2009	
			<u>\$ 19,066,983.10</u>				

DHS Segment		Contractor	Change Order No.	Amount	225	BOD	PF225/CO	Difference
Banker Weir		Ballenger	Original Contract	\$ 6,351,808.19		4/29/2008		
Pending Change Orders:								
#3-Purch. Topsoil	\$ 37,120.00		1	\$ 5,563.14		7/21/2009		
#4-Proj. Recon	\$ -		2	\$ 12,860.62		9/1/2009		
HCDD#1 Est.	\$ 6,407,351.95			\$ 6,370,231.95				
Common Levee		Ballenger	Original Contract	\$ 7,593,164.28		5/7/2008		
Pending Change Orders:								
#5-Rock Rip Rap	\$ 103,468.44		1	\$ (72,067.98)		7/14/2009		
#7-Proj. Recon	\$ (61,637.52)		2	\$ (92,407.80)		7/14/2009		
HCDD#1 Est.	\$ 7,477,380.36		3	\$ -		7/14/2009		
			6	\$ 3,620.94		8/25/2009		
			4	\$ 3,240.00		9/1/2009		
				\$ 7,435,549.44				
Mission Levee		Longhorn Excavators	Original Contract	\$ 4,869,979.64		7/24/2008		
Pending Change Orders:								
HCDD#1 Est.	\$ 4,839,139.01		1	\$ (17,911.16)		4/21/2009		
			2A	\$ (14,684.51)		4/21/2009		
			3A	\$ 1,755.04		4/21/2009		
				\$ 4,839,139.01				
		Have PF225 no Co	*					
		Have CO no PF225	**					
		Have not rec'd CO	***					
		PF225/CO do not match	****					