

# COUNTY of HIDALGO



EDINBURG, TEXAS 78539

HIDALGO COUNTY AUDITOR'S OFFICE  
Hidalgo County Administration Building  
2808 South Business Highway 281  
Edinburg, Texas 78539-6243  
PHONE: (956) 318-2511  
FAX: (956) 318-2577  
WEBSITE: [www.co.hidalgo.tx.us/auditor](http://www.co.hidalgo.tx.us/auditor)

November 1, 2011

The Honorable Ramon Garcia, Hidalgo County Judge  
The Honorable Joel Quintanilla, Commissioner, Precinct No. 1  
The Honorable Hector "Tito" Palacios, Commissioner, Precinct No. 2  
The Honorable Jose M. Flores, Commissioner, Precinct No. 3  
The Honorable Joseph Palacios, Commissioner, Precinct No. 4

**RE: Certification of Revenue**

Dear Judge and Commissioners:

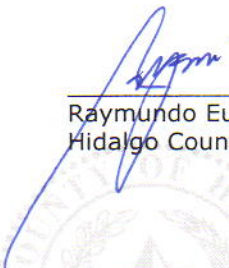
Pursuant to Local Government Code § 111.0706 SPECIAL BUDGET FOR GRANT OR AID MONEY:

The county auditor shall certify to the commissioners court the receipt of all public or private grant or aid money that is available for disbursement in a fiscal year but not included in the budget for that fiscal year. On certification, the court shall adopt a special budget for the limited purpose of spending the grant or aid money for its intended purpose.

I, Ray Eufrazio, County Auditor of Hidalgo County, certify to the Hidalgo County Commissioners Court the receipt of an award from the Texas Department of Transportation . These funds may now be made available by creating a new special budget or amending a current budget for its intended purposes.

AMOUNT	PURPOSE
\$3,845,166.52	Amendment No.5 Border Colonia RIII Grant

CERTIFIED BY:

  
\_\_\_\_\_  
Raymundo Eufrazio, CPA  
Hidalgo County Auditor

11/2/11  
\_\_\_\_\_  
Date



**HIDALGO COUNTY DISTRICT JUDGES**

RICARDO P. RODRIGUEZ, JR. JUDGE, 52 <sup>ND</sup> D.C.	RODOLFO DELGADO JUDGE, 53 <sup>RD</sup> D.C.	J. R. "BOBBY" FLORES JUDGE, 139 <sup>TH</sup> D.C.	ROSE GUERRA REYNA JUDGE, 206 <sup>TH</sup> D.C.	JUAN R. PARTIDA JUDGE, 275 <sup>TH</sup> D.C.	MARIO E. RAMIREZ, JR. JUDGE, 332 <sup>ND</sup> D.C.	NOE GONZALEZ JUDGE, 370 <sup>TH</sup> D.C. OVERSEER	LETICIA LOPEZ JUDGE, 389 <sup>TH</sup> D.C.	AIDA SALINAS FLORES JUDGE, 398 <sup>TH</sup> D.C.	ISRAEL RAMON, JR. JUDGE, 430 <sup>TH</sup> D.C.	JESSE CONTRERAS JUDGE, 449 <sup>TH</sup> D.C.
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STATE OF TEXAS §

COUNTY OF TRAVIS §

**FUNDING AGREEMENT  
FOR BORDER COLONIA ACCESS PROGRAM  
AMENDMENT #5**

**THIS AMENDMENT IS MADE BY AND BETWEEN** the State of Texas, acting through the Texas Department of Transportation, hereinafter called the "State", and Hidalgo County, acting by and through its duly authorized officials, hereinafter called the "County".

**WITNESSETH**

**WHEREAS**, the State and the County executed a contract on the 28th day of August 2008 – amended on the 15<sup>th</sup> day of January 2009, on the 17<sup>th</sup> day of March 2010, on the 13<sup>th</sup> day of August 2010, and on the 20<sup>th</sup> day of June 2011 – to effectuate their agreement to establish a transportation program to construct access roads in the County; and

**WHEREAS**, the County has opted to cancel two 3<sup>rd</sup>-call non-competitive projects after 90%-completion of construction plans due to right-of-way issues, as allowed by the State; and

**WHEREAS**, the County has opted to transfer a 1<sup>st</sup>-call non-competitive under run of \$229,479.16 (transferred but not used in the 2<sup>nd</sup>-call), 1<sup>st</sup>-call competitive under run of \$715,311.50, 2<sup>nd</sup>-call non-competitive under run of \$1,517,798.67, and 2<sup>nd</sup>-call competitive under run of \$1,382,577.19—a total of \$3,845,166.52—to the 3<sup>rd</sup> call, as approved by the State; and

**WHEREAS**, the County has opted to apply under-run funding to new projects, as approved by the State; and

**WHEREAS**, it has become necessary to amend that contract;

**NOW THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, the State and the Local Government do agree as follows:

**A G R E E M E N T**

**Article 1. Description of Amended Items:**

**Article 4, Paragraph c, final sentence is voided in its entirety and replaced with the following:**

Total maximum allowable costs for all combined County Projects shall not exceed **\$16,536,465.98**.

**Attachment B, Project Budget, is voided in its entirety and replaced with the new Attachment B, Project Budget, attached to this amendment.**

**Attachment C, Project Applications, deletes and adds the following project applications, with the added applications attached to this amendment and with resulting under-run funding available for use according to Program rules and guidelines:**

County	TWDB ID #	Colonia name	Project Description	Length (mi)	Eligible Cost
<b>Deleted Project Applications</b>					
HIDALGO	M1080882	La Flor Estates	Paving and Drainage	0.19	\$91,967.00
HIDALGO	M1080883	La Flor Gardens	Paving and Drainage	0.19	\$91,965.00

County	TWDB ID #	Colonia name	Project Description	Length (mi)	Eligible Cost
<b>Added Project Applications</b>					
HIDALGO	M1080244	El Mesquite Subdivision	Repaving and Drainage	0.44	\$242,451.12
HIDALGO	M1080495	North Capisallo	Paving and Drainage	0.23	\$109,000.95
HIDALGO	M1080103	Bernal Heights #1	Repaving and Drainage	0.18	\$85,665.52
HIDALGO	M1080230	Dimas #3	Repaving and Drainage	0.22	\$295,549.13
HIDALGO	M1080693	Southside Village	Repaving and Drainage	0.36	\$95,369.07
HIDALGO	M1080557	Pentecostal	Paving and Drainage	0.22	\$211,207.38
HIDALGO	M1080767	Val Bar Estates	Paving and Drainage	0.16	\$105,750.00
HIDALGO	M1080312	Havana Subdivision	Repaving and Drainage	0.22	\$178,217.00
HIDALGO	M1080014	Acevedo Subdivision #4	Repaving and Drainage	0.61	\$427,658.55
HIDALGO	M1080385	La Homa Road (South) Subdivision	Repaving and Drainage	0.25	\$219,105.73
HIDALGO	M1080488	Munoz Estates	Repaving and Drainage	0.40	\$398,950.21
HIDALGO	M1080727	Tiejerina Estates	Paving and Drainage	0.43	\$275,158.33

All other provisions of the contract are unchanged and remain in full force and effect.

**Article 2. Signatory Warranty**

The signatories to this amendment warrant that each has the authority to enter into this agreement on behalf of the organization they represent.

**IN WITNESS WHEREOF, THE STATE AND THE LOCAL GOVERNMENT** have executed duplicate counterparts to effectuate this agreement.

**THE LOCAL GOVERNMENT**

\_\_\_\_\_

Hidalgo County

By: \_\_\_\_\_

Honorable Ramon Garcia

\_\_\_\_\_

Printed Name

\_\_\_\_\_

County Judge

\_\_\_\_\_

Date

**THE STATE OF TEXAS**

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: \_\_\_\_\_

Mario Jorge, P.E.

\_\_\_\_\_

District Engineer, Pharr District

Title

\_\_\_\_\_

Date