

APPLICATION FOR PAYMENT NO. 1 (FINAL)

To: HIDALGO COUNTY (OWNER)  
 From: SAENZ UTILITY CONTRACTORS, LTD (CONTRACTOR)  
 Contract: HIDALGO COUNTY PRECINCT NO. 3 COLONIA ACCESS PROGRAM ROUND III ROAD & DRAINAGE CONSTRUCTION FOR HAVANA SUBDIVISION  
 Project: HIDALGO COUNTY PRECINCT NO. 3 COLONIA ACCESS PROGRAM ROUND III ROAD & DRAINAGE CONSTRUCTION FOR HAVANA SUBDIVISION  
 Owner's Contract No. C-CAP-12-020-01-24 Engineer's Project No. \_\_\_\_\_  
 For Work accomplished through the date of: August 29, 2012

|  |               |
|--|---------------|
| 1. Original Contract Price:                                      | \$111,443.25  |
| 2. Net change by Change Order No. 2 and Written Agreements(+):   | - \$26,528.60 |
| 3. Current Contract Price (1 plus 2):                            | \$84,914.65   |
| 4. Total completed and stored to date:                           | \$84,914.65   |
| 5. Retainage (per Agreement):                                    |               |
| <u>10%</u> of completed Work:                                    | \$8,491.47    |
| _____ of stored material   |               |
| Total Retainage:   | \$8,491.47    |
| 6. Total completed and stored to date less retainage (4 minus 5) | \$76,423.18   |
| 7. Less previous Application for Payments:                       | \$0.00        |
| 8. AMOUNT DUE THIS APPLICATION (6 MINUS 7)                       | \$76,423.18   |

*Handwritten signature and date: 10-03-2012*

Accompanying Documentation:

1. Application and Certification of Payment
2. Schedule of Values
3. Estimate Quantity Update Worksheet
4. List of Suppliers and Sub-contractors
5. Partial Waiver of Liens (Sub-contractors/Suppliers)
6. TxDot Form 252 Contract Time Statement
7. Payroll Report w/signed Wage Form

REQ.# 215042 P.O.# 674556  
 2-1312-431-00-123-312-1-731 → \$67,769.65  
 <-6,776.97> = \$60,992.68  
 REQ.# 215042 P.O.# 674556  
 2-1312-431-00-123-312-1-733 → \$17,145.00  
 <-1,714.50> = \$15,430.50

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR'S legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 1 inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payments is in accordance with the Contract Documents and not defective.

Date 11-5-12

State of TEXAS  
 County of HIDALGO  
 Subscribed and sworn to before me this 5th  
 day of November

*Carolina Saenz*  
 Notary Public  
 My Commission expires: August 21, 2016

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Date 11-5-12

SAENZ UTILITY CONTRACTORS, LTD  
 (CONTRACTOR)  
 By: *Robert Rodriguez*  
 ROBERT RODRIGUEZ, JR. CFO  
 22290 FM 88  
 EDCOUCH, TEXAS 78538

JAVIER HINOJOSA ENGINEERING  
 (ENGINEER)  
 By: *Javier Hinojosa*  
 Javier Hinojosa, P.E.



VOICE RECEIVED BY: *Marcelo* ON 11/6/12  
 GOODS/SERVICES RECEIVED BY: *Marcelo* ON 11/5/12

Exhibit E-C

**Saenz Utility Contractors, Ltd** Contractor Name  
08/01/212 Starting Date  
8/29/2012 Project Ending Date  
10% Retainage Percent

Application No. 1 (FINAL)  
 Application Date: 10/19/2012  
 Period To: August 29, 2012  
 Engineer Firm JAVIER HINOJOSA ENGINEERING

**Summary**

| CSJ#      | PROJECT NAME | Original Schedule Value | Revised Schedule Value | Payment Application No 1 | Payment Application No 2 | Payment Application No 3 | Total To Date | Balance To Finish | Retainage   | Net          | Payment To Date | Payment Due  |
|-----------|--------------|-------------------------|------------------------|--------------------------|--------------------------|--------------------------|---------------|-------------------|-------------|--------------|-----------------|--------------|
| 3C1080312 | Havana Subd. | \$ 111,443.25           | \$ 84,914.65           | \$ 84,914.65             | \$ -                     | \$ -                     | \$ 84,914.65  | \$ -              | \$ 8,491.47 | \$ 76,423.18 | \$ -            | \$ 76,423.18 |
|           |              |                         |                        |                          |                          |                          |               |                   |             |              |                 |              |
|           |              | \$ 111,443.25           | \$ 84,914.65           | \$ 84,914.65             | \$ -                     | \$ -                     | \$ 84,914.65  | \$ -              | \$ 8,491.47 | \$ 76,423.18 | \$ -            | \$ 76,423.18 |

Saenz Utility Contractors, Ltd Contractor Name  
 8/1/2012 Starting Date  
 8/29/2012 Project Ending Date  
 Havana Subdivision Engineers / County Project Description

Application No.: 1 (FINAL)  
 Application Date: 10/19/2012  
 Period To: 10/29/2012  
 Engineer's / County Project No.: C-CAP-12-020-01-24

| No.                | Item Code | Description   | Unit | Original Rates       | Original Schedule Value |                     | Revised Rates       | Revised Schedule Value |              | First Month         |             |                     | Second Month |             |                     | Third Month  |             |                     | Balance To Finish   |             |             |
|--------------------|-----------|---|------|----------------------|-------------------------|---------------------|---------------------|------------------------|--------------|---------------------|-------------|---------------------|--------------|-------------|---------------------|--------------|-------------|---------------------|---------------------|-------------|-------------|
|                    |           |   |      |                      | Quan                    | Dollars             |                     | Quan                   | Dollars      | Monthly Quan        | QTY to Date | Item Cost (Monthly) | Monthly Quan | QTY to Date | Item Cost (Monthly) | Monthly Quan | QTY to Date | Item Cost (Monthly) | Total to Date       | Quan        | Dollars     |
| <b>ROADWAY</b>     |           |   |      |                      |                         |                     |                     |                        |              |                     |             |                     |              |             |                     |              |             |                     |                     |             |             |
| 1                  | 100       | Preparig ROW  | STA  | \$ 700.00            | 11.25                   | \$ 7,875.00         | \$ 700.00           | 11.25                  | \$ 7,875.00  | 11.25               | 11.25       | \$ 7,875.00         |              |             |                     |              |             |                     | \$ 7,875.00         | 0           | \$ -        |
| 2                  | 110       | Excavation  | CY   | \$ 4.25              | 1650.00                 | \$ 7,012.50         | \$ 4.25             | 1650                   | \$ 7,012.50  | 1650                | 1650.00     | \$ 7,012.50         |              |             |                     |              |             |                     | \$ 7,012.50         | 0           | \$ -        |
| 3                  | 247       | FLEX BASE   | CY   | \$ 10.75             | 778                     | \$ 8,363.50         | \$ 10.75            | 778                    | \$ 8,363.50  | 778                 | 778.00      | \$ 8,363.50         |              |             |                     |              |             |                     | \$ 8,363.50         | 0           | \$ -        |
| 4                  | 251       | Reworking BS Mtrl. (DC) (TY CL2)                      | CY   | \$ 8.65              | 813                     | \$ 7,032.45         | \$ 8.65             | 813                    | \$ 7,032.45  | 813                 | 813.00      | \$ 7,032.45         |              |             |                     |              |             |                     | \$ 7,032.45         | 0           | \$ -        |
| 5                  | 260       | Lime Treated for Subgrade                             | SY   | \$ 2.00              | 3486                    | \$ 6,972.00         | \$ 2.00             | 0                      | \$ -         | 0                   | 0.00        | \$ -                |              |             |                     |              |             |                     | \$ -                | 0           | \$ -        |
| 6                  | 262       | Lime Treated for Subgrade (Type A or B)               | TON  | \$ 200.00            | 25.98                   | \$ 5,196.00         | \$ 200.00           | 0                      | \$ -         | 0                   | 0.00        | \$ -                |              |             |                     |              |             |                     | \$ -                | 0           | \$ -        |
| 7                  | 262       | Lime Treated for Base Course (8")                     | SY   | \$ 2.00              | 3486                    | \$ 6,972.00         | \$ 2.00             | 0                      | \$ -         | 0                   | 0.00        | \$ -                |              |             |                     |              |             |                     | \$ -                | 0           | \$ -        |
| 8                  | 262       | Lime Treated (Type A or B)                            | TON  | \$ 200.00            | 26.09                   | \$ 5,218.00         | \$ 200.00           | 0                      | \$ -         | 0                   | 0.00        | \$ -                |              |             |                     |              |             |                     | \$ -                | 0           | \$ -        |
| 9                  | 310       | Prime Coat (MC-30)                                    | GAL  | \$ 4.00              | 602                     | \$ 2,408.00         | \$ 4.00             | 602                    | \$ 2,408.00  | 602                 | 602.00      | \$ 2,408.00         |              |             |                     |              |             |                     | \$ 2,408.00         | 0           | \$ -        |
| 10                 | 340       | Asphalt Concrete Pavement (Type "D")                  | TON  | \$ 94.00             | 296.55                  | \$ 27,875.70        | \$ 94.00            | 296.55                 | \$ 27,875.70 | 296.55              | 296.55      | \$ 27,875.70        |              |             |                     |              |             |                     | \$ 27,875.70        | 0           | \$ -        |
| 11                 | 502       | Barricades, Signs & Traffic Handling                  | MO   | \$ 500.00            | 1.5                     | \$ 750.00           | \$ 500.00           | 1.5                    | \$ 750.00    | 1.5                 | 1.50        | \$ 750.00           |              |             |                     |              |             |                     | \$ 750.00           | 0           | \$ -        |
| 12                 | 506       | Construction Exits (TY 2) (Install)                   | SY   | \$ 5.25              | 290                     | \$ 1,522.50         | \$ 5.25             | 290                    | \$ 1,522.50  | 290                 | 290.00      | \$ 1,522.50         |              |             |                     |              |             |                     | \$ 1,522.50         | 0           | \$ -        |
| 13                 | 506       | Construction Exits (TY 2) (Remove)                    | SY   | \$ 2.00              | 290                     | \$ 580.00           | \$ 2.00             | 290                    | \$ 580.00    | 290                 | 290.00      | \$ 580.00           |              |             |                     |              |             |                     | \$ 580.00           | 0           | \$ -        |
| 14                 | 530       | Turnouts (Asphalt Concrete Pavement)                  | SY   | \$ 15.00             | 290                     | \$ 4,350.00         | \$ 15.00            | 290                    | \$ 4,350.00  | 290                 | 290.00      | \$ 4,350.00         |              |             |                     |              |             |                     | \$ 4,350.00         | 0           | \$ -        |
| 15                 | 644       | Small Road Sign Assembly (Type A)                     | EA   | \$ 300.00            | 4                       | \$ 1,200.00         | \$ 300.00           | 0                      | \$ -         | 0                   | 0.00        | \$ -                |              |             |                     |              |             |                     | \$ -                | 0           | \$ -        |
|                    |           |   |      |                      | <b>Total Roadway</b>    | <b>\$ 93,327.65</b> | <b>\$ 67,769.65</b> | <b>\$ 67,769.65</b>    | <b>\$ -</b>  | <b>\$ -</b>         | <b>\$ -</b> | <b>\$ 67,769.65</b> | <b>\$ -</b>  | <b>\$ -</b> | <b>\$ -</b>         | <b>\$ -</b>  | <b>\$ -</b> | <b>\$ -</b>         | <b>\$ 67,769.65</b> | <b>\$ -</b> | <b>\$ -</b> |
| <b>DRAINAGE</b>    |           |   |      |                      |                         |                     |                     |                        |              |                     |             |                     |              |             |                     |              |             |                     |                     |             |             |
| 16                 | 494       | RCP (CL III) (15")                                    | LF   | \$ 25.00             | 260                     | \$ 6,500.00         | \$ 25.00            | 332                    | \$ 8,300.00  | 332                 | 332.00      | \$ 8,300.00         |              |             |                     |              |             |                     | \$ 8,300.00         | 0           | \$ -        |
| 17                 | 164       | Seeding for Erosion                                   | LF   | \$ 1.00              | 2735                    | \$ 2,735.00         | \$ 1.00             | 0                      | \$ -         | 0                   | 0.00        | \$ -                |              |             |                     |              |             |                     | \$ -                | 0           | \$ -        |
| 18                 | 530       | Driveways (TY PRB-1)(Asphalt, Concrete, Pavement (1") | EA   | \$ 15.00             | 211                     | \$ 3,165.00         | \$ 15.00            | 267                    | \$ 4,005.00  | 267                 | 267.00      | \$ 4,005.00         |              |             |                     |              |             |                     | \$ 4,005.00         | 0           | \$ -        |
| 19                 | 530       | Driveways (TY PRB-1) (Concrete)                       | SY   | \$ 40.00             | 73                      | \$ 2,920.00         | \$ 40.00            | 95                     | \$ 3,800.00  | 95                  | 95.00       | \$ 3,800.00         |              |             |                     |              |             |                     | \$ 3,800.00         | 0           | \$ -        |
| 20                 | 5249      | Temporary Sediment Control Fence (Install)            | LF   | \$ 3.00              | 260                     | \$ 780.00           | \$ 3.00             | 260                    | \$ 780.00    | 260                 | 260.00      | \$ 780.00           |              |             |                     |              |             |                     | \$ 780.00           | 0           | \$ -        |
| 21                 | 5249      | Temporary Sediment Control Fence (Remove)             | LF   | \$ 1.00              | 260                     | \$ 260.00           | \$ 1.00             | 260                    | \$ 260.00    | 260                 | 260.00      | \$ 260.00           |              |             |                     |              |             |                     | \$ 260.00           | 0           | \$ -        |
| 22                 | 529       | 18" Laydown Curb                                      | LF   | \$ 6.65              | 264                     | \$ 1,755.60         | \$ 6.68             | 0                      | \$ -         | 0                   | 0.00        | \$ -                |              |             |                     |              |             |                     | \$ -                | 0           | \$ -        |
|                    |           |   |      |                      | <b>Total Drainage</b>   | <b>\$ 18,115.60</b> | <b>\$ 17,145.00</b> | <b>\$ 17,145.00</b>    | <b>\$ -</b>  | <b>\$ -</b>         | <b>\$ -</b> | <b>\$ 17,145.00</b> | <b>\$ -</b>  | <b>\$ -</b> | <b>\$ -</b>         | <b>\$ -</b>  | <b>\$ -</b> | <b>\$ -</b>         | <b>\$ 17,145.00</b> | <b>\$ -</b> | <b>\$ -</b> |
| <b>GRAND TOTAL</b> |           |   |      | <b>\$ 111,443.25</b> | <b>\$ 84,914.65</b>     | <b>\$ 84,914.65</b> | <b>\$ -</b>         | <b>\$ -</b>            | <b>\$ -</b>  | <b>\$ 84,914.65</b> | <b>\$ -</b> | <b>\$ -</b>         | <b>\$ -</b>  | <b>\$ -</b> | <b>\$ -</b>         | <b>\$ -</b>  | <b>\$ -</b> | <b>\$ 84,914.65</b> | <b>\$ -</b>         | <b>\$ -</b> |             |

APPROVED BY:

Javier Hinojosa P.E.  
 Print Name  
  
 Signature

10/24/12  
 Date



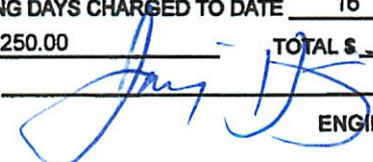
# Contract Time Statement

ESTIMATE NO. 1 CONTRACTOR Saenz Utility Contractors, Ltd.  
 PROJECT NO. CSJ:C108031221 COUNTY Hidalgo DATE WORK BEGAN 8/1/2012  
 TIME COMPUTED FROM 7/3/2012 DATE WORK COMPLETED 8/29/12

| MONTH  | DATE OR DAYS | WORKING DAYS CHARGED | DAYS CREDITED AND REASONS THEREFORE   |
|--------|--------------|----------------------|---|
| August | 1            | 1                    | First Street start cutting ditches and placing RCP pipe.  |
| August | 2            | 1                    | Placing RCP pipe on 2nd Street on south side. Finishing ditches on First Street.                      |
| August | 3            |                      | Placing pipe on north side of street.   |
| August | 6            | 1                    | Placing RCP pipe  |
| August | 7            | 1                    | Placing RCP pipe  |
| August | 8            | 1                    | Placing RCP pipe  |
| August | 9            | 1                    | Working on 3rd Street taking down clearing Right of Way. Cutting sub grade on 3rd Street.             |
| August | 10           | 1                    | Cleaning ditch. Cutting sub grade on 2nd Street and working on 3rd Street.                            |
| August | 13           | 1                    | Working on sub grade on 3rd Street. Placing RCP pipe. Working with hot mix on 1st and 2nd Street.     |
| August | 14           | 1                    | Working with hot mix on 3rd Street, adding caliche on all streets.                                    |
| August | 20           | 1                    | Mixing caliche on 1st and 2nd Street for driveways and side   |
| August | 21           | 1                    | Testing 1st and 2nd Street and getting driveways ready. Mixing blue topping on 3rd Street E & W side. |
| August | 22           | 1                    | Testing 3rd street, cleaning ditches and working on driveways. Paved driveways and sidewalks.         |
| August | 23           | 1                    | Working on driveway, graded all streets and primed.   |
| August | 27           | 1                    | Put down Asphalt and compacted, finish putting mail box on 3rd Street E & W side, Hot mix paving.     |
| August | 28           | 1                    | Putting mail box on 1st and 2nd Street Pouring hot mix on driveway and sidewalks.                     |
| August |              | 17                   | Additional days/scope, CO No.1  |

|        |    |    |    |
|--------|----|----|----|
| TOTALS | 31 | 16 | 17 |
|--------|----|----|----|

NO. OF CONTRACT WORKING DAYS 62 NO. WORKING DAYS CHARGED TO DATE 16  
 ASSESSED LIQUIDATED DAMAGES: NO. 3 PER DAY \$ 250.00 TOTAL \$ 750.00  
 CERTIFIED AS CORRECT (ONE COPY HAS BEEN GIVEN TO THE

  
ENGINEER

INSTRUCTIONS: PROJECT IDENTIFICATION SHOULD COVER CONTRACT. TIME CREDITED AND REASONS THEREFORE MUST CONFORM TO PROVISIONS OF CONTRACT. NO HOLIDAY CREDIT ALLOWED FOR DAYS PRECEDING OR FOLLOWING LEGAL HOLIDAYS. TIME SUSPENDED AND RESUMED MUST BE SUPPORTED BY COPY EACH OF LETTERS TO CONTRACTOR DATED ON OR BEFORE EFFECTIVE DATES. TIME EXTENSION MUST BE INDICATED AND REFERENCED TO RELATED PROVISION OF CONTRACT. SEE BOOKLET OF INSTRUCTIONS, CONSTRUCTION ESTIMATES DATED SEPTEMBER 1, 1955