

**CONSTRUCTION  
CONTRACT**

This Agreement entered into this 11<sup>th</sup> Day of February, 2014 by and between Hidalgo County acting by and through Hidalgo County Urban County Program, hereinafter called the "OWNER", acting herein through its County Judge and Vanguard Engineering, LLC (a corporation) (a partnership) (an individual) of Weslaco, State of Texas, hereinafter called "CONTRACTOR".

**WITNESSETH**

That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the OWNER, the CONTRACTOR hereby agrees with the OWNER to commence and complete the construction described as follows:

<b>PROJECT NAME:</b>	<b>GLO FLOOD &amp; DRAINAGE IMPROVEMENTS PROJECT KNOWN AS "DELTA AREA CONNECTOR/ EAST LATERAL" COLONIA INFRASTRUCTURE IMPROVEMENTS I ACRE TRACT, CHAPA NORTH, AND CHAPA SOUTH</b>
<b>PROJECT No.:</b>	<b>6540-60-0309-5100-6200</b>
<b>PROJECT DESCRIPTION:</b>	<b>FLOOD &amp; DRAINAGE IMPROVEMENTS</b>

hereinafter called the project, for the sum of (\$450,635.00) – Four Hundred fifty thousand six hundred and thirty five dollars and zero cents and all extra work in connection therewith, under the terms as stated in the General and Special Conditions of the Contract; and at his (its or their) own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary to complete the said project in accordance with the conditions and prices stated in the Proposal, the General Conditions, Supplemental General Conditions and Special Conditions of the contract, the plans, which include all maps, plats, blue prints, and other drawings and printed or written explanatory matter thereof, the specifications and contract documents therefore as prepared by SAM Engineering and Surveying, Inc. and as enumerated in Paragraph 1 of the Supplemental General Conditions, all of which are made a part hereof and collectively evidence and constitute the contract.

The CONTRACTOR hereby agrees to commence work under this contract on or after a date to be specified in a written "Notice to Proceed" of the OWNER and to fully complete the project within (120) One Hundred Twenty consecutive calendar days thereafter. The CONTRACTOR further agrees to pay, as liquidated damages, the sum of (\$250.00) two hundred fifty dollars and zero cents for each consecutive calendar day thereafter as hereinafter provided in Paragraph 19 of the General Conditions.

The OWNER agrees to pay the CONTRACTOR in current funds for the performance of the contract, subject to additions and deductions, as provided in the General Conditions of the contract, and to make payments on account thereof as provided in Paragraph 25, "Payments to Contractor", of the General Conditions.

IN WITNESS WHEREOF, the parties to these presents have executed this contract in four (4) counterparts,

each of which shall be deemed an original, in year and day first above mentioned.

\_\_\_\_\_  
Name of Signatory  
Name of Firm

Name of Firm: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Federal I.D./S.S.: \_\_\_\_\_

STATE OF TEXAS :  
:  
COUNTY OF HIDALGO :

This instrument was acknowledged before me on this the \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, \_\_\_\_\_ of and on behalf of \_\_\_\_\_  
(title) (a corporation) (a partnership) (an individual)

\_\_\_\_\_  
Notary Public - Signature



WITNESS: URBAN COUNTY PROGRAM

\_\_\_\_\_

\_\_\_\_\_  
Diana R. Serna , Director  
Urban County Program

APPROVED AS TO FORM  
Atlas, Hall & Rodriguez  
By: Stephen L. Crain  
Date: July 12, 2012

# HIDALGO COUNTY PURCHASING DEPARTMENT BID TABULATION SHEET

DEPARTMENT NAME: HIDALGO COUNTY – URBAN COUNTY PROGRAM

BID OPENING DATE: November 20, 2013

BID OPENING TIME: 9:30 A.M.

DESCRIPTION OF BID: "Pct 1 Flood Drainage Improvements for the Delta Area Connector/East Lateral Colonia Infrastructure I "Acre Tract, Chapa North, & Chapa South" GLO-12-406-000-6435/DRS210068"

BID NO: 6540-62-0309-5100-6200-UCP-AVF

PROCUREMENT SPECIALIST:

RFB NO.	Name of Company	Total Base Bid	Acknowledged Addendum No. 1	Acknowledged Addendum No. 2	Bid Bond or Cashiers' Check Included
1.	JF Trenching & Paving Construction LLC	\$510,088.43	Acknowledged	Acknowledged	Included
2.	Sanco General Contracting, Inc.	\$356,216.00	Acknowledged	Acknowledged	Included
3.	Texas Cordia Construction, LLC	\$450,635.00	Acknowledged	Acknowledged	Included
4.	GP7	\$453,820.00	Acknowledged	Acknowledged	Included
5.	Jimmy Closner & Sons Const Co., Inc.	\$598,635.00	Acknowledged	Acknowledged	Included
6.	DKIII Hornback Enterprises	\$589,009.78	Acknowledged	Acknowledged	Included
7.	L&G Construction	\$637,206.00	Acknowledged	Acknowledged	Included
8.	REIM Construction Inc.	\$526,351.00	Acknowledged	Acknowledged	Included
9.	VG Vanguard Engineering, LLC	\$461,852.00	Acknowledged	Acknowledged	Included

\*TYPED AS READ AT BID OPENING, AMOUNTS NOT VERIFIED/CALCULATED.

# A.C. CUELLAR JR.

COMMISSIONER PRECINCT 1

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HIDALGO COUNTY PCT. 1  
1902 JOE STEPHENS, STE. 101  
WESLACO, TEXAS 78596

PH: 956.968.8733  
FAX: 956.969.1417

January 30, 2014

Ms. Diana Serna, Executive Director  
Urban County Program  
427 E. Duranta Suite 107  
Alamo, TX 78516

Dear Ms. Serna,

Precinct One has received a recommendation from SAM Engineering and Surveying, Inc, Project Engineer for the low bid of \$450,635.00 by Vanguard Engineering for the GLO Flood and Drainage Improvements Project known as the "Delta Area Connector/ East Lateral" Colonia Infrastructure Improvements, Acre Tract, Chapa North and Chapa South.

Bid: 6540-62-03309-5100-6200

The Precinct concurs with the recommendation by the Engineer. Please process so that we may begin this project as soon as possible.

Please call me should you have any questions. Thank you.

Respectfully,



AC Cuellar, Jr.  
Commissioner Pct. 1

**SAM Engineering and Surveying, Inc.**



Texas Reg. No. F-10602

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200 South Cage Blvd, Pharr, Texas 78577, (P) 956.702.8880, (F) 956.702.8883

January 24, 2014

Diana Serna, Director  
Hidalgo County Urban County Program  
427 East Duranta Avenue, Suite 107  
Alamo, Texas 78516

Re: Recommendation to Award Construction Contract  
Hidalgo County GLO Contract #12-406-000-6453/DRS210068

Ms. Serna,

A bid opening was held on Wednesday, November 22, 2013, where nine (9) bids were received for "Delta Area Connector/ East Lateral" project (above mentioned project).

After review of the Unit Bid Pricing provided, we have prepared Bid Tabulations, and have confirmed that SANCO General Contracting of Mission, Texas has submitted the lowest bid in the amount of \$356,216.00. This bid amount is approximately 25% below our estimated construction cost (Engineering Estimate), and approximately 20% below the 2<sup>nd</sup> lowest bidder. Please find attached the Bid Tabulation Sheet for your review.

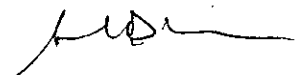
After further review and in consideration of the bid prices, SANCO General Contracting has submitted a request to withdraw from consideration (see attached).

Texas Cordia Construction submitted the second Lowest Bid, in the amount of \$450,635.00, and after acceptance of SANCO's withdraw request, is considered the lowest, most responsive Bidder. However, after review of the County's Section 3 Certified Preference requirements, Vanguard Engineering, LLC (as the next lowest bidder) has accepted to match the Bid amount of \$450,635.00.

Based on this, we are recommending that Vanguard Engineering, LLC to be awarded the above referenced project. We have determined that Vanguard Engineering, LLC has met all requirements set forth in the Bid Notice and they have accepted the bid proposal which is within the project budget. With this in mind, please consider our recommendation that Hidalgo County award Vanguard Engineering, LLC of Weslaco, Texas the above mentioned project in the amount of \$450,635.00.

Please feel free to call me at (956)-702-8880 if you have any questions, or would like to discuss this recommendation.

Respectfully Submitted,



Samuel D. Maldonado, P.E., R.P.L.S.  
Principal



January 22, 2014

Mr. Samuel Maldonado, PE  
Project Engineer  
200 South Cage Boulevard  
Pharr, Texas 78577

Re: Pct. 1 GLO Flood and Drainage Improvements Project  
"Delta Area Connector/Easter Lateral" (Acre Tract, Chapa North  
and Chapa South) RFB: 6540-62-0309-5100-6200-UCP-AVF

Dear Mr. Maldonado:

As per our recent conversation, and in an effort to resolve any pending questions or concerns in relation to the Bid amount for the above-mentioned project, we would like to rescind and/or remove our Bid from further consideration. We hope the Hidalgo County Urban County Program accepts this and can proceed forward with the projects as required.

We are submitting this letter/correspondence to our Bonding Company and informing them that Hidalgo County will release our bid bond.

Sincerely,

SANCO GENERAL CONTRACTING, INC.

A handwritten signature in cursive script that reads "Anna Sanchez".

Anna Sanchez  
President

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4536 N. Schuerbach Road  
Mission, Texas 78574  
956.583.2821 Office / 956.583.2826 Fax

**SAM** Engineering and Surveying, Inc.



Texas Reg. No. F-10602

200 South Cage Blvd, Pharr, Texas 78577, (P) 956.702.8880, (F) 956.702.8883

January 23, 2014

Victor H. Garcia  
Vanguard Engineering, LLC  
4019 E. Expressway 83  
Weslaco, TX 78599

Re: Section 3 Certified Preference  
"Delta Area Connector/ East Lateral" Colonia Infrastructure Improvements I  
Acre Tract, Chapa North, and Chapa South  
Bid No. 6540-62-0309-5100-6200

Mr. Garcia,

A bid opening was held on November 20, 2013, where nine bids were received for the "Delta Area Connector/ East Lateral" Colonia Infrastructure Improvements I for Acre Tract, Chapa North, and Chapa South.

After the review of the Bid Tabulations, SAMES, Inc. has confirmed that Texas Cordia Construction is the current lowest bidder in the amount of \$450,635.00. Urban County has reviewed all bids submitted and Vanguard Engineering, LLC is currently Section 3 Certified as per 24 CFR Part 135. Therefore, Vanguard Engineering, LLC now has preference in matching the lowest bidder's amount (\$450,635.00) for this project.

Please check one of the following:

V.G.  
1-24-14

Vanguard Engineering, LLC **AGREES** to match lowest bid amount of \$450,635.00, including Unit Bid Item prices.

Vanguard Engineering, LLC **DOES NOT** agree to match lowest bidder amount of \$450,635.00

Please feel free to call SAM Engineering and Surveying, Inc. (956) 702-8880 if you have any questions, or would like to discuss this matter.

Respectfully Submitted,

Samuel D. Maldonado, P.E., R.P.L.S.  
Principal

# CONFLICT OF INTEREST QUESTIONNAIRE

# FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

### OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

Victor H. Garcia, Vanguard Engineering

2  Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

N/A  
Name of Officer

This section (Item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes  No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

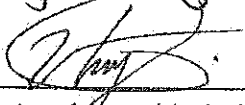
Yes  No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes  No

D. Describe each employment or business relationship with the local government officer named in this section.

Engineering - Construction Services

4   
Signature of person doing business with the governmental entity

11-19-2013  
Date

Victor H. Garcia

## Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

**Name (as shown on your income tax return)**  
 Victor H. Garcia

**Business name/disregarded entity name, if different from above**  
 Vanguard Engineering

Check appropriate box for federal tax classification:  
 Individual/sole proprietor     C Corporation     S Corporation     Partnership     Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶

Other (see instructions) ▶

**Address (number, street, and apt. or suite no.)**  
 2201 Northgate Drive

**City, state, and ZIP code**  
 Weslaco, TX 78596

**List account number(s) here (optional)**

**Requirer's name and address (optional)**

Print or type  
See Specific Instructions on page 2

**Part III Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

<b>Social security number</b>										
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<b>Employer identification number</b>										
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2	6	-	2	1	6	2	2	5	7	

**Part IV Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

**Sign Here**      Signature of U.S. person ▶      Date ▶ 1-22-2014

**General Instructions.**  
 Section references are to the Internal Revenue Code unless otherwise noted.

**Purpose of Form**  
 A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.



**UNDERWRITTEN BY:**

FARMERS TEXAS COUNTY MUTUAL INSURANCE COMPANY  
 A COUNTY MUTUAL INSURANCE COMPANY, HEREIN CALLED THE COMPANY

**DECLARATIONS**

Transaction type: OFFER OF RENEWAL

The Policy Period is effective as shown below and after the time for which applied. The policy may be renewed for an additional policy term, as specified in the renewal offer, each time the Company offers to renew by sending a bill for the required renewal premium, and the insured pays said premium in advance of the respective renewal date. The policy is issued in reliance upon the statements in the Declarations. We provide insurance only for those coverages indicated by a specific limit, deductible or other notation and for which a premium for the coverage is shown.

<b>Insured's name and address:</b> VICTOR GARCIA 4019 E EXPRESSWAY 83 WESLACO TX 78596-1113		Policy number: 19 04406-06-68 Policy edition: 14TH Effective date: 11-20-2013 Expiration date: 05-20-2014 Expiration time: 12:01 A.M. Standard Time Account number: P539939347
<b>Issuing office:</b> 15700 Long Vista Dr Austin, TX 78728		Agent: AZIZ J. SHOWERY Agent no: 19 40 346 Agent phone: (956) 668-0212

**Description of vehicle**

Veh.	Year	Make	Model	Vehicle Identification Number
1	2007	FORD TRUCK	F150 CREW C PU 4X4 SUPER	1F1PW14V27KC97571
2	2012	DODGE TRUCK	DURANGO 4D 4X2 CREW	1C4RDHDG4CC153534
3	****	*****	*****	*****

**COVERAGES**

\* ENTRIES IN THOUSANDS OF DOLLARS.

**PREMIUMS**

Coverage	Limits/Deductible		Premiums	
	Vehicle 1	Vehicle 2	Vehicle 1	Vehicle 2
Liability Bodily Injury Property Damage	Each Person*	Each Accident*		
	30	60	\$ 78.00	\$ 88.00
		25	\$ 57.00	\$ 70.00
Medical/PIP	2,500	PIP	\$ 29.00	\$ 37.00
Other Than Collision Deductible	Vehicle 1	500 DEDUCTIBLE	\$ 84.00	
	Vehicle 2	500 DEDUCTIBLE		\$ 136.00
Collision Deductible	Vehicle 1	500 DEDUCTIBLE	\$ 83.00	
	Vehicle 2	500 DEDUCTIBLE		\$ 106.00
UNINSURED/UNDERINSURED MOTORIST - Bodily Injury	Each Person*	Each Accident*		
	30	60	\$ 18.00	\$ 29.00
UNINSURED/ UNDERINSURED MOTORIST Property Damage		Each Accident*		
		25 \$250 Ded.	\$ 16.00	\$ 19.00
Towing and Labor Costs Per Disablement	Vehicle 1	\$ 120	\$ 4.00	
	Vehicle 2	\$ 120		\$ 4.00
		\$		
Other			\$ 46.00	
		Premium Per Vehicle	\$ 415.00	\$ 489.00
Total Fees for this Transaction	\$ 2.00	Total Fees Per Vehicle	\$ 1.00	\$ 1.00
		Total Policy Premium	\$ 904.00	