

Requisition

Req # 00309112

PO #

Date: 11/02/16

Bill To: x
x

Vendor: 125717
FRONTERA MATERIALS, INC
P.O. BOX 1449
ELSA TX 78543-1449
FAX (956)968-0609

Ship To: HIDALGO CO. PCT 1
1902 Joe Stephens Ave
WESLACO TX 78596

Contact: OSCAR G.
956-968-8733

Contract No: E-16-071-02-03

Special Instructions:
RY139

QUANTITY	UOM	DESCRIPTION	UNIT PRICE	AMOUNT
		E-16-071-02-03 04/18/17 DO NOT DUPLICATE ORDER		
1300.00	TON	CC TYPE D HOT MIX ASPHALT FOR MILE 14 1/2 NORTH (MILE 1W & MILE 2W)	58.00	75,400.00
1.00				.00
1.00				.00
1.00				.00
1.00				.00
		<u>Account No</u>	<u>Encumbrance</u>	
		6-1350-431-00-121-231-0-721	75,400.00	
			Freight	.00
			Total	75,400.00
		REPORT ROAD HAZARDS 1-866-HCR-SAFE OR 1-866-427-7233		

Authorized By: _____

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SPECIAL MEETING - February 3, 2016

BE IT REMEMBERED, that on this 3rd day of February A.D., 2016, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RAMON GARCIA	HIDALGO COUNTY JUDGE
HONORABLE A.C. CUELLAR, JR.	COMMISSIONER, PRECINCT NO. 1
HONORABLE EDUARDO "EDDIE" CANTU	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOE M. FLORES	COMMISSIONER, PRECINCT NO. 3
HONORABLE JOSEPH PALACIOS	COMMISSIONER, PRECINCT NO. 4

and ARTURO GUAJARDO, JR., COUNTY CLERK & EX-OFFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

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February 3, 2016

- G. AI-53180 HIDTA
Requesting authority to purchase a (24) Twenty-four Month Subscription Renewal for a Single-User Access Authorization for Online Social Media Monitoring from Sole Sourced vendor Snaprends for a period from 9/17/15 - 9/18/17; through Requisition#291027 in the amount of \$2,900 / year for a total of \$5,800 with Company's response as acceptance of Purchase Order and not an Executed Agreement.
- H. AI-53134 Acceptance & approval of the following invoices submitted by contracted/project engineer, Javier Hinojosa Engineering:
1. Invoice No. 16012- \$3,112.50
2. Invoice No. 16013- \$6,908.21
- I. AI-53091 A correction on AI-52031 dated 11/17/15 on one of the trade-in vin# (vin# 1DP7H1CX215099558 was entered INCORRECT THE CORRECT vin # is 1GDP7H1CX2J509958
- J. AI-52917 Action to approved the County's option to renew/extend for an additional one [1] year term [as permitted under the current agreement] the engagement of the Espinosa Law Firm for the provision of legal services to the Hidalgo County Civil Service Commission.

Ms. Martha Salazar mentioned that the CIQ was modified as of 1-1-16 however, as the statute reads the vendor has 7 days upon being made aware. Therefore, items 12.J and 12.L. are all subject to compliance to HB 1295 and CIQ, therefore the modification to the form. Nonetheless, Ms. Salazar suggested approval subject to compliance. Ms. Salazar stated they will be sending notices and won't proceed without compliance of.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

Vote: 5 - 0 - Unanimously

- K. AI-53096 Approve Request for Payment-Application No. 8 in the amount of \$82,990.14 from IOC Company, LLC, awarded contractor for Precinct No. 3, "Mile 2 North Roadway Project," and as certified for payment by project engineer, L&G Engineer-C-14-153-02-17.
- L. AI-53036 Acceptance and approval to exercise the County's option to extend the following contracts for "Type D Hot Mix Asphalt-Gravel and Limestone-Hidalgo County Precincts" for the one (1) year option, under the same rates, terms and conditions with the following multiple awarded vendors and subject to compliance with HB1295 [if and when applicable]:

A. Contract #C-15-026-03-17-Frontera Materials;

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Hidalgo County Purchasing Department
2812 S. Business Highway 281
New Administration Building
Edinburg, Texas 78539
(956) 318-2626/ Fax: (956) 318-2629

CORRECTED

January 19, 2016

Frontera Materials, Inc.
Attn: *Barry M. Ehlinger*
P.O. Box 1449
Elsa, Texas 78543

Via Email: barry@fmitex.com

Re: Renewal of Contract C-15-026-03-17
"Type D Hot Mix Asphalt-Limestone Only"-Hidalgo County Precincts

Dear Mr. Ehlinger;

Hidalgo County Purchasing Department will be requesting Commissioners' Court to consider the County's sole option to exercise the **additional year extension** term as provided in the current contract (under the same rates, terms and conditions).

Please acknowledge receipt of this notice of placement on the Commissioners' Court meeting of **Tuesday, February 2, 2016 and/or the next available Commissioners Court** for discussion, consideration and action, by signing below and returning to the Purchasing Department, by no later than **3:00 p.m., Friday, January 22, 2016 and or sooner**, via facsimile to (956) 956-318-2629 or email to: evangelina.garcia@co.hidalgo.tx.us so as to meet the agenda request form deadlines.

By: 

Date: Jan 22, 2016

Additionally, we are requesting your company provide an updated certificate of insurance as required through Hidalgo County's Request for (Bid, Quote, Proposal, Statement of Qualification), if applicable.

Should you have any questions or require additional information, please do not hesitate to contact me at (956) 318-2626. Your cooperation in this matter is greatly appreciated and we hope your company continues its business relationship with Hidalgo County.

Sincerely,
Vangie Y. Garcia, Contract's Manager
Hidalgo County Purchasing Department

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REQUIREMENTS AGREEMENT
C-15-026-03-17

THIS AGREEMENT (the "Agreement") is entered into as of the 17th day of March, 2015 by and between **Frontera Materials Inc.**("Seller") and **Hidalgo County** ("Buyer").

WHEREAS, Buyer has solicited proposals for the supply of its requirements of "Type D Hot Mix Asphalt-Gravel & Limestone", as further described in Exhibit "A" the Request for Bid (RFB) Procurement Packet, which is attached hereto and incorporated herein by reference for all purposes (the "RFB") for a period of one year for Precincts 1-2-3-4;

WHEREAS, Seller has submitted a proposal to supply Buyer's Limestone requirements; and (the "Products");

WHEREAS, Buyer has determined that Seller has submitted the lowest and best bid to meet Buyer's requirements for the Product.

NOW THEREFORE, for and in consideration of the mutual covenants and conditions hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Buyer agrees to purchase from Seller, and Seller agrees to sell to Buyer, all of the Products that Buyer may require for use by Buyer in "Type D Hot Mix Asphalt-Gravel & Limestone," in the areas of Hidalgo County projects for Precincts 1-2-3-4 for a period of one (1) year commencing April 9, 2015 and ending April 8, 2016 and may be extended with the County's sole discretion for an additional one (1) year period, and it is agreed that the Products will meet the specifications set forth in Exhibit "A" hereto. Hidalgo County reserves the right to continue this bid for an additional sixty (60) day grace period at the end of the contract term for unforeseen delay in award of new bid for next contract term.

2. When Buyer determines that it needs a quantity of the Products to be delivered, it will, according to its Purchasing Policies, complete and submit to Seller a Purchase Order describing the type and quantity of the Products required.

3. Buyer agrees to pay Seller for each Purchase Order based on the prices set out in Exhibit "B". Seller shall render invoices for each Purchase Order, and the invoices shall be paid by Buyer on or before the 30th day following receipt of the invoice.

4. County may terminate this Agreement at any time for any reason or no reason at all upon giving thirty (30) days written notice.

5. General Provisions.

a. **Conflict with Applicable Law.** Nothing in this Agreement shall be construed so as to require the commission of any act contrary to law, and whenever there is

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EXHIBIT "B"
HIDALGO COUNTY
(All funding, programs & entities)
"TYPE D HOT MIX ASPHALT - GRAVEL & LIMESTONE"
BID NO.: 2015-026-02-11-SGS

OPENED
2/11/15
9:45am
ATTACHED

1300 Tons @ 58.00

BID PAGE

BID PRICE PER TON (GRAVEL): \$ 58.00/TON FOB Plant (La Joya)

BID PRICE PER TON (LIMESTONE): \$ 58.00/TON FOB Plant (Progresso)

PHYSICAL LOCATION OF PIT(S):

Gravel Bid - La Joya Plant - 2.5 m N of US 83
Fm 2221, La Joya TX

Limestone Bid - Progresso Plant - 1/2 m E of ~~Military~~
~~281~~ Fm 1015 on Military 281

Internal use only- Commodity Code: 745-11 Asphalt, previous Hot Mix, 745-14-Concrete Cold Laid, 745-21- Concrete Hot Laid

BIDDERS INFORMATION

BIDDER/COMPANY NAME: Frontera Materials, Inc.

ADDRESS: PO Box 1449

CITY/STATE/ZIP: Elgin TX 78543

PHONE NO/FAX NO: 956-607-5965 cell / 316-8954 office

CELL PHONE NO: 956-607-5965

E-MAIL ADDRESS: barry@fritex.com

AUTHORIZED SIGNATURE: Barry McElroy

TITLE: Materials Mgr.

TERM: term of the bid contract will be for a period of one (1) year. Hidalgo County may in its sole discretion elect the option to extend the contract for one (1) additional- one (1) year term under the same rates, terms and conditions.

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/31/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER McAfee Insurance Agency P. O. Box 625 321 Second Street Mercedes TX 78570	CONTACT NAME: Consuelo Cavazos, CISR PHONE (A/C No. Ext): (956) 565-2481 E-MAIL ADDRESS: consuelo@mcafeeagency.com	FAX (A/C No.): (956) 565-2733
	INSURER(S) AFFORDING COVERAGE	
INSURED Frontera Materials, Inc. P O Box 1449 Elsa TX 78543-1449	INSURER A: Phoenix Insurance Co.	
	INSURER B: The Chapter Oak Fire Ins Co	
	INSURER C: The Travelers Indemnity Company of	
	INSURER D: The Travelers Indemnity Company	
	INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 2016-2017** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	Y-660-1C405755-PHX-16	9/1/2016	9/1/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Employee Benefits \$ 1,000,000
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS		BA-5D227668-16-CMG	9/1/2016	9/1/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		Y&M-CUP-1C405687-TCT-16	9/1/2016	9/1/2017	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	YCUB-1C40567-5-16	9/1/2016	9/1/2017	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 County of Hidalgo shall be included as Additional Insured on all Commercial General Liability policies as required by written contract.

CERTIFICATE HOLDER sandy.suarez@co.hidalgo.tx Hidalgo County Attn: Purchasing Department 2812 S Highway Bus 281 Edinburg, TX 78539	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Robert R Garza/CO <i>Robert R Garza</i>
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