



FULCRUM

CONSULTING SERVICES

PLANNERS * ENGINEERS * ARCHITECTS

July 16, 2019

Ms. Diana R. Serna
Director of Urban County Program
Urban County Program
1916 Tesoro Street, Pharr, Tx. 78577

**RE: City of Progreso
2018 Progreso Street Improvements (Malone FM1015 to Mills)
Bid No.: 5018-65-0311-5000-6500-UCP-GVG**

Dear Ms. Serna:

On Wednesday, July 10, 2019 at 9:30 am, bids were received and opened for the City of Progreso, 2018 Progreso Street Improvements (Malone FM1015 to Mills). A total of seven (7) bids were received as shown on the attached bid tabulation sheet. The top two (2) low bidders were: Diamond Eight Industries, LLC (Diamond 8) and IOC Company, LLC (IOC).

The bid page submitted by Diamond 8, the apparent low bidder, totaled to \$141,575.25. The bid contained two (2) mathematical errors. Bid Item 6 and 8 were not totaled correctly but the errors did not change the bid total amount. The bid page submitted by IOC Company, LLC, the second lowest bidder, totaled to \$154,886.00 and did not contain any mathematical errors. The cost difference between Diamond 8 and IOC was \$13,310.75.

Our office has no experience with the Diamond 8 but calls to references provided in their bid package resulted in positive comments regarding their quality of work performed, completing work within contract schedule and whether they would recommend this company for the street project. Based on the information provided in the bid package, Diamond 8 possesses the equipment and resources necessary to complete this project. Based on the review conducted by

our office, we are recommending that this project be awarded to the low bidder, Diamond Eight Industries, LLC, for the base bid amount of \$141,575.25. If you should have any questions or concerns regarding this letter, please do not hesitate to contact me. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel Campos, P.E.", with a stylized flourish at the end.

Daniel Campos, P.E.

Senior Project Engineer

XC: Fulcrum Office File

CITY OF PROGRESO

2018 PROGRESO STREET IMPROVEMENT (MALONE FM1015 TO MILLS)

UCP NO. 5018-65-0311-5000-6500-UCP-GVG

BID RESULTS

NAME OF BIDDER	TOTAL BID
1 DIAMOND EIGHT INDUSTRIES, LLC	\$ 141,575.25
2 IOC COMPANY, LLC	\$ 154,865.00
3 RDH SITE AND CONCRETE, LLC	\$ 162,720.00
4 TEXAS CORDIA CONSTRUCTION, LLC	\$ 192,775.00
5 I&E CONTRACTORS, LLC	\$ 206,425.00
6 FORMOST PAVING INC.	\$ 213,700.00
7 M.J.A. CONSTRUCTION, LLC	\$ 214,977.20

BID TABULATIONS

ITEM	DESCRIPTION	UNIT	QUANTITY	DIAMOND EIGHT INDUSTRIES LLC	IOC COMPANY LLC	RDH SITE AND CONCRETE LLC	TEXAS CORDIA CONSTRUCTION LLC	I&E CONTRACTORS LLC	FORMOST PAVING INC	MJA CONSTRUCTION LLC
1	MOBILIZATION/DEMOLITION	L.S.	1	\$1,000.00	\$7,500.00	\$2,500.00	\$7,000.00	\$6,500.00	\$9,000.00	\$5,000.00
2	TRAFFIC CONTROL	L.S.	1	\$1,500.00	\$3,000.00	\$2,500.00	\$3,000.00	\$3,500.00	\$8,500.00	\$2,500.00
3	PRIME COAT (MCSO 0.2 GAL./S.Y.	S.Y.	1,790	\$6,658.80	\$7,160.00	\$9,845.00	\$8,950.00	\$14,320.00	\$8,950.00	\$14,320.00
4	2" HMAC PAVEMENT, TYPE D	S.Y.	8,950	\$98,450.00	\$93,975.00	\$89,500.00	\$121,720.00	\$107,400.00	\$98,450.00	\$104,715.00
5	6" BASE SCARIFY & COMPACTION	S.Y.	8,950	\$25,597.00	\$25,060.00	\$40,275.00	\$26,850.00	\$62,650.00	\$71,600.00	\$73,837.50
6	FURNISH ALL LABOR, MATERIALS AND EQUIPMENT NECESSARY TO INSTALL TRAFFIC STRIPING IN ACCORDANCE WITH PLANS AND SPECIFICATIONS	L.S.	3,875	\$4,882.50 *	\$4,650.00	\$11,625.00	\$7,750.00	\$3,875.00	\$5,425.00	\$5,928.75
7	FURNISH ALL LABOR, MATERIALS AND EQUIPMENT FOR THE ADJUSTMENT TO GRADE OF EXISTING MANHOLES & PROVIDE A 3'X3' CONCRETE COLLAR IN ACCORDANCE WITH PLANS AND SPECIFICATIONS.	L.S.	8	\$2,560.00	\$7,600.00	\$4,000.00	\$11,200.00	\$6,800.00	\$8,000.00	\$7,200.00
8	THREE (3) FOOT WIDE CONCRETE VALLEY GUTTER	L.F.	415	\$600.75 **	\$2,070.00	\$2,025.00	\$3,555.00	\$990.00	\$2,025.00	\$905.95
9	FURNISH ALL LABOR, MATERIALS AND EQUIPMENT REQUIRED TO INSTALL REINFORCED CONCRETE APRONS IN ACCORDANCE WITH PLANS AND SPECIFICATIONS.	L.S.	10	\$326.20	\$3,850.00	\$450.00	\$2,750.00	\$390.00	\$1,750.00	\$670.00
TOTAL BID:				\$141,575.25	\$154,865.00	\$162,720.00	\$192,775.00	\$206,425.00	\$213,700.00	\$214,977.20

* This item was incorrectly totaled to \$4,882.50 in the bid schedule.
 ** This item was incorrectly totaled to \$600.25 in the bid schedule.

GENERAL INFORMATION:

BID OPENING HELD ON WEDNESDAY, JULY 10, 2019 AT 9:30 AM AT THE HIDALGO COUNTY PURCHASING DEPARTMENT CONFERENCE ROOM AT PHYSICAL LOCATION : 2802 S. BUSINESS HWY 281, HIDALGO COUNTY NEW ADMINISTRATION BUILDING IN EDINBURG, TEXAS 78539.



CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Diamond Eight Industries, LLC
Santa Rosa, TX United States

Certificate Number:
2019-514133

Date Filed:
07/09/2019

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Progresso

Date Acknowledged:
07/17/2019

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

5018-65-0311-5000-6500-UCP-GVG
Street Improvements

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Diamond Eight Industries, LLC	Santa Rosa, TX United States	X	

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Diamond Eight Industries, LLC
Santa Rosa, TX United States

Certificate Number:
2019-514133

Date Filed:
07/09/2019

Date Acknowledged:

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Progresso

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

5018-65-0311-5000-6500-UCP-GVG
Street Improvements

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Diamond Eight Industries, LLC	Santa Rosa, TX United States	X	

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is Olivia Perez, and my date of birth is 5-4-80.

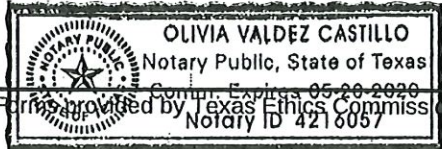
My address is 12080 Sessu Santa Rosa TX 78573 USA
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Cameron County, State of Texas, on the 09 day of July, 2019.
(month) (year)

Olivia Valdez Castillo
Signature of Notary Public

Olivia Perez
Signature of authorized agent of contracting business entity (Declarant)



**CONSTRUCTION
CONTRACT**

This Agreement entered into this July 30, 2019 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 Diamond Eight Industries, LLC (a corporation) (a partnership) (an individual) of Santa Rosa, 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:

PROJECT NAME: Progreso 2018 Street Improvements Project
PROJECT No.: 5017/18-65-0311-5000-6500-UCP-GVG
PROJECT DESCRIPTION: Paving of Malone Street (From FM 1015 to Mills St.)

hereinafter called the project, for the sum of **(\$141,575.25) One Hundred Forty-One Thousand Five Hundred Seventy-Five Dollars and Twenty-Five 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 **Fulcrum Consulting Services**, 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 **(90) Ninety** 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.

George Olivarez Alissa Perez, President

Name of Firm: Diamond Eight Industries, LLC

Address: P.O. Box 471
Santa Rosa, Texas 78593

Federal I.D./S.S.: 80-0610617

STATE OF TEXAS '

COUNTY OF _____ '

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: April 28, 2016



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/17/2019

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 have ADDITIONAL INSURED provisions or 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).

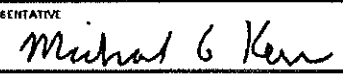
PRODUCER FEDERATED MUTUAL INSURANCE COMPANY HOME OFFICE: P.O. BOX 328 OWATONNA, MN 55060		CONTACT NAME: CLIENT CONTACT CENTER PHONE (A/C, No, Ext): 888-333-4940 FAX (A/C, No): 507-448-4664 E-MAIL ADDRESS: CLIENTCONTACTCENTER@FEDINS.COM	
INSURED DIAMOND EIGHT INDUSTRIES LLC 20860 N PARKER RD SANTA ROSA, TX 78593-2288		INSURER(S) AFFORDING COVERAGE INSURER A: FEDERATED MUTUAL INSURANCE COMPANY NAIC # 13935 INSURER B: FEDERATED RESERVE INSURANCE COMPANY 16024 INSURER C: INSURER D: INSURER E: INSURER F:	384-424-8

COVERAGES **CERTIFICATE NUMBER: 31** **REVISION NUMBER: 0**

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	TYPE OF INSURANCE	ADOL	LEUBR	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"/> PROJECT <input type="checkbox"/> LOC OTHER:		N	N	9830944	08/21/2018	08/21/2019	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) EXCLUDED PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		N	N	9830944	08/21/2018	08/21/2019	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION		N	N	9830945	08/21/2018	08/21/2019	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in IH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	N	9830946	08/21/2018	08/21/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$500,000 E.L. DISEASE - EA EMPLOYEE \$500,000 E.L. DISEASE - POLICY LIMIT \$500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER 384-424-8 HIDALGO COUNTY-URBAN COUNTY PROGRAM 1918 TESORO STREET PHARR, TX 78577	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 
--	--