

**CONSTRUCTION
CONTRACT**

This Agreement entered into this August 23, 2022 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 2GS, LLC dba Earthworks Enterprise (a corporation) (a partnership) (an individual) of Peñitas, 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:	2021 La Joya Street Improvements Project
PROJECT No.:	5021-40-0311-5000-0000-UCP-EP
PROJECT DESCRIPTION:	Street Improvements (Garza St.)

hereinafter called the project, for the sum of (\$138,426.00) – One Hundred Thirty Eight Thousand Four Hundred Twenty Six 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 SAMES, 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 (60) sixty 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.



Engineering Firm Reg # 10602 Surveying Firm Reg # 101416-00 Architectural Firm Reg # BR 4166
200 S. 10th Street, Suite 1500, McAllen, Texas 78501 Phone: (956) 702-8880 Fax: (956) 702-8883
DUNS 834820735 CAGE CODE 66N60

July 29, 2022

P.R. Avila
Director
Hidalgo County – Urban County Program
1916 Tesoro St
Pharr, TX 78577

Re; Recommendation to Award Construction Contract
 2021 City of La Joya Street Improvements Project
 5021-40-0311-5000-0000-UCP-EP

Mr. Avila,

A bid opening was held on Wednesday, July 27, 2022 where two (2) bids were received for the 2021 City of La Joya Street Improvements Project 5021-40-0311-5000-0000-UCP-EP.

After review of the Unit Bid Pricing provided, we have prepared Bid Tabulations and have confirmed that 2GS, LLC dba Earthworks Enterprise has submitted the lowest responsive Base Bid in the amount of \$138,426.00. Please find attached the Bid Tabulation Sheet for your review. The bid bond and other required documentation were also provided and verified.

We have no objection in awarding the above referenced project to 2GS, LLC dba Earthworks Enterprise for the Base Bid for a grant total contract amount of **\$138,426.00**. Please feel free to contact our office at (956)-702-8880 should you have any questions or would like to discuss this further.

Respectfully Submitted,

Mario A Garcia, P.E.
Project Manager



BID TABULATIONS
2021 CITY OF LA JOYA STREET IMPROVEMENTS PROJECT 5021_40-0311-5000-0000-UCP-EP

Bid Opening: July 27, 2022
 9:30 A.M.
 Hidalgo Count Purchasing Dept.

BID ITEM	ITEM DESCRIPTION	UNIT	QTY	2GS, LLC dba Earthworks Enterprise		Foremost Paving, Inc.	
				UNIT PRICE	TABULATION	UNIT PRICE	TABULATION
2021 City of La Joya Street Improvements Project 5021_40-0311-5000-0000-UCP-EP							
	BASE BID						
1	MOBILIZATION	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 20,000.00	\$ 20,000.00
2	BARRICADES, SIGNS AND TRAFFIC HANDLING	LS	1	\$ 2,100.00	\$ 2,100.00	\$ 12,000.00	\$ 12,000.00
3	GARZA ST (FROM N 5TH ST TO MILITARY RD)						
	MILL EXIST. ROADWAY (ASPH)(2')	SY	4.501	\$ 8.00	\$ 36,008.00	\$ 9.00	\$ 40,509.00
4	2" H/MAC TYPE D	SY	4.501	\$ 18.00	\$ 81,018.00	\$ 32.00	\$ 144,032.00
5	PRIME COAT (MC-30)(0.2 GAL/SY)	GAL	900	\$ 7.00	\$ 6,300.00	\$ 9.00	\$ 8,100.00
6	BASE REPAIR WITH FLEXIBLE BASE (8" DEPTH)	SY	300	\$ 18.00	\$ 5,400.00	\$ 100.00	\$ 30,000.00
7	STORM MANHOLE CONC. COLLAR	EA	6	\$ 600.00	\$ 3,600.00	\$ 1,800.00	\$ 10,800.00
GRAND TOTAL BID				\$	\$ 138,426.00	\$	\$ 265,441.00

7/29/2022



M.A. Garcia

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.
2GS, LLC dba Earthworks Enterprise
Penitas, TX United States

Certificate Number:
2022-914944

Date Filed:
07/26/2022

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

Date Acknowledged:
07/29/2022

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.
5021-40-0311-5000-0000-UCP-EP
2021 La Joya Street Improvements Project

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Garcia, Jr., Humberto	Penitas, 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

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Penitas, TX United States

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Hidalgo County - Urban County Program

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5021-40-0311-5000-0000-UCP-EP
2021 La Joya Street Improvements Project

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			Controlling	Intermediary
	Garcia, Jr., Humberto	Penitas, TX United States	X	

5 Check only if there is NO Interested Party.

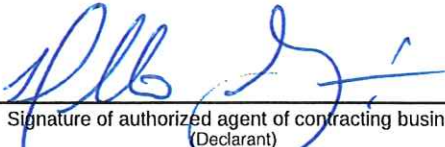
6 UNSWORN DECLARATION

My name is Humberto Garcia, Jr., and my date of birth is 08/25/1981.

My address is 2006 Gardenia St, Penitas, TX, 78576, USA.
(street) (city) (state) (zip code) (country)

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

Executed in Hidalgo County, State of Texas, on the 27th day of July, 2022.
(month) (year)



Signature of authorized agent of contracting business entity (Declarant)

Certification
Regarding Debarment, Suspension and Ineligibility

As is required by the Federal Regulations Implementing Executive Order 12549, Debarment and Suspension, 45 CFR Part 76, Government-wide Debarment and Suspension, the applicant certifies, to the best of his or her knowledge and belief, that both it and its principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency;
- b. Have not within a three-year period preceding this bid proposal and/or application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a government entity with commission of any of the offenses enumerated herein; and
- d. Have not within a three-year period preceding this bid proposal and/or application had one or more public transactions terminated for cause or default.

PRINTED NAME: Humberto Garcia, Jr.

TITLE: Member

UEI NUMBER: QKCUFJG9FNT8

SIGNATURE: 

TELEPHONE NUMBER: 956-424-3414

ADDRESS: PO BOX 595, Penitas, Texas 78576

DATE: 07/27/2022

If the bidder is unable to certify to all of the statements in this certification, such bidder should attach an explanation to this proposal.

DEBARMENT CERTIFICATION CHECKLIST
****FOR UCP USE ONLY****

VENDOR/AGENCY NAME: 2GS, LLC

UNIQUE IDENTIFYING NUMBER: QKCUFJG9FNT8

DATE VERIFIED ON SAM.GOV: 7-27-22

EXCLUSIONS: _____ YES NO

NAME OF UCP COORDINATOR: Eloisa Peña

PRINT VERIFICATION REPORT AND ATTACH: YES NO

ASSISTANT DIRECTOR APPROVAL: [Signature]

DATE SUBMITTED TO FINANCE: 8/3/2022

FINANCE MANAGER ACCEPTANCE: [Signature]

2GS, LLC

Unique Entity ID QKCUFJG9FNT8	CAGE / NCAGE 741S6	Purpose of Registration All Awards
Registration Status Active Registration	Expiration Date Mar 7, 2023	
Physical Address 1301 N State Highway 336 Hidalgo, Texas 78557-4300 United States	Mailing Address P.O. Box 595 Penitas, Texas 78576 United States	

Business Information

Doing Business as (blank)	Division Name (blank)	Division Number (blank)
Congressional District Texas 15	State / Country of Incorporation Texas / United States	URL (blank)

Registration Dates

Activation Date Mar 9, 2022	Submission Date Mar 7, 2022	Initial Registration Date Apr 30, 2014
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Entity Dates

Entity Start Date Jan 20, 2012	Fiscal Year End Close Date Dec 31
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Immediate Owner

CAGE (blank)	Legal Business Name (blank)
-----------------	--------------------------------

Highest Level Owner

CAGE (blank)	Legal Business Name (blank)
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Executive Compensation

Registrants in the System for Award Management (SAM) respond to the Executive Compensation questions in accordance with Section 6202 of P.L. 110-252, amending the Federal Funding Accountability and Transparency Act (P.L. 109-282). This information is not displayed in SAM. It is sent to USAspending.gov for display in association with an eligible award. Maintaining an active registration in SAM demonstrates the registrant responded to the questions.

Proceedings Questions

Registrants in the System for Award Management (SAM) respond to proceedings questions in accordance with FAR 52.209-7, FAR 52.209-9, or 2.C.F.R. 200 Appendix XII. Their responses are not displayed in SAM. They are sent to FAPIIS.gov for display as applicable. Maintaining an active registration in SAM demonstrates the registrant responded to the proceedings questions.

Exclusion Summary

Active Exclusions Records?
No

SAM Search Authorization

I authorize my entity's non-sensitive information to be displayed in SAM public search results:
Yes

Entity Types

Business Types		
Entity Structure Corporate Entity (Not Tax Exempt)	Entity Type Business or Organization	Organization Factors Limited Liability Company
Profit Structure For Profit Organization		

Socio-Economic Types

Minority Owned Business

Self Certified Small Disadvantaged Business

Hispanic American Owned

Check the registrant's Reqs & Certs, if present, under FAR 52.212-3 or FAR 52.219-1 to determine if the entity is an SBA-certified HUBZone small business concern. Additional small business information may be found in the SBA's Dynamic Small Business Search if the entity completed the SBA supplemental pages during registration.

Financial Information

Accepts Credit Card Payments Debt Subject To Offset
No No

EFT Indicator CAGE Code
0000 741S6

Points of Contact

Electronic Business

☒ P.O. Box 595
Humberto Garcia, Member Penitas, Texas 78576
United States

Government Business

☒ P.O. Box 595
Humberto Garcia, Member Penitas, Texas 78576
United States

Service Classifications

NAICS Codes

Primary	NAICS Codes	NAICS Title
Yes	237310	Highway, Street, And Bridge Construction
	237110	Water And Sewer Line And Related Structures Construction
	237990	Other Heavy And Civil Engineering Construction
	238910	Site Preparation Contractors

Disaster Response

Yes, this entity appears in the disaster response registry.

Yes, this entity require bonding to bid on contracts.

Bonding Levels	Dollars
Construction Aggregate	\$20,000,000.00
Construction Per Contract	\$10,000,000.00

States Counties
Texas TX: Starr, Hidalgo, Cameron

Metropolitan Statistical Areas
TX: McAllen-Edinburg-Mission,
Brownsville-Harlingen-San Benito



ADDITIONAL REMARKS SCHEDULE

AGENCY Higginbotham Insurance Agency, Inc.		NAMED INSURED 2GS, LLC DBA Earthworks Enterprise PO Box 595 Penitas TX 78576	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
 FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE

Workers Compensation coverage contains the following blanket endorsements which apply when required by contract:
 Texas Waiver of Our Right To Recover From Others Endorsement - When Required by Contract WC 42 03 04 B

Inland Marine coverage contains the following endorsement:
 Blanket Loss Payees which applies when required by written contract

Project:
 2021 La Joya Street Improvements Project
 5021-40-0311-5000-0000-UCP-EP

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.
 This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor 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 vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.
 A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY
Date Received

1 Name of vendor who has a business relationship with local governmental entity.
2GS, LLC. dba Earthworks Enterprise

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 on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

 N/A

 Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?
 Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?
 Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.
 N/A

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 _____
 Signature of vendor doing business with the governmental entity

07/27/2022

 Date

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;

or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.



Hidalgo County
Arturo Guajardo Jr.
County Clerk
Edinburg, Texas 78540

Document No: 3367881

Billable Pages: 1

Recorded On: August 03, 2022 04:33 PM

Number of Pages: 2

*****Examined and Charged as Follows*****

Total Recording: \$ 36.00

*****THIS PAGE IS PART OF THE DOCUMENT*****

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document No: 3367881
Receipt No: 20220803000355
Recorded On: August 03, 2022 04:33 PM
Deputy Clerk: Imelda Leal
Station: CH-1-CC-K27

Record and Return To:

Earth Works
P.O. Box 595
original returned to customer
Penitas TX 78576



STATE OF TEXAS
COUNTY OF HIDALGO

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas.

Arturo Guajardo Jr.
County Clerk
Hidalgo County, Texas

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

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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 vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.
A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

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2GS, LLC. dba Earthworks Enterprise

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N/A

Name of Officer

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A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

N/A

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 
Signature of vendor doing business with the governmental entity
Humberto Garcia Jr.

07/27/2022
Date



Hidalgo County Clerk
Arturo Guajardo Jr.
P.O. Box 58
Edinburg, Texas 78540

Main: (956) 318-2100

Fax: (956) 318-2105

ORIGINAL COPY

Receipt No: 20220803000355
Date: 08/03/2022
Time: 04:33PM
Deputy Clerk: Imelda Leal
Station: CH-1-CC-K27

Issued To: Earth Works
P.O. Box 595

Penitas, TX 78576

Recording Fees

Item No.	Item	Document No.	Serial No.	GF Number	Amount
1	Real Property Recordings	3367881			\$36.00

Collected Amounts

Item No.	Payment	Transaction Id	Comment	Amount
1	Check	8500	956-424-3414	\$36.00

Total Received: \$36.00
Order Total: \$36.00
Refund Due: \$0.00

Thank you.