



March 30, 2023

Jorge Pena

Precinct 1 RPIC

1902 Joe Stephens Ave #303

Weslaco, Texas 78596

Re: Release of Retainage Coordination

Mile 6 W Project

Mr. Pena

Texas Cordia Construction (TCC) has agreed to HC Precinct-1's proposed release of retainage in the amount of \$500,000 on the condition that all contractual obligations are met at this time. TCC has provided the Contractor's Affidavit of Release of Liens and the Affidavit of Payment of Debts.

TCC was made aware that the remaining retainage of \$112,432.02 will be withheld until the headwall crack repairs are completed by TCC. Although the cost of the repairs themselves may be negligible, various components associated with the headwalls may be jeopardized if there are any further issues due to cracks in the headwalls. These components include riprap (4 in) costing \$133,600, centrifugally cast fiberglass pipe (98") costing \$322,000, and centrifugally cast fiberglass pipe (110") costing \$362,490.

Please see attached email correspondence with TCC.

SAMES, Inc. will continue to coordinate with the contractor and enforce all contract obligations until the completion of the project.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Ricardo A. Leal". The signature is written over a horizontal line that serves as a separator between the signature and the printed name below it.

Ricardo A. Leal, EIT, LSS

Project Manager

SAMES Inc.

From: [Yara Corbitt](#)
To: [Ricardo Leal](#); "[Daniel Garcia](#)"; [Isabel Martinez](#)
Cc: [Samuel D. Maldonado](#); "[Juan Garza](#)"; "[Isaac Heredia](#)"; "[Jorge Pena](#)"; "[David Fuentes](#)"; [Julian A. Cortez](#); "[Hector Siller](#)"; "[Jesus Noriega](#)"; [Sofia Reynolds](#)
Subject: Re: 0921-02-420; Hidalgo County Pct. 1 - Mile 6 W
Date: Thursday, March 30, 2023 11:10:49 AM
Attachments: [image002.png](#)
[image001.png](#)
[image003.png](#)
[image005.png](#)

That's great news. Will this amount be approved at commissioner's court on the 4th of April? If so, when should we expect payment to be released?

Yara

On Thursday, March 30, 2023 at 11:00:57 AM CDT, Isabel Martinez <isabel@texascordia.com> wrote:

Good Morning Mr. Leal:

Attached are the Contractor's Affidavit of Release of Liens and Affidavit of Payment of Debts forms. Please let me know if you need any additional information.

Isabel Martinez
Administrative Assistant
Texas Cordia Construction, LLC
3149-A Center Pointe Drive
Edinburg, Texas 78539
(956) 627-6181 Office
(956) 386-0289 Fax



From: Ricardo Leal [<mailto:ricardo@samengineering-surveying.com>]
Sent: Thursday, March 30, 2023 10:54 AM
To: Yara <yara@texascordia.com>; 'Daniel Garcia' <dgarcia2@txdot.gov>
Cc: Samuel D. Maldonado <sam@samengineering-surveying.com>; 'Juan Garza' <juangarza@texascordia.com>; 'Isaac Heredia' <isaac@texascordia.com>; 'Isabel Martinez' <isabel@texascordia.com>; 'Jorge Pena' <jorge.pena1@co.hidalgo.tx.us>; 'David Fuentes' <david.fuentes@co.hidalgo.tx.us>; Julian A. Cortez <jcortez@samengineering-surveying.com>; Hector Siller <Hector.Siller@txdot.gov>; Jesus Noriega <Jesus.Noriega@txdot.gov>; Sofia Reynolds <sreynolds@samengineering-surveying.com>
Subject: RE: 0921-02-420; Hidalgo County Pct. 1 - Mile 6 W

Good morning Yara,

Thanks for taking my call this morning. Per our brief discussion, Precinct-1 is proposing to release **\$500,000** of retainage now with the understanding that all contractual obligations are met at this

time. HC Precinct-1 would withhold the remaining **\$112,432.02** of retainage until after TCC performs the headwall crack repairs.

Contractual obligations due at this time (based on contract checklist for release of retainage):

- Contractor's Affidavit of Release of Liens
- Affidavit of Payment of Debts

Please be aware that the remaining retainage of **\$112,432.02** will be withheld until the finalization of the remaining work. This work involves headwall crack repairs to the canal crossings, and while the cost of the repairs themselves may be negligible, there are various components associated with the headwalls that may be jeopardized if there are any further issues due to cracks in the headwalls.

Components associated with headwalls (based on contract items):

- Riprap (4 in) = \$133,600
- Centrifugally cast fiberglass pipe (98") = \$322,000
- Centrifugally cast fiberglass pipe (110") = \$362,490

We hope that you find the release of **\$500,000** acceptable so that we may proceed with the documentation. If agreed upon today by all parties, this item would be introduced to the next available Hidalgo County Commissioner's Court Agenda.

Please let me know at your earliest convenience.

Best regards,

Ricardo A. Leal, EIT, LSS
Project Manager



200 S. 10th Street, Ste. 1500
McAllen, TX 78501
956.702.8880 office
956.702.8883 fax

| MCALLEN, TX | HARLINGEN, TX | SANTA FE, NM | LOS ALAMOS, NM

SBA: 8a & HUBZone Certified
GSA FSS Contract Holder: GS-00F-298-GA

"EXCELLENCE THRU TEAMWORK"

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From: Ricardo Leal

Sent: Thursday, March 23, 2023 4:48 PM

To: 'Yara' <yara@texascordia.com>; 'Daniel Garcia' <dgarcia2@txdot.gov>

Cc: Samuel D. Maldonado <sam@samengineering-surveying.com>; 'Juan Garza' <juangarza@texascordia.com>; 'Isaac Heredia' <isaac@texascordia.com>; 'Isabel Martinez' <isabel@texascordia.com>; 'Jorge Pena' <jorge.pena1@co.hidalgo.tx.us>; 'David Fuentes' <david.fuentes@co.hidalgo.tx.us>; Julian A. Cortez <jcortez@samengineering-surveying.com>; Hector Siller <Hector.Siller@txdot.gov>; Jesus Noriega <Jesus.Noriega@txdot.gov>

Subject: RE: 0921-02-420; Hidalgo County Pct. 1 - Mile 6 W

Good PM Yara,

I wanted to share with you the outcomes of our recent meeting with TxDOT and provide an outline of the action items discussed.

1. TxDOT does not oversee retainage. It is at the discretion of the Project Owner to withhold/release while following contract requirements.
2. HC Precinct-1 expressed their intention to collaborate with TCC and release an appropriate amount of retainage.
3. To that effect, HC Precinct-1 will reconvene with their legal team to determine the authorized amount of retainage that can be released.

As a result, the meeting scheduled for March 24th, 2023 has been rescheduled for March 30th, 2023. We will send you an invitation shortly. This new date will allow HC Precinct-1's legal team to review and determine the amount of retainage that can be released. Moreover, this schedule will also allow any retainage to be included in the next Hidalgo County Commissioner's Court on April 4th, 2023.

Please let me know if you have any questions or concerns regarding this matter. We appreciate your understanding and look forward to closing out the project soon.

Best regards,

Ricardo A. Leal, EIT, LSS
Project Manager



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From: Yara <yara@texascordia.com>
Sent: Thursday, March 16, 2023 5:42 PM
To: Ricardo Leal <ricardo@samengineering-surveying.com>; 'Daniel Garcia' <dgarcia2@txdot.gov>
Cc: Samuel D. Maldonado <sam@samengineering-surveying.com>; 'Juan Garza' <juangarza@texascordia.com>; 'Isaac Heredia' <isaac@texascordia.com>; 'Isabel Martinez' <isabel@texascordia.com>; 'Jorge Pena' <jorge.pena1@co.hidalgo.tx.us>; 'David Fuentes' <david.fuentes@co.hidalgo.tx.us>; Julian A. Cortez <jcortez@samengineering-surveying.com>
Subject: RE: 0921-02-420; Hidalgo County Pct. 1 - Mile 6 W

Good Afternoon, Ricardo,

As requested, please see attached As-Builts.

I have taken the liberty of attaching excerpts from the contract as well for your reference as it relates to the release of retainage. Please direct and familiarize yourself with Section 11.4.

Looking forward to our meeting.

Thanks,

Ms. Yara M. Corbitt, PE

From: Ricardo Leal <ricardo@samengineering-surveying.com>
Sent: Tuesday, March 14, 2023 8:52 AM
To: Yara Corbitt <yara@texascordia.com>; Daniel Garcia <dgarcia2@txdot.gov>
Cc: Samuel D. Maldonado <sam@samengineering-surveying.com>; Juan Garza <juangarza@texascordia.com>; Isaac Heredia <isaac@texascordia.com>; Isabel Martinez <isabel@texascordia.com>; Jorge Pena <jorge.pena1@co.hidalgo.tx.us>; David Fuentes <david.fuentes@co.hidalgo.tx.us>; Julian A. Cortez <jcortez@samengineering-surveying.com>
Subject: RE: 0921-02-420; Hidalgo County Pct. 1 - Mile 6 W

Good morning Yara,

I'm attaching the latest correspondence that SAMES had with TCC regarding release of retainage. It also includes excerpts from the contract documents for reference.

The two main items pending from TCC are:

1. Final acceptance of Irrigation Canals
2. As-Builts

Our meeting at the Pharr District HQ on Friday March 24, 2023 at 4pm remains unchanged.

Best regards,

Ricardo A. Leal, EIT, LSS
Project Manager



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From: Yara Corbitt <yara@texascordia.com>
Sent: Thursday, March 9, 2023 8:45 AM
To: Daniel Garcia <dgarcia2@txdot.gov>
Cc: Ricardo Leal <ricardo@samengineering-surveying.com>; Samuel D. Maldonado <sam@samengineering-surveying.com>; Juan Garza <juangarza@texascordia.com>; Isaac Heredia <isaac@texascordia.com>; Isabel Martinez <isabel@texascordia.com>; Jorge Pena <jorge.pena1@co.hidalgo.tx.us>; David Fuentes <david.fuentes@co.hidalgo.tx.us>
Subject: CSJ: 0921-02-420; Hidalgo County Pct. 1 - Mile 6 W

Good Morning Mr. Garcia,

TCC would like to request a meeting to discuss retainage and retainage policies as they relate to CSJ NO. 0921-02-420, better known as the Mile 6 Project.

TCC has made several attempts to collect (partial) retainage to which it is owed for the aforementioned project. TCC would prefer all stake holders involved in the project to be present.

Thank you for your consideration in this matter as it is of utmost importance.

Respectfully,

Ms. Yara M. Corbitt, PE, CEO
Texas Cordia Construction, LLC