

October 7, 2013



**AGENDA
CC REGULAR
HIDALGO COUNTY
COMMISSIONERS COURT
MEETING
October 7, 2013
9:30 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held at the Edinburg Council Chambers 415 W. University Drive, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

1. **Roll Call** - All members fo the Court were counted present for the exception of Commissioner Joe M. Flores.

2. **Pledge of Allegiance**

Judge Garcia led the Court and Audience in reciting the Pledge of Allegiance.

3. **Prayer** - Virginia Townsend led the Court and Audience in Prayer.

4. **Approval of Consent Agenda**

The Court moved to approve the Consent Agenda.

Fern McClaugherty had a concern on Item 3.D. of the Consent Agenda. In regards to Constable Precinct 1, she asked why \$22,000.00 needed to be used for new furniture. She said that unused furniture could be found throughout other offices; therefore, why make such a large expense. She was told that the Constable was currently not present and he would be the one to answer that question.

Later in the meeting, Valde explained that the Constable had been occupying/borrowing office space and furniture from J.P. Precinct 1.1, J.P. Precinct 1.2, and County Commissioner Precinct 1. They have not had their own building nor furniture.

5. **Open Forum** - No Open Forum Discussions.

6. **County Judge's Office:**

A. **AI-41020** Approval of Proclamation declaring October 2013 as "Breast Cancer Awareness Month" in Hidalgo County

Karina Cardoza introduced representatives from Doctor's Hospital at Renaissance: Anabel Arreyano- Rodriguez, Cancer Center Director, and Gaby Gutierrez, Cancer Center Foundation Liason, Mario Lizcano, Director of Corporate Affairs; Karina then read the Proclamation.

On motion by COMMISSIONER PCT. 4, JOSEPH PALACIOS, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 Unanimously

7. **Executive Officer - Valde Guerra:**

On motion by COMMISSIONER, PCT. 4 JOSEPH PALACIOS, seconded by COMMISSIONER, PCT. 1 A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 - Unanimously

- 3. AI-41085 Acceptance and approval of an Amendment No. 1 to the AIA A101-2007 Standard Form of Agreement with D. Wilson Construction Company, for the "Remodel of Existing Old Administration Building (1st and 2nd Floor)," to reflect the cost of \$3,375,220.00 as approved in CC on 9/24/13.

On motion by COMMISSIONER, PCT. 1 A.C. CUELLAR, JR., seconded by COMMISSIONER, PCT. 4 JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 - Unanimously

B. Pct. 1

- 1. AI-40912 Requesting approval of the following claims/invoices with authority for the County Treasurer to issue payment/check after review, audit and processing procedures are completed by the County Auditor:

Table with 5 columns: Date, Invoice No., Vendor Name, Total Invoice, Account No. It lists four invoices from ASG SECURITY with dates ranging from 07/01/13 to 09/01/13 and various account numbers.

Marty explained that the Vendor will not change/provide the insurance the County needs; therefore, she has asked the departments to use a different Vendor that qualifies in all compliance issues.

On motion by COMMISSIONER, PCT. 1 A.C. CUELLAR, JR., seconded by COMMISSIONER, PCT. 2 HECTOR PALACIOS, the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 - Unanimously

- 2. AI-41038 Pursuant to contract with TEDSI Infrastructure Group, Article 14 of Contract #C-08-227-02-09 the request for approval by engineer to permit the subcontracting of subconsulting services in connection to Work Authorization No. 2 previously approved on August 6, 2013 for the "Mile 6W Project" in Precinct One.

On motion by COMMISSIONER, PCT. 4 JOSEPH PALACIOS, seconded by COMMISSIONER, PCT. 1 A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 - Unanimously

STATE OF TEXAS §

COUNTY OF HIDALGO §

**AMENDMENT NUMBER ONE
TO AIA A101-2007
STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR,
C-12-029-10-23**

This AMENDMENT to that certain AIA Document A 101-2007, Standard Form of Agreement Between Owner and County dated October 23, 2012, by and between D. Wilson Construction Company. (“the Contractor”) and **HIDALGO COUNTY, TEXAS** (“Owner”), is made between the Contractor and the Owner, (the “Amendment”), as follows:

WHEREAS, Architect and Owner executed that certain AIA Document A101-1997, Standard Form of Agreement Between Owner and Contractor dated October 23, 2012, in which the Contractor agreed to provide construction services for the remodel of Existing Old Administration Building (1st and 2nd Floor) (the “Agreement”);

WHEREAS, due to a delay in commencing the project by Owner, the Contractor and Owner have agreed to increase the contract sum in the amount of \$61, 220.00; and

WHEREAS, the parties desire to amend the Agreement as hereinafter provided.

NOW THEREFORE, for and in consideration of the terms and provisions set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner and Company hereby agree to the following amendment to the Agreement:


1. Article 4.1 of the Agreement is hereby deleted in its entirety and the following shall be inserted in lieu thereof:

The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor’s performance of the Contract. The Contract Sum shall be Three Million Three Hundred Seventy-Five Thousand Two Hundred Twenty and 00/100 Dollars (\$3,375,220.00).

2. Except as modified herein, all terms and conditions of the Agreement, as amended by this Amendment, remain in full force and effect and Architect and Owner ratify and confirm the terms and provisions of the Agreement, as amended by this Amendment.

EXECUTED IN DUPLICATE ORIGINALS and effective as of ____ day of ____,
2013 first written above.

D. WILSON CONSTRUCTION COMPANY,



Bill Wilson, President

HIDALGO COUNTY,



Ramon Garcia, County Judge

ATTEST:




Arturo Guajardo Jr., County Clerk

Approved by Commissioners' Court
on 10/17/13 Ro

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ

By: 

Stephen L. Crain