

STATE OF TEXAS           §  
  §  
COUNTY OF HIDALGO   §

**SECOND AMENDMENT TO PROFESSIONAL ENGINEERING SERVICES AGREEMENT  
(C-11-099-05-24)**

This **SECOND AMENDMENT** to the professional engineering services agreement for: **"Ground Water, Gas Monitoring and Groundwater Data Evaluation at Closed Landfill Site"** located within **Hidalgo County Precinct No. 4** in connection to contract# **E-15-185-04-28 (C-11-099-05-24)**, dated May 24, 2011, by and between **Hidalgo County, Texas** ("County") and **George M. "Mitch" Hudgins d/b/a Modern Technology-Modern Environment** ("Engineer") is entered into between the parties effective this **10<sup>TH</sup>** day of **May, 2016**.

**WHEREAS**, Engineer and County entered into an Agreement dated May 24, 2011, in which Engineer agreed to provide professional engineering services for the purpose of **"Ground Water, Gas Monitoring and Groundwater Data Evaluation at Closed Landfill Site"** located within **Hidalgo County Precinct No. 4** (the "Contract");

**WHEREAS**, TCEQ has advised the Engineer that the "Groundwater Sampling and Analysis Plan" (GWSAP) needs to be extended through amendment in accordance to article 7-amendments for the period of services in order to comply with TCEQ;

**WHEREAS**, the County desires to extend the term of the Agreement due to Engineer's experience with the closing of the landfill and TCEQ compliance issues;

**WHEREAS**, the Engineer, and County now desire to amend the Professional Services Agreement to amend the term of the agreement to extend for an additional (1) year period in order to remain in compliance with TCEQ; 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, County and Company hereby agree to the following amendment to the Contract:

1. The first sentence of numbered paragraph 2 of the Agreement is deleted in its entirety and the following is substituted in lieu thereof:
  2. Term. This Agreement shall commence upon approval of this Agreement and shall terminate on May 23, 2017 unless earlier terminated as provided herein.

2. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect and Company and County ratify and confirm the terms and provisions of the Contract as amended.

**EXECUTED IN DUPLICATE ORIGINALS** and effective as of the day and year first written above.

**ENGINEER:**  
**GEORGE M. "MITCH" HUDGINS**  
d/b/a/ **MODERN TECHNOLOGY-MODERN ENVIRONMENT**

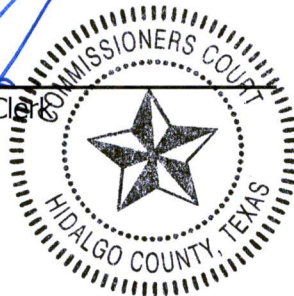
By: \_\_\_\_\_  
George M. "Mitch" Hudgins, P.E.

**HIDALGO COUNTY, TEXAS**

By: Ramon Garcia  
Ramon Garcia, County Judge

**ATTEST:**

By: Arturo Guajardo, Jr.  
Arturo Guajardo, Jr., County Clerk



APPROVED BY  
COMMISSIONERS' COURT  
ON: 5/10/16

**APPROVED AS TO FORM:**  
**Atlas, Hall & Rodriguez, L.L.P.**

By: Stephen L. Crain  
Stephen L. Crain, Attorney



Policy Number:

Date Entered: 11-17-2015

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/17/2015

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 Kelly, Honeycutt & Price, Inc. 5151 Flynn Pkwy, Suite 310 Corpus Christi, Texas 78411  NOV 20 2015	CONTACT NAME:		
	PHONE (A/C, No, Ext):	(361)225-4200	FAX (A/C, No): (361)225-0166
	E-MAIL ADDRESS:	tiffany@khpinet.com	
INSURED Modern Technology-Modern Environment George M (Mitch) Hudgins 548 Naples Street Corpus Christi, TX 78404	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A:	Texas Mutual Insurance Company	
	INSURER B:	Admiral Insurance Company	
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES CERTIFICATE NUMBER: 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 INSP	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			FEI-ECC-18299-02	11/14/2015	11/14/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 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 \$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			FEI-ECC-18299-02	11/14/2015	11/14/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB OCCUR CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	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	SBP0001205564	10/05/2015	10/05/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> 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
B	Professional Liability			FEI-ECC-18299-02	11/14/2015	11/14/2016	Each Claim 1,000,000
B	Contractors Pollution			FEI-ECC-18299-02	11/14/2015	11/14/2016	General Agg. 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Blanket Additional Insured & Blanket Waiver Of Subrogation As Required By A Written Contract Included For General Liability & Contractor's Pollution. Blanket Waiver Of Subrogation As Required By A Written Contract Included For Workers' Compensation.

### CERTIFICATE HOLDER

### CANCELLATION

Hidalgo County Purchasing Department  
Attn: Purchasing Dept.  
2802 S. Business Hwy 281  
Edinburg, Texas 78539

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

*Barbara J. Price*

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# 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

Certificate Number:  
2016-52283

Date Filed:  
05/09/2016

Date Acknowledged:

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

Modern Technology - Modern Environment, MTME, LLC  
Corpus Christi, TX United States

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

Hidalgo County Purchasing Department

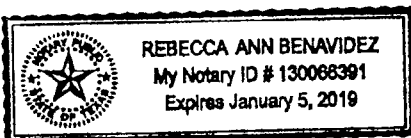
**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**

E-15-185-04-28 (C-11-099-05-24  
Groundwater and gas monitoring at Precinct 4 Closed Landfill

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

**5 Check only if there is NO Interested Party.**

**6 AFFIDAVIT** I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



George M. "Mith" Hudgins  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said George M Hudgins, this the 9<sup>th</sup> day of May, 2016, to certify which, witness my hand and seal of office.

Rebecca Benavidez      Rebecca Benavidez      New Accounts  
Signature of officer administering oath      Printed name of officer administering oath      Title of officer administering oath

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Hidalgo County Purchasing Department

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**5 Check only if there is NO Interested Party.**

**6 AFFIDAVIT**

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

\_\_\_\_\_  
 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said \_\_\_\_\_, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, to certify which, witness my hand and seal of office.

\_\_\_\_\_  
 Signature of officer administering oath

\_\_\_\_\_  
 Printed name of officer administering oath

\_\_\_\_\_  
 Title of officer administering oath

*[Handwritten signature]*

C. Authority for the Purchasing Department to negotiate a professional services agreement with the No. 1 ranked firm of \_\_\_\_\_ for professional surveying services for Pct. No. 2 Projects (on as needed basis).

- 2. AI-54545 Acceptance and approval of Work Authorization No. 3 (with an estimated cost of \$7,681.79) as submitted by project engineer, L&G Consulting Engineers, to provide construction material testing services for the Pct 2 Cesar Chavez Road Project through Contract# C-16-170-04-12.
- 3. AI-54542
  - a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional services;
  - b. Presentation of scoring grid (for the purpose of ranking by CC) of the firms graded & evaluated through the County's approved "pool" in connection with professional engineering services required for Precinct No. 2 Rancho Blanco Road Project:

	L&G CONSULTING ENGINEERS	JAVIER HINOJOSA ENGINEERING	HINOJOSA ENGINEERING, INC.
EVALUATOR NO. 1	98	95	97
RANKING			

c. Authority for the Purchasing Department to negotiate a professional engineering services agreement with No. 1 ranked firm of \_\_\_\_\_ for professional engineering services for Pct. 2's Rancho Blanco Road Project.

- 4. AI-54500 Acceptance and approval to execute the final form of a professional engineering services agreement (subject to legal counsel's review) with Millennium Engineers Group, for "On-Call Geo-technical, Construction Materials Testing, and Inspection Services for Road and Bridge, CIP, and other Projects in General," for Pct. #2, [as approved for negotiations on CC 4/19/16] and subject to compliance with HB23 and HB1295 [if and when applicable];

D. **Pct. 4**

- 1. AI-54541
  - A. Recommendation by project engineer, Le Fevre Engineering Management & Consulting, LLC to award the Base Bid to the responsible vendor submitting the lowest and best bid meeting all specifications, Saenz Utility Contractors, LLC of Edcouch, TX, in the total amount of \$22,303.75 for project- "Hidalgo County Precinct No. 4 - Off Site Turnkey Manhole Covers and/ with Installation:- subject to compliance with HB23 and/or HB1295 [when and/or if applicable];
  - B. Pursuant to TXLCG 262.031 and in the interest of expediting a project's progress, requesting authority/approval for the Precinct Commissioner or designee: Jesse Ozuna, [ unless otherwise voiced/announced by Commissioner Palacios] to execute change orders that involve 'an increase or decrease in cost of \$50,000.00 or LESS and in no event to exceed the Change Order's statutory limits. The original contract price may not be decreased by 18% or more without the consent of the contractor.

*[Handwritten initials: BNS, 1/13/17]*

2. AI-54548 **APPROVED** Acceptance and approval of "**Amendment No. 2**" to extend the **term of agreement for an additional one (1) year period as allowed under [article #7-amendments]** in connection to current agreement# **E-15-185-04-28 (C-11-099-05-24)** with **GEORGE M. "MITCH" HUDGINS d/b/a MODERN TECHNOLOGY-MODERN ENVIRONMENT** for the purposes of "Groundwater Sampling and Analysis Plan" (GWSAP) in order to remain in compliance with TCEQ, commencing, May 24, 2016, (subject to compliance with HB1295 and/or HB23 when and if applicable).

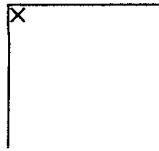
- 3. AI-54511
  - a. Requesting approval of an **(On Call) Professional Engineering Services Agreement** (approved for negotiations by CC on 04/19/16) with **HALFF ASSOCIATES, INC.** for: "**Building Repairs, Renovations, Alteration, Additions and/or Other Related Services to County Owned Buildings**" (on an as needed basis), utilized by various departments for projects located within **Hidalgo County Precinct #4**, (subject to compliance with HB1295 and/or HB23 when and if applicable).
  - b. Requesting approval of a professional appraisal services agreement with **LEONEL GARZA, JR. & ASSOCIATES, LLC** for the purposes of **(ON CALL) -"APPRAISAL SERVICES"** for: **The Fair Market Value Appraisals in connection with the Acquisition of Land, Rights of Way, Easements, Condemnations and Disposition of County owned Property located within Hidalgo County Precinct No. 4 (on an as needed basis)** and as (approved for negotiations by CC from the "POOL" of Appraisers on 04/19/16), (subject to compliance with HB1295 and/or HB23 when and if applicable).
  - c. Requesting approval of a professional appraisal services agreement with **PROFESSIONAL APPRAISAL SERVICE, INC.** for the purposes of **(ON CALL) -"APPRAISAL REVIEW SERVICES"** for projects located within **Hidalgo County Precinct No. 4** as approved for negotiations by CC from the "POOL" of Appraisers on 04/19/16), (subject to compliance with HB1295 and/or HB23 when and if applicable).

**SPECIAL MEETING - May 10, 2016**

**BE IT REMEMBERED, that on this 10th day of May 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:**

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

**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:**



**AGENDA  
CC REGULAR  
HIDALGO COUNTY  
COMMISSIONERS COURT  
MEETING  
May 10, 2016  
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 of the court were in attendance.
2. **Pledge of Allegiance**  
Judge Garcia led the courtroom in reciting the Pledge of Allegiance.
3. **Prayer**  
Mr. Domingo Villarreal led the courtroom in Prayer.
4. **Approval of Consent Agenda**  
The court move to approved the consent agenda for the exception of Items.2.X.,2.CC., 10.B., 10.O., & 10.DD. to be pulled for discussion.
5. **County Judge's Office:**
  - A. AI-54514 Recognizing the heroic actions of Abel and Robert Perez. The father and son team rescued two teenagers from drowning at South Padre Island on Saturday, April 30, 2016.
  - B. AI-54238 Proclamation declaring May 2016 as Mental Health Month in Hidalgo County.
  - C. AI-54510 Proclamation in honor of National Hospital Week, May 8 through May 14, 2016
  - D. AI-54513 Proclamation recognizing the week of May 8, 2016 as Economic Development Week in Hidalgo County.
6. **County Treasurer - Norma Garcia:**
  - A. AI-54491 Presentation & update of County's retirement system by Texas County & District Retirement System (TCDRS).
7. **Constables:**
  - A. AI-54356 Constable Precinct No. 1:  
Discussion, consideration, and approval to appoint John Paul Saucedo as Deputy Constable (Sergeant grade) by Constable Celestino Avila Jr, Constable Precinct 1 in accordance with Texas Local Government Code Section 86.011.
  - B. AI-54331 Constable Pct. 3 (1220):
    1. Approval of certification of revenues as certified by the County Auditor for the 2016 LEOSE Funds for Constable Pct. 3
    2. Approval of the appropriation of the 2016 LEOSE funds for the Constable Pct. 3 Department in the amount of \$1,900.33.
  - C. AI-54348 Constable Precinct 4:  
Discussion, consideration, and approval for Hidalgo County Constable Precinct 4 to enter into an Interlocal Cooperation Agreement with Hall County for the purposes of TLETS/NLETS access on their COPSync message switch.
8. **Tax Office - Paul Villarreal:**

- B. AI-54465 Approval of BlueCross BlueShield Benefit Program Application to apply a \$250 penalty for employees who fail to compare costs of MRI and CT scans on the new BlueCross BlueShield benefit, Benefit Value Advisor (BVA), approved by Commissioner's Court on 9/29/15 AI-51266 which took effect 1/1/16. Penalty, if approved by Commissioners Court, will be applied effective July 1, 2016.
- C. AI-54454 Various Departments (1285/1284/1100):  
Approval of the revised salary schedule, effective 04/04/16.
- D. AI-54434 Approval to submit request for funds (unclaimed capital credits) from Texas Comptroller of Public Accounts as authorized under Section 74.602 of the Texas Property Code, with authority for County Judge to sign the letter request.

E. **Budget Appropriations:**

- 1. AI-54445 Supplemental Court Guardianship (1250):  
Approval of 2016 appropriation of funds in the amount of \$50,000.00 to fund legal services.
- 2. AI-54388 Pct 4 Russell - M17 1/2(Canal-Ware) (1200):  
Approval of 2016 appropriation of funds from the R&B unreserved fund balance in the amount of \$345,881.00 to fund Pct 4 Russell Road Project.

F. **Interfund transfers:**

- 1. AI-54481 COPS Retention (1284):  
Approval of 2016 interfund transfer from Sheriff's Office (1100) to COPS Retention (1284) in the amount of \$1,284.56 to fund a deficit in salary and fringe benefits.

21. **Purchasing Department:**

**Notes:**

- A. FOR ANY CONTRACT(S) AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE AVAILABLE ON THE COUNTY INTRA-NET WEBSITE AND WILL BE FOWARDED VIA E-MAIL, FAX OR HAND DELIVERED TO HIDALGO COUNTY AUDITOR'S OFFICE.
- B. ANY AND ALL REQUESTS FOR PAYMENT(S) APPROVED WILL BE SUBJECT TO COUNTY AUDITORS PROCESSING PROCEDURES INCLUDING AUTHORITY FOR COUNTY TREASURER TO ISSUE PAYMENT(S)/CHECK(S).

A. **Hidalgo County**

- 1. AI-54459 Presentation of sole lowest responsible bid received [meeting all specifications and/or requirements] for the purpose of award and approval of contract document for project titled: Hidalgo County- "Maintenance & Repairs for Elevators Located in County Owned Buildings:" through RFB No.: 2016-074-05-10-SMA.
- 2. AI-54477 A. Requesting acceptance and approval of an "Amendment" to Sole Source Declaration for COPsync, Inc. to clarify and reflect the provision of "Turnkey Solutions" (i.e. any/all equipment, parts, incidentals, accessories and installation of same) through the life term of the declaration (all funding sources);  
B. Acceptance and approval to process of Requisition #294062 into a Purchase Order as it qualifies under the Amended Sole Source Declaration for COPsync.
- 3. AI-54162 Acceptance and approval of Sole Response received and meeting all specifications and / or requirements (as detailed in the documentation contained herein) for the purpose of award and approval of contract for Request for Bid titled: Hidalgo County - "Extraction Of Water Services (DeWatering)" through project No.: 2016-134-03-30-FAZ.

B. **Pct. 1**

- 1. AI-54475 Approval to exercise the option to renew/extend for a one (1) year extension (as permitted in contract) with Southern Star Transport, LTD, under the same terms and conditions for "Hauling Services for Millings" - Precinct #1.

C. **Pct. 2**

- 1. AI-54543 A. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional service;

B. Presentation of scoring grid (for the purposes of ranking by CC) of the firms graded and evaluated through the County's approved "pool" of professional surveying services for Pct No. 2 Projects (on as needed basis).

	CDS MUERY	QUINTANILLA, HEADLEY & ASSOC	R.O.W. SURVEYING SERVICES
SCORE	96	94	95
RANKING			