



## Travis County Commissioners Court Agenda Request

**Meeting Date:** September 9, 2014, 9:00 AM, Voting Session

**Prepared By/Phone Number:** John E. Pena, CPPB, CTPM; Marvin Brice, CPPB, Purchasing Office, 512-854-9700

**Elected/Appointed Official/Dept. Head:** Cyd Grimes, Purchasing Agent

**Commissioners Court Sponsor:** Judge, Samuel T. Biscoe

**AGENDA LANGUAGE:** APPROVE CONTRACT AWARD FOR FISCAL YEAR 2014 HMAC OVERLAY PROGRAM, IFB NO. B1407-006-JE, TO THE LOW BIDDERS APAC OF TEXAS, INC. FOR GROUPS A, B, C & D AND LONE STAR PAVING CO. FOR GROUP E.

- **Purchasing Recommendation and Comments:** Purchasing concurs with department and recommends approval of requested action. This procurement action meets the compliance requirements as outlined by the statutes.
- IFB No. B1407-006-JE, Fiscal Year 2014 HMAC Overlay Program was issued on July 28, 2014. This project consist of roadway construction services for the HMAC Overlay Program in Precincts 1 (Group A); 2 (Group B); 3 (Group C); 4 (Group D); LCRA/Travis County Parks (Group E).
- Of the 2206 vendors notified, only twenty-six (26) bids were either downloaded or viewed via Travis County's third party e-procurement vendor system, BidSync. Four (4) bids were received in response to this solicitation when subject IFB was opened on August 20, 2014 at 2:00 P.M., CST. The apparent low bidders are APAC of Texas, Inc.(Wheeler Companies) and Lone Star Paving Company as follows:

**APAC of Texas, Inc. (Wheeler Companies)**

Precinct 1	Group A	\$ 2,011,434.47
Precinct 2	Group B	\$ 92,649.60
Precinct 3	Group C	\$ 79,887.45
Precinct 4	Group D	\$ 1,319,469.41
<b>Total Recommendation for Award</b>		<b><u>\$ 3,503,440.93</u></b>

**Lone Star Paving Company**

Precinct 1	Group E	\$ 100,900.00
<b>Total Recommendation for Award</b>		<b><u>\$ 100,900.00</u></b>

There were no HUB vendors that responded to subject solicitation.

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, [Cheryl.Aker@co.travis.tx.us](mailto:Cheryl.Aker@co.travis.tx.us) by **Tuesdays at 5:00 p.m.** for the next week's meeting.

- Actual construction of work is commencing in Fiscal Year 2015 using funds from Fiscal Year 2014 due to standard practice of bonds being issued in June of each calendar which delays the start of the overlay program each year.
- TNR is recommending, with the Purchasing Office concurrence, contract award to APAC-Texas (Wheeler Companies) and Lone Star Paving, Co. as the lowest responsive and responsible bidders. TNR has deemed the price fair and reasonable.
- **Contract Expenditures:** Within the last 12 months \$0.00 has been spent against the 2014 HMAC Overlay Program contract.
- **Contract-Related Information:**
  - Award Amount: \$3,503,440.93/APAC-Texas, and  
\$100,900.00/Lone Star Paving
  - Contract Type: Construction
  - Contract Period: Through Completion
- **Contract Modification Information:** N/A
  - Modification Amount:
  - Modification Type:
  - Modification Period:
- **Solicitation-Related Information:**

Solicitations Sent: 26	Responses Received: 4
HUB Information: None	% HUB Subcontractor: 0%
- **Special Contract Considerations:** N/A
  - Award has been protested; interested parties have been notified.
  - Award is not to the lowest bidder; interested parties have been notified.
  - Comments:
- **Funding Information:**
  - Funds Reservation: 300001217
  - Cost Center: As shown in related attachments

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, [Cheryl.Aker@co.travis.tx.us](mailto:Cheryl.Aker@co.travis.tx.us) by Tuesdays at 5:00 p.m. for the next week's meeting.

**TRANSPORTATION AND NATURAL RESOURCES**

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE



700 Lavaca Street-5<sup>th</sup> Floor  
Travis County Administration Building  
PO Box 1748  
Austin, Texas 78767  
Phone: (512) 854-9383  
Fax: (512) 854-4697

August 25, 2014

**MEMORANDUM**

**TO:** Marvin Brice, Assistant Purchasing Agent

**FROM:** *Carl B. [Signature]*  
Steven M. Manilla, P.E., County Executive

**SUBJECT:** Place Item on Commissioners Court Agenda to Award a Construction Services Contract for the FY 2014 HMAC Overlay Program – (Group A, B, C, D)

**Proposed Motion:** Award construction service contract for the above project in the amount of \$3,503,440.93 to the apparent low bidder APAC of Texas – (Wheeler Companies).

**Summary and Staff Recommendation:** On August 20, 2014, Travis County received bids from four vendors in response to IFB B1407-006-JE. TNR has reviewed the bids and would like to award the construction contract for work in Precincts 1, 2, 3, 4 (\$3,503,440.93) to the apparent low bidder APAC-Texas, Inc. The \$3,503,440.93 is encumbered under funds reservation number 300001217.

**Required Authorizations:** Planning and Budget, County Attorney's Office, Auditor's Office.

**Attachments:** Funding information  
Bid tabulation summary

TDG:SMM:tdg

**Copy:** *Chib* Jessica Rio, Planning & Budget Office  
John Peña, Purchasing  
Don Ward, TNR  
Charles Bergh, TNR  
Tawana Gardner, TNR  
Isabelle Lopez, TNR

**Budgetary and Fiscal Impact:** The account numbers for this work are as follows:

<b>Group</b>					
<b>A</b>	<b>Fund</b>	<b>Fund Center</b>	<b>GL Account</b>	<b>GL</b>	<b>Amount</b>
<b>Precinct 1</b>	4084	1490200000	522040	600032	\$ 2,011,434.47
<b>Total Precinct 1</b>					<b>\$ 2,011,434.47</b>
<b>B</b>					
<b>Precinct 2</b>	4084	1490200000	522040	600032	\$ 92,649.60
<b>Total Precinct 2</b>					<b>\$ 92,649.60</b>
<b>C</b>					
<b>Precinct 3</b>	4084	149020000	522040	600032	\$ 79,887.45
<b>Total Precinct 3</b>					<b>\$ 79,887.45</b>
<b>D</b>					
<b>Precinct 4</b>	4084	149020000	522040	600032	\$ 1,319,469.41
<b>Total Precinct 4</b>					<b>\$ 1,319,469.41</b>

**Total Award \$ 3,503,440.93**

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**TRAVIS COUNTY PURCHASING  
CONSTRUCTION CONTRACT - BID TABULATION FORM**

BID NO.: IFB No.: B1407-006-JE August 20, 2014  
 DESCRIPTION: Fiscal Year 2014 HMAC Overl 2:00 P.M., CST  
 DEPARTMENT: TNR November 19, 2014  
 CONTACT/NO.: Scott Lambert x49383; Don Ward x49383

BIDS SOLICITED: 2206  
 HUBS SOLICITED: 0  
 BIDS ACT. VIEWED: 26  
 BIDS RECEIVED: 4  
 HUBS RECEIVED: 0

<b>Bidder's Name</b>		<b>Angel Brothers Enterprises, LTD</b>	<b>APAC-Texas, Inc. / Wheeler Companies</b>	<b>Austin Material LLC., d/b/a Ramming Paving</b>	<b>Lone Star Paving Company</b>
<b>GROUP A (PRECINCT ONE)</b>					
Group A - A1	Levelup	\$876,225.00	\$492,355.00	\$625,875.00	\$0.00
Group A - A2	1&1/2" HMAC	\$2,274,452.95	\$1,510,625.97	\$1,909,567.45	\$0.00
Group A - A3	Excavation	\$9,884.00	\$4,942.00	\$8,825.00	\$0.00
Group A - A1	Tabs	\$2,341.00	\$3,511.50	\$2,341.00	\$0.00
<b>Group A - Total Bid Amount</b>		<b>\$3,162,902.95</b>	<b>\$2,011,434.47</b>	<b>\$2,546,608.45</b>	<b>\$0.00</b>
<b>GROUP B (PRECINCT TWO)</b>					
Group B - B1	Levelup	\$0.00	\$19,462.20	\$32,600.00	\$0.00
Group B - B2	1&1/2" HMAC	\$0.00	\$72,732.40	\$102,440.00	\$0.00
Group B - B3	Excavation	\$0.00	\$266.00	\$1,900.00	\$0.00
Group B - B4	Tabs	\$0.00	\$189.00	\$126.00	\$0.00
<b>Group B - Total Bid Amount</b>		<b>\$0.00</b>	<b>\$92,649.60</b>	<b>\$137,066.00</b>	<b>\$0.00</b>
<b>GROUP C (PRECINCT THREE)</b>					
Group C - C1	Levelup	\$0.00	\$18,075.75	\$23,475.00	\$26,918.00
Group C - C2	1&1/2" HMAC	\$0.00	\$61,439.20	\$100,720.00	\$90,648.00
Group C - C3	Excavation	\$0.00	\$224.00	\$1,600.00	\$1,120.00
Group C - C4	Tabs	\$0.00	\$148.50	\$99.00	\$990.00
<b>Group C - Total Bid Amount</b>		<b>\$0.00</b>	<b>\$79,887.45</b>	<b>\$125,894.00</b>	<b>\$119,676.00</b>
<b>GROUP D (PRECINCT FOUR)</b>					
Group D - D1	Levelup	\$527,100.00	\$271,080.00	\$376,500.00	\$0.00
Group D - D2	1&1/2" HMAC	\$1,556,616.05	\$1,043,848.41	\$1,315,215.70	\$0.00
Group D - D3	Excavation	\$5,320.00	\$2,660.00	\$9,500.00	\$0.00
Group D - D4	Tabs	\$1,254.00	\$1,881.00	\$1,254.00	\$0.00
<b>Group D - Total Bid Amount</b>		<b>\$2,090,290.05</b>	<b>\$1,319,469.41</b>	<b>\$1,702,469.70</b>	<b>\$0.00</b>

**GROUP E (LCRA/TRAVIS COUNTY PARKS - PACE BEND PARK)**

Group E - E1	Flex Base	\$0.00	\$76,128.00	\$122,000.00	\$43,920.00
Group E - E2	2" Type D HMAC	\$0.00	\$45,872.00	\$58,560.00	\$51,240.00
Group E - E3	Excavation	\$0.00	\$168.00	\$1,200.00	\$840.00
Group E - E4	Prime Coat	\$0.00	\$3,920.00	\$4,900.00	\$4,900.00
<b>Group E - Total Bid Amount</b>		<b>\$0.00</b>	<b>\$126,088.00</b>	<b>\$186,660.00</b>	<b>\$100,900.00</b>
<hr/>					
<b>Groups A, B, C, D, E</b>		<b>\$5,253,193.00</b>	<b>\$3,629,528.93</b>	<b>\$4,698,698.15</b>	<b>\$220,576.00</b>
<hr/>					
Award Sept 2014, Group A Precinct 1			\$2,011,434.47		
Award Sept 2014, Group B Precinct 2			\$92,649.60		
Award Sept 2014, Group C Precinct 3			\$79,887.45		
Award Sept 2014, Group D Precinct 4			\$1,319,469.41		
	<b>Subtotal Pcts 1-4</b>		<b>\$3,503,440.93</b>		
	<b>Overall Total to Award APAC</b>		<b>\$3,503,440.93</b>		
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Award Sept 2014, Group E LCRA Parks			\$100,900.00		
	<b>Subtotal LCRA/Travis County Parks</b>		<b>\$100,900.00</b>		
	<b>Overall Total to Award Lone Star Paving</b>		<b>\$100,900.00</b>		

**TRANSPORTATION AND NATURAL RESOURCES**

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE



700 Lavaca Street-5<sup>th</sup> Floor  
Travis County Administration Building  
PO Box 1748  
Austin, Texas 78767  
Phone: (512) 854-9383  
Fax: (512) 854-4697

August 25, 2014

**MEMORANDUM**

**TO:** Marvin Brice, Assistant Purchasing Agent

*Carol B. Jones for*  
**FROM:** Steven M. Manilla, P.E., County Executive

**SUBJECT:** Place Item on Commissioners Court Agenda to Award a Construction Services Contract for the FY 2014 HMA Overlay Program – (Group E)

**Proposed Motion:** Award construction service contract for the above project in the amount of \$100,900.00 to the apparent low bidder Lone Star Paving Company.

**Summary and Staff Recommendation:** On August 20, 2014, Travis County received bids from four vendors in response to IFB B1407-006-JE. TNR has reviewed the bids and would like to award the construction contract for work for LCRA Pace Bend Park (\$100,900.00) to the apparent low bidder, Lone Star Paving Company. The \$100,900.00 is encumbered under funds reservation number 300001217.

**Required Authorizations:** Planning and Budget, County Attorney's Office, Auditor's Office.

**Attachments:** Funding information  
Bid tabulation summary  
LCRA Approval Letter

TDG:SMM:tdg

**Copy:** Jessica Rio, Planning & Budget Office  
*Auto* John Peña, Purchasing  
Don Ward, TNR  
Charles Bergh, TNR  
Tawana Gardner, TNR  
Isabelle Lopez, TNR

**Budgetary and Fiscal Impact:** The account numbers for this work are as follows:

<b>Group</b>					
<b>E</b>	<b>Fund</b>	<b>Fund Center</b>	<b>GL Account</b>	<b>GL</b>	<b>Amount</b>
<b>LCRA Pace Bend</b>	<b>0109</b>	<b>1490220109</b>	<b>522030</b>	<b>600828</b>	<b>\$ 100,900.00</b>
				<b>Total Precinct 1</b>	<b>\$ 100,900.00</b>

**Total Award \$ 100,900.00**



**GROUP E (LCRA/TRAVIS COUNTY PARKS - PACE BEND PARK)**

Group E - E1	Flex Base	\$0.00	\$76,128.00	\$122,000.00	\$43,920.00
Group E - E2	2" Type D HMA	\$0.00	\$45,872.00	\$58,560.00	\$51,240.00
Group E - E3	Excavation	\$0.00	\$168.00	\$1,200.00	\$840.00
Group E - E4	Prime Coat	\$0.00	\$3,920.00	\$4,900.00	\$4,900.00
<b>Group E - Total Bid Amount</b>		<b>\$0.00</b>	<b>\$126,088.00</b>	<b>\$186,660.00</b>	<b>\$100,900.00</b>
<b>Groups A, B, C, D, E</b>		<b>\$5,253,193.00</b>	<b>\$3,629,528.93</b>	<b>\$4,698,698.15</b>	<b>\$220,576.00</b>
Award Sept 2014, Group A Precinct 1			\$2,011,434.47		
Award Sept 2014, Group B Precinct 2			\$92,649.60		
Award Sept 2014, Group C Precinct 3			\$79,887.45		
Award Sept 2014, Group D Precinct 4			\$1,319,469.41		
			<b>Subtotal Pcts 1-4</b>	<b>\$3,503,440.93</b>	
			<b>Overall Total to Award APAC</b>	<b>\$3,503,440.93</b>	
Award Sept 2014, Group E LCRA Parks			\$100,900.00		
			<b>Subtotal LCRA/Travis County Parks</b>	<b>\$100,900.00</b>	
			<b>Overall Total to Award Lone Star Paving</b>	<b>\$100,900.00</b>	



**TRANSPORTATION AND NATURAL RESOURCES**

**STEVEN P. MANILLA, P.E. - COUNTY EXECUTIVE**

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700 Lavaca, Suite 540  
Austin, TX 78767  
PO Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-9436

July 25, 2014

Ben Hayes  
Real Estate Representative, Sr.  
Lower Colorado River Authority  
3700 Lake Austin Blvd.  
Austin, Texas 78703

**Subject: Pace Bend Park – Kate’s & Johnson Road Paving Project**

Dear Mr. Hayes:

We are requesting that the LCRA authorize funding from the LCRA/Travis County CIP Account for improvements and upgrades to the existing unimproved roadways at Pace Bend Park.

The County is in the process of awarding a new paving contract for FY14/15. In the contract, the cost for 2” HMA overlay will be awarded at a very low cost to the County. We would like to take advantage of this contract and its low cost HMA application to upgrade unimproved roadways at Kate’s & Johnson Cove at Pace Bend. In addition, the HMA overlay will provide increased protection for the roadways and the natural environment in the long run by offering a defined roadway that will help keep visitors from driving wherever they want.

**Pace Bend Park – Kate’s and Johnson Cove HMA Overlay:**

The County is requesting to complete the roadways at Kate’s and Johnson Coves to provide safer access for our park visitors. These roadways include unimproved roads adjacent to the camping areas on the north end of the park at Kate’s & Johnson Coves. These paved roadways will not only benefit our park visitors, but will enable timelier and safer responses for emergency responders and law enforcement.

Kate’s and Johnson Cove Roads were approved for funding last year but were not constructed because of a miscalculation in base preparation and materials estimates. This year’s request will be for the current cost of construction, less the amount not spent last year for this project. This amount was \$61,620.44 and will be applied to this year’s project.

The LCRA has approved escrow funding for HMAC overlay upgrades at Pace Bend in the past. This has included Pace Bend Park Road, Grisham Trail, the Improved Campground roadways and various transition areas and previously unimproved roadways throughout the park.

The table that follows details the costs of the Pace Bend Park paving projects based on the lowest bid received for this year's contract. We would like to add this project to the existing contract and take advantage of this year's low paving costs.

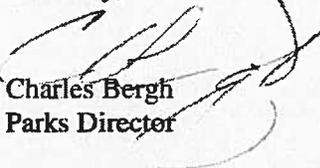
Road	Flex-base	2" Overlay	Excavation	Prime-coat	Total
Kate's & Johnson Loop	\$22,540.00	34,185.67	336.00	\$26,296.67	\$60,734.33
Kate's Cove Circle	\$6,730.00	\$10,207.17	\$84.00	\$7,851.61	\$18,142.83
	\$29,270.00	\$44,392.83	\$336.00	34148.33	\$78,877.17
Rollover from FY14					\$61,620.44
Balance Total					\$17,256.73

Because there are still some unknown costs associated with erosion control measures and possibly other unforeseen costs relating to these projects, we are requesting an additional 20% contingency to cover these expenses, or \$15,775.

**The total cost for this request is approximately \$33,032.**

We appreciate your review and consideration of this request. If you have any questions, please feel free to contact me at 854-9408.

Sincerely,



Charles Bergh  
Parks Director

CB:dp  
4501 LCRA Parks – Paving Request

xc: Carolyn Nelson - Parks Director, LCRA  
Cynthia McDonald, Financial Manager  
Donna Williams, Financial Services  
Isabelle Lopez, Financial Services  
Robert Armistead, Parks Division Manager  
Dan Perry, Parks District Manager  
Keith Rawlings, Pace Bend Park Supervisor

I approve this Funding Request:

Signature: Ben Hayes

Printed Name: Ben Hayes

Title: Senior Real Estate Representative

Organization: L.C.R.A.

Date: 8-13-2014

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

This Agreement for Construction Services (the "Construction Contract" or "Contract") is made and entered into this day by and between Travis County, Texas, a political subdivision of the State of Texas (the "County") and APAC-Texas, Inc./Wheeler Companies (the "Contractor") and will be binding upon their respective executors, administrators, heirs, successors, and assigns.

WHEREAS, the County desires to enter into a contract for the construction of Fiscal Year 2014 HMAc Overlay Program in Travis County, Texas, in accordance with the provisions of state statutes and conforming to the Contractor's Notice of Construction, Bid Proposal (including the Bidding Documents, Bid Form, and any Addenda or Amendments thereto), General Conditions, Supplementary Conditions, and the Specifications and Plans marked Fiscal Year 2014 HMAc Overlay Program, (IFB No. B1407-006-JE) all of which are incorporated herein.

WHEREAS, the Contractor has been engaged in and now does comparable work and represents that it is fully equipped, competent, and capable of performing the above- desired and outlined work, and is ready and willing to perform such work in accordance with all provisions of the abovementioned Specifications and Plans marked IFB No. B1407-006-JE.

NOW THEREFORE, in consideration of the County's promise to pay the amount below as totaled in the Bid Proposal hereto attached and made part of this Contract, the Contractor agrees to do at his own proper cost and expense all the work necessary for the construction of Fiscal Year 2014 HMAc Overlay Program in Travis County, Texas in accordance with the provisions of the aforementioned Contractor's Notice of Construction, the Bid Proposal as awarded by the Commissioners Court, and the Specifications and Plans marked IFB No. B1407-006-JE to the satisfaction of the County Executive of the Transportation and Natural Resources Department of Travis County, Texas.

This contract document, the Contractor's Notice of Construction, the Bid Proposal (including the Bidding Documents, the Bid Form, and any Addenda or Amendments thereto), and the Specifications and Plans marked IFB No. B1407-006-JE represents the entire and integrated contract between the County and the Contractor and supersedes all prior negotiations, representations, or agreements, either oral or written. This Contract may be amended only by written instrument signed by both the County and the Contractor.

The said Contractor further agrees to be available for work within 14 calendar days, and to complete the work within fiscal year of 2014, and extend if necessary and at the discretion of Travis County, after receiving a written "Notice to Proceed".

Travis County, Texas, in consideration of the full and true performance of the said work by said Contractor, hereby agrees and binds itself to pay to said Contractor the total contract amount of \$3,503,440.93 for work in Precinct One (Group A), Precinct Two (Group B), Precinct Three (Group C) and Precinct Four (Group D), consisting of \$3,485,000.00 for materials to be incorporated into the Project or completely consumed at the job site and services required by or integral to the performance of the contract and \$18,440.93 for all other charges, including the cost of other services, overhead, materials which do not become part of the finished project or are reusable, and machinery or equipment and its accessory, repair, or replacement parts, and in the manner provided for, within 30 calendar days from the receipt of an acceptable invoice. This division of the contract amount is made for sales tax purposes only. The Contractor

must maintain internal records to verify the division. The Contractor must make these records available upon the request of the Travis County Auditor.

This contract will be construed according to the laws of the State of Texas. The performance for this Contract must be in Travis County, and venue for any action will lie in Travis County, Texas. The Contractor warrants that the completed project must be adequate for the purposes intended.

Notwithstanding anything to the contrary herein, if Contractor is delinquent in payment of taxes at the time of invoicing, Contractor hereby assigns any payments to be made for service rendered under this Contract to the Travis County Tax Assessor-Collector for the payment of said delinquent taxes.

NO OFFICIAL, EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE COUNTY HAS ANY AUTHORITY, EITHER EXPRESSED OR IMPLIED, TO AMEND THIS CONTRACT, EXCEPT SUCH EXPRESS AUTHORITY AS MAY BE GRANTED BY THE COMMISSIONERS COURT OF THE COUNTY.

The forfeiture provisions of the contract imposed pursuant to the Travis County Ethics Policy may be waived in whole or in part by the Travis County Commissioners Court.

EXECUTED THIS 25 DAY OF AUGUST, YEAR 2014.

TRAVIS COUNTY, TEXAS

APAC-TEXAS, INC./WHEELER

Contractor Name

BY: \_\_\_\_\_  
TRAVIS COUNTY JUDGE

BY:  \_\_\_\_\_

APPROVED AS TO FORM:

APPROVED:

\_\_\_\_\_  
TRAVIS COUNTY ATTORNEY

\_\_\_\_\_  
COUNTY PURCHASING AGENT

CERTIFIED FUNDS ARE AVAILABLE

\_\_\_\_\_  
TRAVIS COUNTY AUDITOR

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

This Agreement for Construction Services (the "Construction Contract" or "Contract") is made and entered into this day by and between Travis County, Texas, a political subdivision of the State of Texas (the "County") and Lone Star Paving Company (the "Contractor") and will be binding upon their respective executors, administrators, heirs, successors, and assigns.

WHEREAS, the County desires to enter into a contract for the construction of Fiscal Year 2014 HMAC Overlay Program in Travis County, Texas, in accordance with the provisions of state statutes and conforming to the Contractor's Notice of Construction, Bid Proposal (including the Bidding Documents, Bid Form, and any Addenda or Amendments thereto), General Conditions, Supplementary Conditions, and the Specifications and Plans marked Fiscal Year 2014 HMAC Overlay Program, (IFB No. B1407-006-JE) all of which are incorporated herein.

WHEREAS, the Contractor has been engaged in and now does comparable work and represents that it is fully equipped, competent, and capable of performing the above- desired and outlined work, and is ready and willing to perform such work in accordance with all provisions of the abovementioned Specifications and Plans marked IFB No. B1407-006-JE.

NOW THEREFORE, in consideration of the County's promise to pay the amount below as totaled in the Bid Proposal hereto attached and made part of this Contract, the Contractor agrees to do at his own proper cost and expense all the work necessary for the construction of Fiscal Year 2014 HMAC Overlay Program in Travis County, Texas in accordance with the provisions of the aforementioned Contractor's Notice of Construction, the Bid Proposal as awarded by the Commissioners Court, and the Specifications and Plans marked IFB No. B1407-006-JE to the satisfaction of the County Executive of the Transportation and Natural Resources Department of Travis County, Texas.

This contract document, the Contractor's Notice of Construction, the Bid Proposal (including the Bidding Documents, the Bid Form, and any Addenda or Amendments thereto), and the Specifications and Plans marked IFB No. B1407-006-JE represents the entire and integrated contract between the County and the Contractor and supersedes all prior negotiations, representations, or agreements, either oral or written. This Contract may be amended only by written instrument signed by both the County and the Contractor.

The said Contractor further agrees to be available for work within 14 calendar days, and to complete the work within fiscal year of 2014, and extend if necessary and at the discretion of Travis County, after receiving a written "Notice to Proceed".

Travis County, Texas, in consideration of the full and true performance of the said work by said Contractor, hereby agrees and binds itself to pay to said Contractor the total contract amount of \$100,900.00 for work in LCRA / Travis County Parks (Group E), consisting of \$72,000.00 for materials to be incorporated into the Project or completely consumed at the job site and services required by or integral to the performance of the contract and \$28,900.00 for all other charges, including the cost of other services, overhead, materials which do not become part of the finished project or are reusable, and machinery or equipment and its accessory, repair, or replacement parts, and in the manner provided for, within 30 calendar days from the receipt of an acceptable invoice. This division of the contract amount is made for sales tax purposes only. The Contractor must maintain internal records to verify the division. The

Contractor must make these records available upon the request of the Travis County Auditor.

This contract will be construed according to the laws of the State of Texas. The performance for this Contract must be in Travis County, and venue for any action will lie in Travis County, Texas. The Contractor warrants that the completed project must be adequate for the purposes intended.

Notwithstanding anything to the contrary herein, if Contractor is delinquent in payment of taxes at the time of invoicing, Contractor hereby assigns any payments to be made for service rendered under this Contract to the Travis County Tax Assessor-Collector for the payment of said delinquent taxes.

NO OFFICIAL, EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE COUNTY HAS ANY AUTHORITY, EITHER EXPRESSED OR IMPLIED, TO AMEND THIS CONTRACT, EXCEPT SUCH EXPRESS AUTHORITY AS MAY BE GRANTED BY THE COMMISSIONERS COURT OF THE COUNTY.

The forfeiture provisions of the contract imposed pursuant to the Travis County Ethics Policy may be waived in whole or in part by the Travis County Commissioners Court.

EXECUTED THIS 25<sup>th</sup> DAY OF August, YEAR 2014.

TRAVIS COUNTY, TEXAS

LONE STAR PAVING COMPANY

Contractor Name

BY: \_\_\_\_\_  
TRAVIS COUNTY JUDGE

BY: [Signature]

APPROVED AS TO FORM:

APPROVED:

\_\_\_\_\_  
TRAVIS COUNTY ATTORNEY

\_\_\_\_\_  
COUNTY PURCHASING AGENT

CERTIFIED FUNDS ARE AVAILABLE

\_\_\_\_\_  
TRAVIS COUNTY AUDITOR

# Funds Reservation 300001217

General Data			
Document type	FC	Document type	030
Company code	1000	Document date	07/01/2014
FM area	1000	Posting date	07/01/2014
Controlling area	1000	Currency	USD/ 1.00000
Statistics			
Entered by	GARDNET	Created on	07/01/2014
Last changed by		Last changed	
More Data			
Text	FY14 HMAC		
Reference			
Overall Amount	4,226,334.80 USD		

Document item 001			
Text	FY14 HMAC PCT 1, 2, 3, 4		
Commitment item	522040	Funds center	1490200000
Fund	4084	G/L account	522040
Cost center		Due on	
Vendor		Customer	
Amount	4,050,000.00 USD		

Document item 002			
Text	FY14 HMAC LCRA/TC PACE BEND		
Commitment item	522030	Funds center	1490220109
Fund	0109	G/L account	522030
Cost center	1490220109	Due on	
Vendor		Customer	
Amount	176,334.80 USD		