

Estimate and Certification for Payment

PROJECT: Construction of Old Richmond Road from Voss to West Airport

P.O. No. 71171

OWNER: Fort Bend County
 Address: 1124 Blume Rd.
Rosenberg, Texas 77471

ATTN: Louis E. Hood, P.E.

Estimate No: 6-Final
 Invoice No: 201110-115A
 Start Date: 06-06-2011
 Current Contract Completion Date: 09-04-2011
 Estimate Cut Off Date: 10-28-2011
 Date of Estimate: 10-28-2011

Initial Contract Time	<u>090</u>	days
Current Approved Extensions ±	<u>000</u>	days
Previous Approved Extensions ±	<u>000</u>	days
Total Contract Time	<u>090</u>	days
Spent Days	<u>080</u>	days
Days Remaining	<u>010</u>	days
Rain Days to Date	<u>010</u>	days

A. Contract Amount to Date:			
1. Contract Price:			<u>\$738,635.80</u>
2. Approved Change Orders:	<u>1</u>	<u>-\$1,130.72</u>	
Total Changes to Date:		+ or - <u>-\$1,130.72</u>	
		Total Contract Amount:	<u>\$737,505.08</u>

B. Earnings to Date:			
1. Previous Work Completed:	_____	Previous Earnings:	<u>\$737,505.08</u>
2. Work Completed this Period:	_____	Earnings This Period:	<u>\$0.00</u>
3. Materials on Site:			<u>\$0.00</u>
		Total Earnings:	<u>\$737,505.08</u>

C. Reductions:			
1. Retainage:	<u>0%</u>	of <u>\$737,505.08</u>	<u>\$0.00</u>
		Total Payments Due:	<u>\$737,505.08</u>
		Less Previous Payments:	<u>\$663,754.57</u>
		Total Amount Due Contractor This Estimate:	<u>\$73,750.51</u>

The undersigned Contractor certifies that to the best of his knowledge, information, and belief that the Work has been completed in accordance with the Plans and Specifications and the current payment shown on this Application for Payment is now due.

Prepared By: Joseph L. Berry V.P. Date: 10-28-11
 Contractor: Durwood Greene Construction Co.

The foregoing estimate of work completed is true and correct to the best of my knowledge and belief.

Approved by: Steven R. Evans Date: 11-1-11
 Project Representative:

Approved by: Louis E. Hood Date: 11-01-11
 Engineer:

CONTRACTOR: Durwood Greene Construction Co.
P. O. Box 1338
Stafford, Texas 77497-1338

OWNER: Fort Bend County

DATE: 28-Oct-11
INVOICE NO.: 201110-115A
JOB NO.: 1715
EST. NO.: 6-FINAL

ENGINEER: AECOM Technical Services, Inc.
5757 Woodway, Suite 101 West
Houston, TX 77057

PROJECT: Old Richmond Road
Voss to West Airport

ITEM	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT PRICE	CONTRACT AMOUNT	COMPLETED TO DATE QUANTITY	COMPLETED TO DATE AMOUNT	COMPLETE LAST ESTIMATE QUANTITY	COMPLETE LAST ESTIMATE AMOUNT	COMPLETE THIS ESTIMATE QUANTITY	COMPLETE THIS ESTIMATE AMOUNT
SITE PREP & EARTHWORK											
1	PROJECT SIGNS	EA	1.00	1,000.00	1,000.00	1.00	1,000.00	1.00	1,000.00	0.00	0.00
2	REMOVE & DISPOSE OF EXIST CONCRETE CURB	LF	37.00	4.00	148.00	37.00	148.00	37.00	148.00	0.00	0.00
3	REMOVE & DISPOSE OF EXIST ASPHALT & BASE	SY	5,757.00	2.50	14,392.50	5,757.00	14,392.50	5,757.00	14,392.50	0.00	0.00
4	ROADWAY EXCAVATION INCL STRIPPING	CY	7,718.00	6.00	46,308.00	7,718.00	46,308.00	7,718.00	46,308.00	0.00	0.00
5	REMOVE & RELOCATE EXIST WOODEN FENCING	LF	307.00	9.00	2,763.00	307.00	2,763.00	307.00	2,763.00	0.00	0.00
6	REMOVE & DISPOSE OF EXIST CONCRETE PIPE, ALL SIZE	LF	200.00	15.00	3,000.00	232.00	3,480.00	232.00	3,480.00	0.00	0.00
7	REMOVE & RELOCATE OR DISPOSE OF SIGNS & MAILBO	LS	1.00	1,000.00	1,000.00	1.00	1,000.00	1.00	1,000.00	0.00	0.00
							69,091.50		69,091.50		0.00
PAVING											
8	6" LIME STABILIZED SUBGRADE	SY	9,246.00	2.00	18,492.00	9,246.00	18,492.00	9,246.00	18,492.00	0.00	0.00
9	LIME	TON	137.00	150.00	20,550.00	172.40	25,860.00	172.40	25,860.00	0.00	0.00
10	8" HMAC BLACK BASE, PAVEMENT & DRIVEWAYS	TON	4,088.00	60.00	245,280.00	3,895.18	233,710.80	3,895.18	233,710.80	0.00	0.00
11	PRIME COAT FOR BASE COURSE	GAL	2,323.00	0.10	232.30	2,323.00	232.30	2,323.00	232.30	0.00	0.00
12	3" HMAC TYPE D, PAVEMENT & DRIVEWAYS	TON	1,533.00	71.00	108,843.00	1,508.98	107,137.58	1,508.98	107,137.58	0.00	0.00
13	FULL DEPTH REPAIR/REPLACEMENT OF CONCRETE PAV	SY	27.00	100.00	2,700.00	27.00	2,700.00	27.00	2,700.00	0.00	0.00
14	6" CONCRETE CURB (REMOVE, DISPOSE & REPLACE)	LF	20.00	7.00	140.00	20.00	140.00	20.00	140.00	0.00	0.00
15	DOWELING INTO EXIST PAVEMENT, 1" DIAMETER	EA	10.00	15.00	150.00	10.00	150.00	10.00	150.00	0.00	0.00
16	6" MONOLITHIC CONCRETE CURB	LF	37.00	3.00	111.00	37.00	111.00	37.00	111.00	0.00	0.00
							388,533.68		388,533.68		0.00
STORM SEWER											
17	TRENCH SAFETY SYSTEM (5' - 10')	LF	1,654.00	0.20	330.80	1,654.00	330.80	1,654.00	330.80	0.00	0.00
18	TRENCH SAFETY SYSTEM (10' - 15')	LF	106.00	0.20	21.20	106.00	21.20	106.00	21.20	0.00	0.00
19	6" PVC DRAIN LINE	LF	14.00	50.00	700.00	14.00	700.00	14.00	700.00	0.00	0.00

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 Stafford, Texas 77497-1338

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ENGINEER: AECOM Technical Services, Inc.
 5757 Woodway, Suite 101 West
 Houston, TX 77057

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20	24" RCP (RUBBER GASKET, C76, CLIII)	LF	1,916.00	55.00	105,380.00	1,916.00	105,380.00	1,916.00	105,380.00	0.00	0.00
21	S.E.T. TYPE II (6:1) FOR 24" RCP	EA	3.00	1,400.00	4,200.00	3.00	4,200.00	3.00	4,200.00	0.00	0.00
22	S.E.T. TYPE II (4:1) FOR 24" RCP	EA	2.00	1,000.00	2,000.00	2.00	2,000.00	2.00	2,000.00	0.00	0.00
23	PRE-CAST TYPE "A" MANHOLE	EA	2.00	4,000.00	8,000.00	2.00	8,000.00	2.00	8,000.00	0.00	0.00
24	PRE-CAST TYPE "B-B" INLET	EA	1.00	2,500.00	2,500.00	1.00	2,500.00	1.00	2,500.00	0.00	0.00
25	PRE-CAST TYPE "A" GRATE INLET	EA	20.00	2,900.00	58,000.00	20.00	58,000.00	20.00	58,000.00	0.00	0.00
SUBTOTAL - STORM SEWER							181,132.00		181,132.00		0.00
SIGNS & PAVEMENT MARKINGS											
26	4" THERMO SOLID WHITE	LF	3,430.00	0.60	2,058.00	3,475.00	2,085.00	3,475.00	2,085.00	0.00	0.00
27	4" THERMO SOLID YELLOW	LF	3,400.00	0.60	2,040.00	4,276.00	2,565.60	4,276.00	2,565.60	0.00	0.00
28	8" THERMO SOLID WHITE	LF	400.00	1.20	480.00	400.00	480.00	400.00	480.00	0.00	0.00
29	24" THERMO SOLID WHITE	LF	65.00	7.00	455.00	66.00	462.00	66.00	462.00	0.00	0.00
30	24" THERMO SOLID YELLOW	LF	310.00	7.00	2,170.00	318.00	2,226.00	318.00	2,226.00	0.00	0.00
31	ARROW (PREFABRICATED)	EA	6.00	300.00	1,800.00	7.00	2,100.00	7.00	2,100.00	0.00	0.00
32	"ONLY" (PREFABRICATED)	EA	3.00	450.00	1,350.00	3.00	1,350.00	3.00	1,350.00	0.00	0.00
33	TYPE II-A-A MARKERS	EA	130.00	5.00	650.00	430.00	2,150.00	430.00	2,150.00	0.00	0.00
34	TRAFFIC SIGNS (DIAMOND GRADE)	EA	2.00	400.00	800.00	2.00	800.00	2.00	800.00	0.00	0.00
SUBTOTAL - SIGNS & PAVEMENT MARKINGS							11,803.00		14,218.60		0.00
TRAFFIC CONTROL OPTION 2											
36	WORK ZONE TRAFFIC CONTROL PLAN	MON	3.00	2,000.00	6,000.00	3.00	6,000.00	3.00	6,000.00	0.00	0.00
37	6" BLACK BASE FOR TEMPORARY DETOUR (INCL REMOV	TON	559.00	63.00	35,217.00	385.00	24,255.00	385.00	24,255.00	0.00	0.00
38	2" HMAC FOR TEMPORARY DETOUR (INCL REMOVE)	TON	186.00	80.00	14,880.00	240.72	19,257.60	240.72	19,257.60	0.00	0.00
39	4" WORK ZONE SOLID YELLOW (INCL REMOVE)	LF	128.00	0.80	102.40	0.00	0.00	0.00	0.00	0.00	0.00
40	4" WORK ZONE SOLID DOUBLE YELLOW (INCL REMOVE)	LF	3,710.00	1.30	4,823.00	6,837.00	8,888.10	6,837.00	8,888.10	0.00	0.00

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41	4" WORK ZONE SOLID WHITE (INCL REMOVE)	LF	6,530.00	0.80	5,224.00	12,480.00	9,984.00	12,480.00	9,984.00	0.00	0.00
	SUBTOTAL - TRAFFIC CONTROL OPTION 2				66,246.40		68,384.70		68,384.70		0.00
	SWPPP										
42	HYDROMULCH SEEDING	SY	12,232.00	0.30	3,669.60	12,232.00	3,669.60	12,232.00	3,669.60	0.00	0.00
43	REINFORCED FILTER FABRIC FENCE (INCL REMOVE)	LF	3,700.00	1.25	4,625.00	3,700.00	4,625.00	3,700.00	4,625.00	0.00	0.00
44	INLET PROTECTION BARRIER (INCL REMOVE)	EA	12.00	75.00	900.00	20.00	1,500.00	20.00	1,500.00	0.00	0.00
45	STABILIZED CONSTRUCTION ACCESS (INCL REMOVE)	SY	550.00	5.00	2,750.00	550.00	2,750.00	550.00	2,750.00	0.00	0.00
46	INSPECT, MAINTAIN, CLEAN & REPLACE ALL SWPPP	MON	2.00	1,200.00	2,400.00	3.00	3,600.00	3.00	3,600.00	0.00	0.00
	SUBTOTAL - SWPPP				14,344.60		16,144.60		16,144.60		0.00
	GRAND TOTAL				738,635.80		737,505.08		737,505.08		0.00

SUMMARY

Total Amount Earned To Date	737,505.08	737,505.08	0.00
Less 0% Retention	0.00	(73,750.51)	73,750.51
Net Amount Due After Retention	737,505.08	663,754.57	73,750.51
Less Previous Estimates	663,754.57	663,754.57	0.00
Net Amount Due	73,750.51	0.00	73,750.51

FINAL WAIVER OF LIEN

THE STATE OF TEXAS |

COUNTY OF FORT BEND |

The undersigned contracted by Fort Bend County, Texas to furnish labor and materials in connection with certain improvements to real property located in the Fort Bend County, Texas and owned by Fort Bend County, Texas which improvements are described as follows:

Construction of Old Richmond Road from Voss to West Airport
in Fort Bend County, Texas

in consideration of Pay Estimate No. 6-Final in the amount of Seventy Three Thousand Seven Hundred Fifty and 51/100 DOLLARS (\$73,750.51) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned does hereby waive and release any mechanics' lien or materialmen's lien or claims of lien that the undersigned has or hereafter has on the above-mentioned real property on account of any labor performed or materials furnished or to be furnished or labor performed and materials furnished by the undersigned pursuant to the above-mentioned contract or any constitutional lien that the undersigned may have.

Undersigned hereby guarantees that all bills for labor performed and/or materials furnished in the erection and construction of such improvements on the Property have been fully paid and satisfied and Undersigned does further guarantee that if for any reason a lien or liens are filed for material or labor against said Property arising out of any bills for material or labor in connection with the erection or construction of said improvements thereon, Undersigned will obtain a settlement of such lien or liens and a proper release thereof shall be obtained.

Durwood Greene Construction Co.
CONTRACTOR

By: _____

Jerry L. Berry
Jerry L. Berry
Vice President

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 28th day of October, 2011, to certify which witness my hand and seal of office.

Matthew W. Downing
NOTARY PUBLIC in and for the State of TEXAS
My Commission Expires: 10-26-13



**CONSENT OF
SURETY COMPANY
TO FINAL PAYMENT**

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

AIA DOCUMENT G707

Bond No. 8228-32-11

PROJECT: Construction of Old Richmond Road from Voss to West Airport for Fort Bend County Bid 11-052

TO (Owner)

ARCHITECT'S PROJECT NO:

Fort Bend County
4520 Reading Road, Suite A
Rosenberg, TX 77471

CONTRACT FOR:

CONTRACT DATE:

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the (here insert name and address of Surety Company).

Federal Insurance Company
15 Mountain View Road
Warren, NJ 07059

, SURETY,

on bond of (here insert name and address of Contractor)

Durwood Greene Construction Co.
PO Box 1338
Stafford, TX 77497

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

Fort Bend County
4520 Reading Road, Suite A
Rosenberg, TX 77471


, OWNER,

as set forth in the said Surety Company's bond.


IN WITNESS WHEREOF,

the Surety Company has hereunto set its hand this 31st day of October 2011

Federal Insurance Company
Surety Company


Signature of Authorized Representative
Marc W. Boots, Attorney-in-Fact

Witness:
(Seal):


Heather Noles

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND CLAIMS, Current Edition



**Chubb
Surety**

**POWER
OF
ATTORNEY**

**Federal Insurance Company
Vigilant Insurance Company
Pacific Indemnity Company**

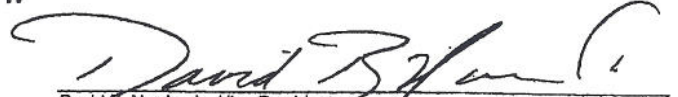
**Attn: Surety Department
15 Mountain View Road
Warren, NJ 07059**

Know All by These Presents, That **FEDERAL INSURANCE COMPANY**, an Indiana corporation, **VIGILANT INSURANCE COMPANY**, a New York corporation, and **PACIFIC INDEMNITY COMPANY**, a Wisconsin corporation, do each hereby constitute and appoint **Joseph Aubert, Marc W. Boots, Richard Covington, Joy Durham, Stephanie Gunderson, Vickie Lucy, Heather Noles, P. T. Osburn, Brett A. Tisdale and Maria D. Zuniga of Houston, Texas**

each as their true and lawful Attorney- In- Fact to execute under such designation In their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY** have each executed and attested these presents and affixed their corporate seals on this **1st** day of **February, 2011**.


Kenneth C. Wendel, Assistant Secretary


David B. Norris, Jr., Vice President


STATE OF NEW JERSEY
County of Somerset ss.

On this **1st** day of **February, 2011** before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY**, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY** and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By- Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies; and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By- Laws and in deponent's presence.

Notarial Seal



**KATHERINE J. ADELAAR
NOTARY PUBLIC OF NEW JERSEY
No. 2316685
Commission Expires July 14, 2014**


Notary Public

CERTIFICATION

Extract from the By- Laws of **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY**:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys- In- Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY** (the "Companies") do hereby certify that

- (i) the foregoing extract of the By- Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this **31st** day of **October, 2011**.




Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail: surety@chubb.com