

DATE: August 15, 2005
TO: Municipal Clerk
FROM: Byron E. Johnson, C.P.M.
Director of Purchasing X 4313
THRU: Rachel Johnson
Clerk Typist II X 4162

Please place the following item on the **REGULAR** agenda for the Council Meeting of **AUGUST 30, 2005**.

Item should read as follows:

Public Hearing to make a determination by City Council that Spartan Construction Services Inc., is not a responsible bidder on The Bowen Road Street & Drainage Improvements, Bid No. 2005-234.

On Wednesday July 27, 2005 bids were opened for Bowen Road Street & Drainage Improvements, solicitation number 2005-234. Upon completion and review of the official bid tabulation for the subject project, it was determined that the apparent low bidder was Spartan Construction Services Inc.

Spartan Construction presented insufficient information in regards to experience, expertise, and financial capability. It is the opinion of City Staff and the City's design consultant, on The Bowen Road Street & Drainage Improvements Project, that Spartan Construction Services Inc., is not a responsible bidder.

After closing of the hearing, staff recommends passage of a motion stating that:

Spartan Construction Services is deemed a non-responsible bidder for bid number 2005-234.

Contact person: Byron Johnson, C.P.M., Director of Purchasing at (915) 541-4313

AGENDA FOR: **AUGUST 30, 2005**

CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: Purchasing

AGENDA DATE: August 30th., 2005

PROJECT NAME/SOLICITATION NO. Bowen Road Street & Drainage Improvements / 2005-234

CONTACT PERSON/PHONE: Byron Johnson, Director of Purchasing, Ext. 4313

DISTRICT (S) AFFECTED: 8

SUBJECT:

Public Hearing to make a determination by City Council that Spartan Construction Services Inc., is not a responsible bidder on The Bowen Road Street & Drainage Improvements Solicitation No. 2005-234.

BACKGROUND / DISCUSSION:

On Wednesday July 27, 2005 bids were opened for Bowen Road Street & Drainage Improvements, solicitation number 2005-234. Upon completion and review of the official bid tabulation for the subject project, it was determined that the apparent low bidder was Spartan Construction Services Inc.

Spartan Construction presented insufficient information in regards to experience, expertise, and financial capability. It is the opinion of City Staff and the City's design consultant, on The Bowen Road Street & Drainage Improvements Project, that Spartan Construction Services Inc., is not a responsible bidder.

After closing of the hearing, staff recommends passage of a motion stating that:

Spartan Construction Services is deemed a non-responsible bidder for Solicitation Number 2005-234.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

***** REQUIRED AUTHORIZATION *****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

OTHER:

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

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After closing of the hearing, staff recommends passage of a motion stating that:

Spartan Construction Services is deemed a non-responsible bidder for bid number 2005-234.

Contact person: Byron Johnson, Director, Purchasing (915) 541-4313

AGENDA FOR: **August 30, 2005**

CITY OF EL PASO BID TABULATION

BID TITLE: BOWEN ROAD STREET AND DRAINAGE IMPROVEMENTS
 BID DATE: JULY 27, 2005

BID NO: 2005-234

DEPARTMENT: STREETS

			C. F. JORDAN L.P. EL PASO, TEXAS		SPARTAN CONSTRUCTION SERVICES, INC. EL PASO, TEXAS		TEXAS CONCRETE & ASPHALT, INC. EL PASO, TEXAS				
ITEM NO.	EST QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
BASE BID I											
1	3,800	CY	EXCAVATION CUT TO WASTE	\$8.00	\$30,400.00	\$11.00	\$41,800.00	\$5.00	\$19,000.00		\$0.00
2	5,310	SY	3% CEMENT STABILATION OF SUBGRADE (24" DEEP)	\$16.00	\$84,960.00	\$17.50	\$92,925.00	\$14.00	\$74,340.00		\$0.00
3	5,210	SY	2" HMAC / 8" CRUSHED LIMESTONE BASE	\$19.00	\$98,990.00	\$18.00	\$93,780.00	\$15.00	\$78,150.00		\$0.00
4	1,905	LF	6" STANDARD CURB AND GUTTER	\$10.00	\$19,050.00	\$8.50	\$16,192.50	\$10.00	\$19,050.00		\$0.00
5	10	EACH	WHEEL CHAIR RAMPS	\$500.00	\$5,000.00	\$350.00	\$3,500.00	\$400.00	\$4,000.00		\$0.00
6	8,400	SF	CONCRETE SIDEWALK	\$3.00	\$25,200.00	\$3.00	\$25,200.00	\$3.00	\$25,200.00		\$0.00
7	731	SY	DRIVEWAYS	\$40.00	\$29,240.00	\$38.00	\$27,778.00	\$35.00	\$25,585.00		\$0.00
8	2	EACH	MONUMENTS	\$1,000.00	\$2,000.00	\$1,100.00	\$2,200.00	\$500.00	\$1,000.00		\$0.00
9	2	EACH	STREET LIGHT FIXTURE AND POLE (DARK SKY COMPLIANT)	\$4,500.00	\$9,000.00	\$3,200.00	\$6,400.00	\$3,500.00	\$7,000.00		\$0.00

Approved by: *Michael W. Pelt* 7-28-05

2005-234 BOWEN ROAD STREET AND DRAINAGE IMPROVEMENTS

CITY OF EL PASO BID TABULATION

BID TITLE: BOWEN ROAD STREET AND DRAINAGE IMPROVEMENTS
 BID DATE: JULY 27, 2005

BID NO: 2005-234
 DEPARTMENT: STREETS

				C. F. JORDAN L.P. EL PASO, TEXAS		SPARTAN CONSTRUCTION SERVICES, INC. EL PASO, TEXAS		TEXAS CONCRETE & ASPHALT, INC. EL PASO, TEXAS			
ITEM NO.	EST QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
10	3	EACH	REPLACE LIGHT FIXTURE ON EXISTING POLE (DARK SKY COMPLIANT)	\$800.00	\$2,400.00	\$1,300.00	\$3,900.00	\$700.00	\$2,100.00		\$0.00
11	1	EACH	SIGNAGE (W14-1)	\$580.00	\$580.00	\$600.00	\$600.00	\$500.00	\$500.00		\$0.00
12	1	EACH	SIGNAGE (DEAD END)	\$2,500.00	\$2,500.00	\$1,350.00	\$1,350.00	\$1,500.00	\$1,500.00		\$0.00
13	1,400	LF	STEMWALL FOR SIDEWALKS	\$4.00	\$5,600.00	\$6.50	\$9,100.00	\$10.00	\$14,000.00		\$0.00
14	1	LS	LANDSCAPING AND IRRIGATION WITHIN PARKWAY	\$7,000.00	\$7,000.00	\$10,000.00	\$10,000.00	\$8,000.00	\$8,000.00		\$0.00
15	10	EACH	PIPE BOLLARDS	\$400.00	\$4,000.00	\$350.00	\$3,500.00	\$200.00	\$2,000.00		\$0.00
16	25	PR	2' STANDARD GARDEN ROCKWALL	\$100.00	\$2,500.00	\$120.00	\$3,000.00	\$125.00	\$3,125.00		\$0.00
17	200	LF	ROCKWALL FOOTING	\$15.00	\$3,000.00	\$7.00	\$1,400.00	\$15.00	\$3,000.00		\$0.00
18	5	EACH	TYPE I CONCRETE CAST-IN-PLACE INLET - 2 GRATE	\$6,000.00	\$30,000.00	\$4,000.00	\$20,000.00	\$3,000.00	\$15,000.00		\$0.00
19	196	LF	18" O R.C.P. (CLASS III)	\$64.00	\$12,544.00	\$55.00	\$10,780.00	\$55.00	\$10,780.00		\$0.00

Approved by: 

CITY OF EL PASO BID TABULATION

BID TITLE: BOWEN ROAD STREET AND DRAINAGE IMPROVEMENTS

BID NO: 2005-234

BID DATE: JULY 27, 2005

DEPARTMENT: STREETS

ITEM NO.	EST QTY	UNIT	DESCRIPTION	C. F. JORDAN L.P. EL PASO, TEXAS		SPARTAN CONSTRUCTION SERVICES, INC. EL PASO, TEXAS		TEXAS CONCRETE & ASPHALT, INC. EL PASO, TEXAS		UNIT PRICE	TOTAL AMOUNT
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT		
20	290	LF	18" O R.C.P. (CLASS V)	\$68.00	\$19,720.00	\$60.00	\$17,400.00	\$60.00	\$17,400.00		\$0.00
21	242	LF	24" O R.C.P. (CLASS III)	\$71.00	\$17,182.00	\$62.50	\$15,125.00	\$70.00	\$16,940.00		\$0.00
22	168	LF	24" O R.C.P. (CLASS V)	\$75.00	\$12,600.00	\$65.00	\$10,920.00	\$70.00	\$11,760.00		\$0.00
23	375	LF	30" O R.C.P. (CLASS III)	\$92.00	\$34,500.00	\$85.00	\$31,875.00	\$90.00	\$33,750.00		\$0.00
24	2	EACH	48" O STORMSEWER MANHOLES	\$5,700.00	\$11,400.00	\$2,000.00	\$4,000.00	\$3,000.00	\$6,000.00		\$0.00
25	2	EACH	72" O STORMSEWER MANHOLES	\$7,300.00	\$14,600.00	\$4,800.00	\$9,600.00	\$4,000.00	\$8,000.00		\$0.00
26	1	EACH	30" X 18" WYE	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00	\$3,500.00	\$3,500.00		\$0.00
27	2	EACH	24" X 18" WYE	\$2,400.00	\$4,800.00	\$1,000.00	\$2,000.00	\$2,900.00	\$5,800.00		\$0.00

Approved by: 

CITY OF EL PASO BID TABULATION

BID TITLE: BOWEN ROAD STREET AND DRAINAGE IMPROVEMENTS
 BID DATE: JULY 27, 2005

BID NO: 2005-234

DEPARTMENT: STREETS

ITEM NO.	EST QTY	UNIT	DESCRIPTION	C. F. JORDAN L.P. EL PASO, TEXAS		SPARTAN CONSTRUCTION SERVICES, INC. EL PASO, TEXAS		TEXAS CONCRETE & ASPHALT, INC. EL PASO, TEXAS		UNIT PRICE	TOTAL AMOUNT
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT		
28	1	EACH	18" X 18" WYE	\$2,200.00	\$2,200.00	\$1,500.00	\$1,500.00	\$2,500.00	\$2,500.00		\$0.00
29	180	DY	TRAFFIC CONTROL BARRICADES	\$85.00	\$15,300.00	\$60.00	\$10,800.00	\$200.00	\$36,000.00		\$0.00
30	170	SY	REMOVAL OF CONCRETE SIDEWALKS	\$18.00	\$3,060.00	\$20.00	\$3,400.00	\$20.00	\$3,400.00		\$0.00
31	80	SY	REMOVAL OF DRIVEWAYS	\$20.00	\$1,600.00	\$20.00	\$1,600.00	\$30.00	\$2,400.00		\$0.00
32	3,385	SY	REMOVAL OF PAVEMENT	\$13.00	\$44,005.00	\$8.00	\$27,080.00	\$5.00	\$16,925.00		\$0.00
33	1	LS	RELOCATION OF ALL SIGNS	\$1,800.00	\$1,800.00	\$1,500.00	\$1,500.00	\$5,000.00	\$5,000.00		\$0.00
34	5	LF	REMOVAL OF 3' ROCKWALL W/2' WROUGHT IRON FENCING	\$120.00	\$600.00	\$105.00	\$525.00	\$750.00	\$3,750.00		\$0.00
35	65	LF	RELOCATION OF WROUGHT IRON FENCE	\$30.00	\$1,950.00	\$30.00	\$1,950.00	\$750.00	\$48,750.00		\$0.00

Approved by: 

CITY OF EL PASO BID TABULATION

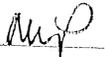
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BID NO: 2005-234

BID DATE: JULY 27, 2005

DEPARTMENT: STREETS

				C. F. JORDAN L.P. EL PASO, TEXAS		SPARTAN CONSTRUCTION SERVICES, INC. EL PASO, TEXAS		TEXAS CONCRETE & ASPHALT, INC. EL PASO, TEXAS			
ITEM NO.	EST QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
36	4	EACH	RELOCATION / ADJUSTMENT OF WROUGHT IRON GATE	\$500.00	\$2,000.00	\$575.00	\$2,300.00	\$1,000.00	\$4,000.00		\$0.00
37	20	EACH	REMOVAL OF BOLLARDS (PROTECTION FOR GAS METERS)	\$100.00	\$2,000.00	\$65.00	\$1,300.00	\$100.00	\$2,000.00		\$0.00
38	1	LS	REMOVAL AND TRIMMING OF VEGETATION	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00		\$0.00
39	1	EACH	CONSTRUCTION EXIT (S)	\$2,800.00	\$2,800.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00		\$0.00
40	5	EACH	INLET PROTECTION	\$200.00	\$1,000.00	\$150.00	\$750.00	\$200.00	\$1,000.00		\$0.00
41	2,980	LF	SILT FENCE	\$3.50	\$10,430.00	\$2.50	\$7,450.00	\$5.00	\$14,900.00		\$0.00
42	27	EACH	Furnish and Install new 3/4" water service connection with fittings, valves and re-install water meter box and accessories (as furnished by EPWU) complete in place	\$900.00	\$24,300.00	\$500.00	\$13,500.00	\$350.00	\$9,450.00		\$0.00

Approved by: 

CITY OF EL PASO BID TABULATION

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 BID DATE: JULY 27, 2005

BID NO: 2005-234
 DEPARTMENT: STREETS

				C. F. JORDAN L.P. EL PASO, TEXAS		SPARTAN CONSTRUCTION SERVICES, INC. EL PASO, TEXAS		TEXAS CONCRETE & ASPHALT, INC. EL PASO, TEXAS			
ITEM NO.	EST QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
43	27	EACH	Replace and reconnect existing 4" sanitary sewer service lateral with pipe, fittings, and accessories; from Right-Of-Way line to new sewer main	\$1,000.00	\$27,000.00	\$500.00	\$13,500.00	\$500.00	\$13,500.00		\$0.00
SUM TOTAL OF BASE BID NO. I					\$633,811.00		\$557,980.50		\$587,055.00		\$0.00
BASE BID IA											
1	841	LF	TRENCH SAFETY SYSTEM (TRENCH BOX, SHORING OR BRACING METHODS)	\$2.00	\$1,682.00	\$2.00	\$1,682.00	\$1.00	\$841.00		\$0.00
SUM TOTAL OF BASE BID NO. IA					\$1,682.00		\$1,682.00		\$841.00		\$0.00
BASE BID II											
1	1,457	LF	FURNISH AND INSTALL 8" C-900 POLYVINYL CHLORIDE (PVC) WATER PIPE INCLUDING FITTINGS, VALVES AND ACCESSORIES	\$36.00	\$52,452.00	\$28.50	\$41,524.50	\$30.00	\$43,710.00		\$0.00
2	1	EACH	FURNISH AND INSTALL NEW FIRE HYDRANT ASSEMBLY COMPLETE WITH FITTINGS, VALVES, AND ACCESSORIES	\$4,000.00	\$4,000.00	\$3,400.00	\$3,400.00	\$3,000.00	\$3,000.00		\$0.00

Approved by: 

CITY OF EL PASO BID TABULATION

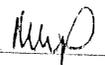
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DEPARTMENT: STREETS

				C. F. JORDAN L.P. EL PASO, TEXAS		SPARTAN CONSTRUCTION SERVICES, INC. EL PASO, TEXAS		TEXAS CONCRETE & ASPHALT, INC. EL PASO, TEXAS			
ITEM NO.	EST QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
3	1	EACH	REMOVAL AND SALVAGE OF FIRE HYDRANTS	\$1,200.00	\$1,200.00	\$900.00	\$900.00	\$500.00	\$500.00		\$0.00
4	1,457	EACH	TRENCH SAFETY SYSTEM (TRENCH BOX, SHORING OR BRACING METHODS)	\$2.00	\$2,914.00	\$1.50	\$2,185.50	\$1.00	\$1,457.00		\$0.00
SUM TOTAL OF BASE BID NO. II						\$60,566.00		\$48,010.00		\$48,667.00	\$0.00
BASE BID III											
1	1,523	LF	Furnish and Install 12" SDR-35 Polyvinyl Chloride (PVC) Sewer Pipe complete, Installed including, but not limited to, temporary by-pass and connection to existing sewer system	\$44.00	\$67,012.00	\$42.00	\$63,966.00	\$35.00	\$53,305.00		\$0.00
2	6	EACH	FURNISH AND INSTALL 48" STANDARD MANHOLES, COMPLETE IN PLACE	\$2,500.00	\$15,000.00	\$2,200.00	\$13,200.00	\$2,500.00	\$15,000.00		\$0.00
3	156	SY	PATCH PAVEMENT CUT AND RESTORATION WITH 2" HIMAC, AS PER CITY OF EL PASO SPECIFICATIONS; COMPLETE	\$45.00	\$7,020.00	\$34.00	\$5,304.00	\$30.00	\$4,680.00		\$0.00

Approved by: 

CITY OF EL PASO BID TABULATION

BID TITLE: BOWEN ROAD STREET AND DRAINAGE IMPROVEMENTS

BID NO: 2005-234

BID DATE: JULY 27, 2005

DEPARTMENT: STREETS

				C. F. JORDAN L.P. EL PASO, TEXAS		SPARTAN CONSTRUCTION SERVICES, INC. EL PASO, TEXAS		TEXAS CONCRETE & ASPHALT, INC. EL PASO, TEXAS			
ITEM NO.	EST QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
4	1,523	LF	TRENCH SAFETY SYSTEM (TRENCH BOX, SHORING OR BRACING METHODS)	\$2.00	\$3,046.00	\$2.00	\$3,046.00	\$1.00	\$1,523.00		\$0.00
SUM TOTAL OF BASE BID NO. III					\$92,078.00		\$85,516.00		\$74,508.00		\$0.00
ALTERNATE I											
1	50	LF	6" STANDARD CURB	\$15.00	\$750.00	\$11.50	\$575.00	\$50.00	\$2,500.00		\$0.00
2	1	LF	PAVEMENT STRIPING	\$2,700.00	\$2,700.00	\$3,500.00	\$3,500.00	\$3,000.00	\$3,000.00		\$0.00
3	4	EACH	SIGNAGE (R7-1)	\$500.00	\$2,000.00	\$450.00	\$1,800.00	\$500.00	\$2,000.00		\$0.00
4	1	LS	LANDSCAPING AND IRRIGATION WITHIN ISLAND	\$2,000.00	\$2,000.00	\$4,000.00	\$4,000.00	\$5,000.00	\$5,000.00		\$0.00
SUM TOTAL ALTERNATE # 1					\$7,450.00		\$9,875.00		\$12,500.00		\$0.00

Approved by: MWP

CITY OF EL PASO BID TABULATION

BID TITLE: BOWEN ROAD STREET AND DRAINAGE IMPROVEMENTS
 BID DATE: JULY 27, 2005

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 DEPARTMENT: STREETS

				C. F. JORDAN L.P. EL PASO, TEXAS		SPARTAN CONSTRUCTION SERVICES, INC. EL PASO, TEXAS		TEXAS CONCRETE & ASPHALT, INC. EL PASO, TEXAS			
ITEM NO.	EST QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
ALTERNATE II											
1	57	SY	STAMPED COLORED CONCRETE	\$58.00	\$3,306.00	\$75.00	\$4,275.00	\$40.00	\$2,280.00		\$0.00
SUM TOTAL ALTERNATE II					\$3,306.00	\$4,275.00	\$2,280.00	\$0.00			
SUM TOTAL BASE BID I (ITEMS 1-43) BASE BID 1A (ITEM 1) BASE BID II (ITEMS 1-4) BASE BID III (ITEMS 1-4) ALTERNATE #1 (ITEMS 1-4) ALTERNATE #2 (ITEMS 1)					\$798,893.00	\$707,338.50	\$725,851.00	\$0.00			
BID BOND SUBMITTED				NONE ISSUED		NONE ISSUED		NONE ISSUED			
AMENDMENTS KNOWLEDGED				YES		YES		YES			

Approved by: Michael W. [Signature] 7-28-05

SPARTAN CONSTRUCTION SERVICES, INC.

P. O. BOX 12627

EL PASO, TEXAS 79913

INCOME STATEMENT FOR TWELVE MONTH PERIOD ENDING:

31-Dec-04

\$ AMOUNT

PROJECT REVENUES 1,118,346.13

GROSS OPERATING REVENUES 1,118,346.13

DIRECT OPERATING COSTS

DIRECT LABOR 125,990.59

CONSTRUCTION MATERIALS 150,599.80

SUBCONTRACT COSTS 18,630.93

GENERAL CONDITIONS 5,779.66

EQUIPMENT COSTS 386,495.61 (a)

TOTAL DIRECT OPERATING COSTS 687,496.59

GROSS OPERATING MARGIN 430,849.54

INDIRECT OPERATING COSTS & EXPENSES 158,308.65

SCS OWNED EQUIPMENT USAGE CREDITS (411,137.51) (a)

GENERAL & ADMINISTRATIVE EXPENSES 285,607.89

EARNINGS BEFORE TAXES 398,070.51

Balance Sheet is missing?

(a) what is this referencing?

SPARTAN CONSTRUCTION SERVICES, INC.

FINANCIAL STATEMENTS

DECEMBER 31, 2003



CERTIFIED PUBLIC
ACCOUNTANTS



CERTIFIED PUBLIC
ACCOUNTANTS

To the Stockholders
Spartan Construction Services, Inc.
El Paso, Texas

We have reviewed the accompanying balance sheet of Spartan Construction Services, Inc., as of December 31, 2003, and the related statements of income, stockholders' equity, and cash flows, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. All information contained in these financial statements is the representation of the management of Spartan Construction Services, Inc.

A review consists principally of inquiries of Company personnel and analytical procedures applied to financial data. It is substantially less in scope than an audit in accordance with generally accepted auditing standards, the objective of which is the expression of an opinion regarding the financial statements taken as a whole. Accordingly, we do not express such an opinion.

Based on our review, we are not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in conformity with generally accepted accounting principles.

The data presented in Schedules 1 through 4 accompanying the financial statements is presented only for supplementary analysis purposes and has been subjected to the inquiry and analytical procedures applied in the review of the basic financial statements. We did not become aware of any material modifications that should be made to such data.

Jones & Company

February 15, 2005

TERRACE GARDENS OFFICE PARK
600 SUNLAND PARK DRIVE
BUILDING THREE, SUITE 400
EL PASO, TEXAS 79912

(915) 585-1739
FAX (915) 587-6199
www.jonesandco.net

TABLE OF CONTENTS

	<u>Page</u>
Accountants' Report	1
Financial Statements	
Balance Sheet	2
Statement of Income	3
Statement of Stockholders' Equity	4
Statement of Cash Flows	5
Notes to Financial Statements	6-11
Supplementary Information	
Schedule 1 - Contract Revenues	12
Schedule 2 - Completed Contracts	13
Schedule 3 - Contracts in Progress	14
Schedule 4 - General and Administrative Expenses	15

SPARTAN CONSTRUCTION SERVICES, INC.

BALANCE SHEET

DECEMBER 31, 2003

ASSETS

CURRENT

Accounts receivable			
Contracts	\$	339,338	
Retainage		<u>27,756</u>	
			\$ 367,094
Due from related party			2,382
Other receivables			35,000
Deposits			<u>920</u>
TOTAL CURRENT ASSETS			405,396

PROPERTY AND EQUIPMENT

Construction equipment		386,936	
Vehicles		14,630	
Office equipment		13,561	
Equipment - other		<u>30,000</u>	
		445,127	
Less accumulated depreciation		<u>157,600</u>	
NET PROPERTY AND EQUIPMENT			287,527

OTHER ASSETS

Cash, restricted		50,589	
<i>100% restricted</i>			
Deferred tax asset		<u>5,613</u>	
TOTAL OTHER ASSETS			<u>56,202</u>

TOTAL ASSETS			<u>\$ 749,125</u>
--------------	--	--	-------------------

See accompanying notes and accountants' report.

LIABILITIES AND STOCKHOLDERS' EQUITY

CURRENT LIABILITIES	
Bank overdraft	\$ 23,799
Note payable	99,898
Current portion of long-term debt	124,546
Accounts payable - trade	28,986
Accrued expenses	291,959
Billings in excess of costs and estimated earnings on uncompleted contracts	1,312
Deferred income taxes, current	1,501
	<hr/>
TOTAL CURRENT LIABILITIES	572,001
LONG-TERM DEBT, less current portion	120,990
DEFERRED INCOME TAX LIABILITY, non-current	19,495
	<hr/>
TOTAL LIABILITIES	712,486
STOCKHOLDERS' EQUITY	
Common stock, \$1 par value, 1,000,000 shares authorized, 1,000 issued and outstanding	\$ 1,000
Contributed capital	47,407
Retained earnings (deficit)	(11,768)
	<hr/>
TOTAL STOCKHOLDERS' EQUITY	36,639
TOTAL LIABILITIES AND STOCKHOLDERS' EQUITY	<u>\$ 749,125</u>

SPARTAN CONSTRUCTION SERVICES, INC.

STATEMENT OF INCOME

YEAR ENDED DECEMBER 31, 2003

CONTRACT REVENUES		\$ 2,559,210
COST OF REVENUES		<u>2,271,616</u>
GROSS PROFIT		287,594
GENERAL AND ADMINISTRATIVE EXPENSES		<u>274,130</u>
NET INCOME FROM OPERATIONS		13,464
OTHER INCOME (EXPENSE)		
Administrative fee	\$ 233	
Interest income	450	
Non-job income	<u>8,381</u>	
TOTAL OTHER INCOME (EXPENSE)		<u>9,064</u>
NET INCOME BEFORE PROVISION FOR INCOME TAXES		22,528
PROVISION FOR INCOME TAXES		<u>-</u>
NET INCOME		<u><u>\$ 22,528</u></u>

See accompanying notes and accountants' report.

SPARTAN CONSTRUCTION SERVICES, INC.

STATEMENT OF STOCKHOLDERS' EQUITY

YEAR ENDED DECEMBER 31, 2003

	Common Stock	Retained Earnings (Deficit)	Contributed Capital
	<u> </u>	<u> </u>	<u> </u>
Balance, January 1, 2003	\$ 1,000	\$ (34,296)	\$ 47,407
Net income, period ended December 31, 2003		22,528	
	<u> </u>	<u> </u>	<u> </u>
Balance, December 31, 2003	<u>\$ 1,000</u>	<u>\$ (11,768)</u>	<u>\$ 47,407</u>

See accompanying notes and accountants' report.

SPARTAN CONSTRUCTION SERVICES, INC.

STATEMENT OF CASH FLOWS

YEAR ENDED DECEMBER 31, 2003

CASH FLOWS FROM OPERATING ACTIVITIES

Net income	\$ 22,528
Adjustments to reconcile net loss to net cash provided by operating activities	
Depreciation and amortization	82,863
(Increase) decrease in:	
Accounts receivable - contracts and retainage	(11,569)
Costs and estimated earnings in excess of billings on uncompleted contracts	668
Cash, restricted	(50,589)
Prepaid expenses and deposits	630
Deferred tax asset	(5,613)
Increase (decrease) in:	
Bank overdraft	23,799
Accounts payable and retainage on jobs	(91,665)
Billings in excess of costs and estimated earnings on uncompleted contracts	(193,090)
Accrued expenses and income taxes payable	238,993
Deferred tax liability	5,613
NET CASH PROVIDED BY OPERATIONS	<u>22,568</u>

CASH FLOWS FROM INVESTING ACTIVITIES

Purchase of property and equipment	<u>(1,082)</u>
------------------------------------	----------------

NET CASH USED BY INVESTING ACTIVITIES (1,082)

CASH FLOWS FROM FINANCING ACTIVITIES

Repayment of long-term debt	<u>(48,590)</u>
-----------------------------	-----------------

NET CASH USED BY FINANCING ACTIVITIES (48,590)

NET CASH DECREASE DURING THE PERIOD (27,104)

CASH, January 1, 2003 27,104

CASH, December 31, 2003 *No cash* \$ -

INTEREST PAID

Interest expense per general and administrative expenses	<u>\$ 31,646</u>
--	------------------

INCOME TAXES PAID \$ -

See accompanying notes and accountants' report.

SPARTAN CONSTRUCTION SERVICES, INC.

NOTES TO FINANCIAL STATEMENTS

DECEMBER 31, 2003

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Company Activities and Operating Cycle

The Company is engaged as a general contractor in the El Paso, Texas, area. Most contracts are entered into as a contractor on commercial and industrial projects and the work is usually performed under a fixed price contract; most contracts are under one year in length.

Management uses estimates and assumptions in preparing these financial statements in accordance with generally accepted accounting principles. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses. Actual results could vary from the estimates that were used.

Revenue and Cost Recognition

Revenues from construction contracts are recognized on the percentage-of-completion method, measured by the percentage of cost incurred to date, excluding uninstalled materials, to estimated total cost for each contract.

The asset "Costs and estimated earnings in excess of billings on uncompleted contracts" represents revenues recognized in excess of amounts billed. The liability "Billings in excess of costs and estimated earnings on uncompleted contracts" represents billings in excess of revenues recognized. Provision for estimated loss on uncompleted contracts is made in the period in which such loss is determined.

Cash and Cash Equivalents

For purposes of the statement of cash flows, the Company considers all instruments with an original maturity of three months or less to be cash equivalents.

Inventories

Inventories are stated at the lower of cost or market. Cost is determined by the first-in, first-out method, and market represents the lower of replacement cost or estimated net realizable value.

Property and Equipment

Property and equipment is stated at cost. Depreciation has been computed on the straight line method. When assets are retired or otherwise disposed of, the cost and related accumulated depreciation are recovered from the accounts and any resulting gain or loss is reflected in income for the period.

Fair Value of Financial Instruments

The Company's financial instruments include cash and cash equivalents, accounts receivable, and notes payable. The carrying amount of these financial instruments have been estimated by management to approximate fair value.

SPARTAN CONSTRUCTION SERVICES, INC.

NOTES TO FINANCIAL STATEMENTS
(CONTINUED)
DECEMBER 31, 2003

NOTE 2 - CONTRACT RECEIVABLES

Contract receivables at December 31, 2003, consisted of the following:

Completed contracts	\$ 339,338
Contracts in progress <i>OK</i>	-
	<u>\$ 339,338</u>

The Company believes that its accounts receivable are fully collectible and as such has not recorded an allowance for bad debts. In the event that any receivables become uncollectible, they will be charged against income in the period in which that determination is made.

NOTE 3 - RETAINAGE

Retainage receivables at December 31, 2003, consisted of the following:

Completed contracts	\$ 23,982
Contracts in progress	<u>3,774</u>
	<u>\$ 27,756</u>

Contract retentions are amounts withheld from the Company until the related contract has been completed. All retentions are expected to be collected within one year of the first billing date of the contract.

NOTE 4 - COST AND ESTIMATED EARNINGS ON UNCOMPLETED CONTRACTS

Costs incurred on uncompleted contracts	\$ 22,630
Estimated earnings	<u>13,802</u>
	36,432
Less billings to date	<u>37,744</u>
	<u>\$ (1,312)</u>

Included in the accompanying balance sheet under the following captions:

Costs and estimated earnings in excess of billings on uncompleted contracts	\$ -
Billings in excess of costs and estimated earnings on uncompleted contracts	<u>1,312</u>
	<u>\$ (1,312)</u>

overbill?

SPARTAN CONSTRUCTION SERVICES, INC.

NOTES TO FINANCIAL STATEMENTS
(CONTINUED)
DECEMBER 31, 2003

NOTE 5 - PROPERTY AND EQUIPMENT

Property and equipment at December 31, 2003, consisted of the following:

	<u>COST</u>	<u>ACCUMULATED DEPRECIATION</u>	<u>BOOK VALUE</u>
Vehicles	\$ 14,630	\$ 6,714	\$ 7,916
Furniture and fixtures	13,561	5,981	7,580
Equipment	386,936	144,905	242,031
Equipment - other	30,000	-	30,000
	<u>\$ 445,127</u>	<u>\$ 157</u>	<u>287,527</u>

Depreciation expense for the year ended December 31, 2003 was \$82,863.

NOTE 6 - NOTES PAYABLE

Notes payable as of December 31, 2003 consisted of the following:

		<u>Non-Current</u>
Revolving line of credit to State National Bank, interest rate of 4.75%, dated July 15, 2002, due April 15, 2003, interest payments only due monthly, collateralized by certificate of deposit	\$ 42,882	\$ -
Note payable to Southwest Mining, dated December 31, 2002, non-interest bearing, due on demand	6,776	-
Note payable to Kasco Ventures, Inc., dated December 31, 2003, non-interest bearing, due on demand	17,000	-
Note payable to Southwest Construction, dated December 31, 2003, non-interest bearing, due on demand	33,240	-
	<u>\$ 99,898</u>	<u>\$ -</u>

CONSENT PART OF N.P. WAS NOT PAID BY DUE DATE OF 4/15/2003

Maturities of notes payable are as follows:

<u>Year Ended December 31,</u>	
2004	\$ 99,898
	<u>\$ 99,898</u>

all matured on 12/31/04 when reported in 04?

SPARTAN CONSTRUCTION SERVICES, INC.

NOTES TO FINANCIAL STATEMENTS
(CONTINUED)
DECEMBER 31, 2003

NOTE 7 - LONG-TERM DEBT

At December 31, 2003, long-term debt consisted of the following:

	<u>CURRENT</u>	<u>LONG-TERM</u>	<u>TOTAL</u>
3% note payable to Caterpillar Finance dated December 27, 2001, due in monthly installments of \$1,350, including interest, collateralized by equipment	\$ 20,220	\$ -	\$ 20,220
13.29% note payable to Caterpillar Finance dated December 31, 2001, due in monthly installment of \$2,797, including interest, collateralized by equipment	29,525	58,657	88,182
19.19% note payable to Ribble Contracting, Inc. dated July 25, 2002, due in monthly installments of \$1,013 including interest, collateralized by equipment	17,943	-	17,943
7.31% note payable to Caterpillar Finance dated April 30, 2002, due in monthly installments of \$1,200, including interest, collateralized by equipment	15,009	24,641	39,650
7.31% note payable to Caterpillar Finance dated April 30, 2002, due in monthly installments of \$1,186, including interest, collateralized by equipment	14,832	24,351	39,183
6.20% note payable to Caterpillar Finance dated July 15, 2002, due in monthly installments of \$1,945, including interest, collateralized by equipment	27,017	13,341	40,358
	<u>\$ 124,546</u>	<u>\$ 120,990</u>	<u>\$ 245,536</u>

Maturities of long-term debt are as follows:

<u>Year Ending</u> <u>December 31</u>	
2004	\$ 124,546
2005	66,646
2006	54,344
	<u>\$ 245,536</u>

?? what was this pd?

NOTE 8 - LEASE OBLIGATIONS

The Company leases its premises on a month-to-month basis.

SPARTAN CONSTRUCTION SERVICES, INC.

NOTES TO FINANCIAL STATEMENTS
(CONTINUED)
DECEMBER 31, 2003

NOTE 9 - INCOME TAXES

Income tax provision for the year consists of the following:

Current income tax provision	\$ -
Long-term income tax provision	-
	<u> </u>
	<u>\$ -</u>

Deferred income tax benefits may result from reinstatement of the valuation allowance of tax benefits related to prior year net operating loss. Because the loss was incurred in the initial year of operation, the income tax benefit that would have been recorded was reduced by a valuation allowance equal to the benefit.

Deferred income taxes result from timing differences in the recognition of income and expenses for income tax and financial statement purposes. The primary source of these differences is the reporting of depreciation for income tax purposes using an accelerated cost recovery system, and the use of the completed contract method for reporting income tax net income, while reporting financial statement income using the percentage-of-completion method.

Deferrals are established in the period in which a timing difference is first identified, and is multiplied by the estimated tax rate which will exist when the difference reverses. In future periods, when the estimated tax rate changes, the deferred asset or liability can be affected.

The Company has available at December 31, 2003, unused operating loss carryforwards and charitable contributions that may be applied against future taxable income that expires as follows:

<u>Expires</u>	<u>Charitable Contributions</u>	<u>Net Operating Loss</u>
2007	\$ 75	\$ -
2021	-	56,854
2022	-	172,535
	<u> </u>	<u> </u>
	<u>\$ 75</u>	<u>\$ 229,389</u>

*Tax LIABILITIES
ARE TERMED
CURRENT*

The deferred tax asset comprised the following:

Deferred tax asset	
Net operating loss carryforward	\$ 34,408
Deferred tax liabilities - Long-term	(19,495)
Valuation allowance	(9,300)
	<u> </u>
	<u>\$ 5,613</u>

SPARTAN CONSTRUCTION SERVICES, INC.

NOTES TO FINANCIAL STATEMENTS
(CONTINUED)
DECEMBER 31, 2003

NOTE 10 - COMPREHENSIVE INCOME

Statement of Financial Accounting Standards No. 130, Reporting Comprehensive Income (SFAS 130), requires that total comprehensive income be reported in the financial statements. For the period, the Company's operations did not give rise to items includable in comprehensive income which were not already included in net income. Therefore, the Company's comprehensive income is the same as its net income for the period presented.

NOTE 11 - CONCENTRATION OF CREDIT RISK

The Company maintains multiple bank accounts at one financial institution which, from time to time, carry balances in excess of federally insured limits.

The Company has one major customer. Amounts recorded in accounts receivable for this customer represent 65% of total receivables.

*Ranchos del
Sol #15*

NOTE 12 - COMMITMENTS AND CONTINGENCIES

The Company is involved in various legal actions arising in the normal course of business. In the opinion of management, such matters will not have a material effect upon the financial position of the Company.

NOTE 13 - ADVERTISING COSTS

The Company did not incur costs during the

*FREE LEASE /
ADVISE / COUNSEL ?*

Advertising.

NOTE 14 - RESTRICTED CASH

Restricted cash balances represent a certificate of deposit at financial institution that is collateral for a loan as described in note 6.

SUPPLEMENTARY INFORMATION

SPARTAN CONSTRUCTION SERVICES, INC.

SCHEDULE 1 - CONTRACT REVENUES

YEAR ENDED DECEMBER 31, 2003

	<u>REVENUES EARNED</u>	<u>COST OF REVENUES</u>	<u>GROSS PROFIT</u>
Contracts completed	\$ 2,455,224	\$ 1,928,386	\$ 526,838
Contracts in progress	36,432	22,630	13,802
Small jobs - net	67,554	-	67,554
Indirect cost	-	320,600	(320,600)
	<u>\$ 2,559,210</u>	<u>\$ 2,271,616</u>	<u>\$ 287,594</u>

*11.2% of
revenue
net of IDC*

SPARTAN CONSTRUCTION SERVICES, INC.

SCHEDULE 2 - COMPLETED CONTRACTS

YEAR ENDED DECEMBER 31, 2003

CONTRACT		CONTRACT TOTALS			
JOB	NAME	REVENUES EARNED	COST OF REVENUES	GROSS PROFIT (LOSS)	REVENUE EARNED
Agua Dulce #5		\$ 5,980	\$ 9,188	\$ (3,208)	\$
Agua Dulce #5 - SCS		152,160	89,919	62,241	
Agua Dulce #4A		242,400	188,292	54,108	240,000
Bank of America - Zaragoza		67,297	34,661	32,636	
Bank of America - North Mesa		67,744	30,449	37,295	
Colorado Concrete Work		9,547	4,500	5,047	
Coronado Cove on Bandolero Drive		236,850	99,844	137,006	
F.A.A. Weather Bureau Site/LT Parking		352,559	311,192	41,367	373,800
Frutas Ave Street & Drainage		102,534	78,620	23,914	43,000
Highland Park Annex Parking Lot		21,392	7,183	14,209	
Jaxon's Restaurant Deceleration		20,865	3,547	17,318	
Nichols Road Street & Drainage		355,949	299,505	56,444	
Onix Office Site		34,736	23,461	11,275	
Sunset Drive Demolition		7,500	4,956	2,544	
Ranchos Del Sol H.S.		1,461,455	1,320,185	141,270	116,300
Taco Cabana Restaurant #272		24,090	19,810	4,879	
Union Pacific Alfalfa Yard Asphalt		65,713	27,125	38,588	
		<u>\$ 3,229,376</u>	<u>\$ 2,552,443</u>	<u>\$ 676,933</u>	<u>\$ 774,100</u>

*Primarily
Commercial
Need references
from city
work*

See accountants' report.

RIOR TO JANUARY 1, 2003

DECEMBER 31, 2003

PRIOR TO JANUARY 1, 2003		DECEMBER 31, 2003		
<u>COST OF REVENUES</u>	<u>GROSS PROFIT</u>	<u>REVENUES EARNED</u>	<u>COST OF REVENUES</u>	<u>GROSS PROFIT (LOSS)</u>
\$ -	\$ -	\$ 5,980	\$ 9,188	\$ (3,208)
-	-	152,160	89,919	62,241
186,947	53,721	1,732	1,345	387
-	-	67,297	34,661	32,636
-	-	67,744	30,449	37,295
-	-	9,547	4,500	5,047
-	-	236,850	99,844	137,006
301,869	71,954	(21,264)	9,323	(30,587)
32,470	10,828	59,236	46,150	13,086
-	-	21,392	7,183	14,209
-	-	20,865	3,547	17,318
-	-	355,949	299,505	56,444
-	-	34,736	23,461	11,275
-	-	7,500	4,956	2,544
102,771	13,592	1,345,092	1,217,414	127,678
-	-	24,695	19,816	4,879
-	-	65,713	27,125	38,588
<u>\$ 624,057</u>	<u>\$ 150,095</u>	<u>\$ 2,455,224</u>	<u>\$ 1,928,386</u>	<u>\$ 526,838</u>

SPARTAN CONSTRUCTION SERVICES, INC.

SCHEDULE 3 - CONTRACTS IN PROGRESS

YEAR ENDED DECEMBER 31, 2003

JOB	NAME	TOTAL CONTRACT		FROM INCEPTION TO DECEMBER 31, 2003			
		REVENUES	ESTIMATED GROSS PROFIT (LOSS)	REVENUES EARNED	TOTAL COSTS INCURRED	COST OF REVENUES	GROSS PROFIT (LOSS)
Hoy Fox Automobile Shops		\$ 123,257	\$ 46,696	\$ 36,432	\$ 22,630	\$ 22,630	\$ 13,060
		<u>\$ 123,257</u>	<u>\$ 46,696</u>	<u>\$ 36,432</u>	<u>\$ 22,630</u>	<u>\$ 22,630</u>	<u>\$ 13,060</u>

See accountants' report.

31, 2003

<u>BILLED TO DATE</u>	<u>ESTIMATED COST TO COMPLETE</u>	<u>AT DECEMBER 31, 2003</u>		<u>DECEMBER 31, 2003</u>		
		<u>COSTS AND ESTIMATED EARNINGS IN EXCESS OF BILLINGS</u>	<u>BILLINGS IN EXCESS OF COSTS AND ESTIMATED EARNINGS</u>	<u>REVENUES EARNED</u>	<u>COST OF REVENUES</u>	<u>GROSS PROFIT (LOSS)</u>
\$ 37,744	\$ 53,931	\$ -	\$ 1,312	\$ 36,432	\$ 22,630	\$ 13,802
<u>\$ 37,744</u>	<u>\$ 53,931</u>	<u>\$ -</u>	<u>\$ 1,312</u>	<u>\$ 36,432</u>	<u>\$ 22,630</u>	<u>\$ 13,802</u>

SPARTAN CONSTRUCTION SERVICES, INC.

SCHEDULE 4 - GENERAL AND ADMINISTRATIVE EXPENSES

YEAR ENDED DECEMBER 31, 2003

Auto expense	\$	1,789
Bank charges		1,139
Computer expense		5,277
Depreciation		2,550
Dues and subscriptions		2,752
Insurance		11,171
Interest		31,646
Miscellaneous		1,139
Office expense		9,005
Penalties <i>~?</i>		550
Postage		664
Professional fees		1,200
Rent		13,418
Repairs and maintenance		8,998
Salaries		147,365
Seminars		195
Taxes - other		430
Taxes - payroll		15,233
Telephone		14,770
Utilities		4,839
TOTAL	\$	<u>274,130</u>

See accountants' report.



Spartan Construction Services, Inc.

P.O. Box 12627 • El Paso, Texas 79913 • (915) 585-0085 • (915) 585-9793 Fax

August 5, 2005

City of El Paso
Contract Compliance
Attn: Michael Plum
2 Civic Center Plaza
El Paso TX, 79901

Fax: 541-4016

RE: Indian Place Improvements Solicitation No. 2005-207
Ladrillo Street & Drainage Improvements Solicitation No. 2005-205
Bowen Street & Drainage Improvements Solicitation No. 2005-234

Dear Mr. Plum:

This is a follow up to your letter dated 07/29/05 regarding the additional Financial Statements and related information for the above-mentioned projects. Please see below for the answers to your questions 1 through 4 as requested.

- 1) Spartan's Financial Statements for 2004 should be available from Jones & Company (CPA) within the next 3-5 days. This information will be forwarded to you as soon as it becomes available. (See attached letter from Jones & Company.)
- 2) Mr. George Avara, Vice President of Business Banking at the State National Bank has agreed to provide SCS with adequate Financing support to completely satisfy the needs of the four recently bid projects including Sunland Park Road Improvements, Bowen Street & Drainage Improvements, Indian Place Street & Drainage Improvements, and Ladrillo Street & Drainage Improvements and all future work. In addition, SCS has secured a \$150,000-200,000 to assist in interim financing.
- 3) References:

Roe Engineering	Hector Porras	533-1418
Quantum Engineering	Bobby Gonzalez	532-7272
Gilbane	David Kessinger	727-6454

See attached pages listing similar projects and values. The subcontractors requiring coordination will be Green Concrete Construction and Pacific Electric. In addition, we are submitting available equipment and Superintendents for use on these projects.

- 4) See attached pages I-F-1 through 9 and I-F-a2 on the Prime and Subcontractors as requested.
- 5) SCS is submitting this same information for the three (3) above-mentioned projects.

If you should have any further questions regarding the above, please advise.

Sincerely,

Paul H. Flynn
President



CERTIFIED PUBLIC
ACCOUNTANTS

August 5, 2005

To Whom It May Concern:

We are in the process of preparing the financial statements and tax return for Spartan Construction Services, Inc., for calendar year 2004. The client provided information on August 2, 2005 and we anticipate a quick turnaround.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

JONES & COMPANY
Certified Public Accountant

A handwritten signature in cursive script, appearing to read "Steele Jones".

Steele Jones, CPA, CVA

TERRACE GARDENS OFFICE PARK
600 SUNLAND PARK DRIVE
BUILDING THREE, SUITE 400
EL PASO, TEXAS 79912

(915) 585-1739
FAX (915) 587-6199
www.jonesandco.net

Spartan Construction Services, Inc.

P.O. Box 12627 • El Paso, Texas 79913 • (915) 585-0065 • (915) 585-9793 Fax

August 5, 2005

Additional Information on Spartan Construction Services, Inc., as discussed with Michael Plum today:

Equipment Available

3 Loaders
3 Motorgraders
4 Backhoes
5 Rollers
5 Water Trucks
1 Asphalt Paver
2 Excavators

Superintendents Available for These and Future Projects

Jaime Aguilar
Max Corwin
Pedro Hernandez
Jesus Cancino
Fernando Rico
Ernie Uzzell
Manuel Quezada

SPARTAN CONSTRUCTION SERVICES, INC.
279 Shadow Mountain Ste. #212
EL PASO, TEXAS 79912
(915) 585-0085 Office (915) 585-9793 Fax

Page 1 of 2

PROJECTS COMPLETED

PROJECT: Hoy Fox Automotive Shop Parking Lot
OWNER: Hoy Fox
CONTRACTOR: Corwin Construction
ARCHITECT: Mora Architect
CONTRACT AMOUNT: \$126,000.00
% COMPLETED TO DATE: 100%
DATE OF COMPLETION: December 2004
POINT OF CONTACT: Max Corwin 915-526-7500

PROJECT: El Dorado High School
OWNER: Socorro Independent School District
CONTRACTOR: Gilbane ECM International
ARCHITECT: PSRBB Architects
CONTRACT AMOUNT: \$1.3 Million
% COMPLETED TO DATE: 100%
DATE OF COMPLETION: September, 2003
POINT OF CONTACT: David Kessinger 915-727-6454

PROJECT: Loma Verde Elementary School - A New Parking Lot Addition
OWNER: Socorro Independent School District
CONTRACTOR: Arrow Building Corporation
ARCHITECT: ARTchitecture
CONTRACT AMOUNT: \$122,000.00
% COMPLETED TO DATE: 100%
DATE OF COMPLETION: December 2004
POINT OF CONTACT: David Diaz 915-778-1147

PROJECT: Agua Dulce Subdivision & Apartments
OWNER: Kasco Ventures
CONTRACTOR: Kasco Ventures
ARCHITECT: Kasco Ventures
CONTRACT AMOUNT: \$425,000.00
% COMPLETED TO DATE: 100%
DATE OF COMPLETION: June 2003
POINT OF CONTACT: Fred Kastrin 915-491-1385

PROJECT: Borderland Phase 2
OWNER: City of El Paso
CONTRACTOR: Southwest Growth Corporation
ARCHITECT: Quantum Engineering
CONTRACT AMOUNT: \$400,000
% COMPLETED TO DATE: 100%
DATE OF COMPLETION: September 2004
POINT OF CONTACT: Bobby Gonzalez 532-7272

SPARTAN CONSTRUCTION SERVICES, INC.

Page 2 of 2

279 Shadow Mountain Ste. #212**EL PASO, TEXAS 79912****(915) 585-0085 Office (915) 585-9793 Fax****PROJECTS COMPLETED**

PROJECT: Nichols Street & Drainage Improvements

OWNER: City of El Paso

CONTRACTOR: Southwest Growth Corporation

ARCHITECT: Huitt-Zollars

CONTRACT AMOUNT: \$456,000

% COMPLETED TO DATE: 100%

DATE OF COMPLETION: September 2003

POINT OF CONTACT: Robert Concha 587-4339

PROJECT: Frutas Ave. Street Improvements

OWNER: City of El Paso

CONTRACTOR: Southwest Growth Corporation

ARCHITECT: Huitt-Zollars

CONTRACT AMOUNT: \$1,020,000.00

% COMPLETED TO DATE: 100%

DATE OF COMPLETION: May, 2003

POINT OF CONTACT: Robert Concha 587-4339

**CERTIFICATION OF PRIMARY PARTICIPANT
REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY
MATTERS**

TO BE SUBMITTED BY THE PRIME CONTRACTOR

**Ladrillo Street - Street & Drainage Improvements
SOLICITATION NO. 2005-205**

The Bidder hereby certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted of/or had a civil judgment rendered against them for commission of a fraud or a criminal offense in the connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
4. Have not within a three-year period preceding this application/proposal had one or more transactions (Federal, State or local) terminated for cause or default.

If the Bidder is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.

THE BIDDER HEREBY CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 ET SEQ. ARE APPLICABLE THERETO.



Signature/Authorized Certifying Official

Paul H. Flynn - President

Typed Name & Title

Spartan Construction Services, Inc.

Contractor/Subcontractor

8/1/05

Date Signed

SELF-CERTIFICATION FORM
SMALL CONSTRUCTION COMPANIES
 (General Contractor)

Ladrillo Street – Street & Drainage Improvements
 SOLICITATION NO. 2005-205

Name of Business:

Spartan Construction Services, Inc.

Contact Person:

Paul H. Flynn

Address (Street, City, State, and Zip Code):

279 Shadow Mountain #212 El Paso, Texas 79912

This business is independently owned and operated. Its average annual receipts for the past three (3) fiscal years do not exceed \$12 million.

I certify that the above is true.

Paul H. Flynn - President

Typed Name & Title



Signature

8/1/05

Date

Aug-04-05 01:00pm From: FedEx Kinko's N. Mesa

9156321055

T-008 P.002/010 F-537

FEDERAL LABOR PRACTICES CERTIFICATION
TO BE SUBMITTED BY PRIME CONTRACTOR AND ALL SUBCONTRACTORS

PROJECT: Ladrillo Street - Street & Drainage Improvements

SOLICITATION NO: 2005-205

EQUAL EMPLOYMENT OPPORTUNITY AUTHORITY

In accordance with Executive Order 11246 (30 F.R. 12319-25), the implementing rules and regulations thereof, and orders of the Secretary of Labor, a Certification regarding Equal Opportunity is required of bidders or prospective contractors and their proposed subcontractors prior to the award of contracts or subcontracts.

This form consolidates all the labor practices the City, by Federal law, must insist its contractors follow. Your signature on this form is a pledge and assurance you have complied with, or will comply with, all terms of these regulations and is a NON-WAIVEABLE PRECONDITION OF AWARD.

CONTRACTOR'S CERTIFICATION

- Contractor has participated in a previous contract or sub-contract subject to the Equal Opportunity Clause. Yes No
- Compliance reports were required to be filed in connection with such previous contract or subcontract. Yes No
- Contractor has filed all compliance reports required by Executive Order 11246 or by regulations of the Office of Federal Contract Compliance Programs issued pursuant to Title VII of the Civil Rights Act of 1964. Yes No

If answer to item 3 is "No" please explain in detail on reverse side of this certification.

- Dollar amount of proposed contract is ~~\$ 5,795,000~~ \$ 4790.00 Metal Electric Poles (2) \$ 2030.00 Electric Pole Foundations (2)

Anticipated performance period is One Hundred Twenty (120) consecutive calendar days.

Expected total number of employees who will perform the proposed construction is _____

Race or ethnic group designation of bidder:

- | | | | |
|---------------------------------------|--|-----------------------------------|--|
| <input type="checkbox"/> Black | <input checked="" type="checkbox"/> Hispanic | <input type="checkbox"/> Oriental | <input type="checkbox"/> American Indian |
| <input type="checkbox"/> Eskimo | <input type="checkbox"/> Aleut | <input type="checkbox"/> White | <input type="checkbox"/> Pacific Islanders |
| <input type="checkbox"/> Other: _____ | | | |

Pacific Electric

Company Name

8/1/05

Date

Signature

Title

Sarah Lanza
for Jullio Perez

8/04/05
President / secretary

NONSEGREGATED FACILITIES

1. Notice to Prospective Federally-Assisted Construction Contractors

- a. A Certification of Nonsegregated Facilities, as required by the May 9, 1967 order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted to the recipient prior to the award of a federally-assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity clause.
- b. Contractors receiving federally-assisted construction contracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of the following notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity clause.

2. Notice to Prospective Subcontractors of Requirement for Certification of Nonsegregated facilities

- a. A Certification of Nonsegregated Facilities, as required by the May 9, 1967 order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted to the contractor prior to the award of a contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity clause.
- b. Contractors receiving subcontract awards exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause will be required to provide for the forwarding of this notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity clause.

3. Definition

As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, restrooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise.

CERTIFICATION OF NONSEGREGATED FACILITIES

PROJECT: Ladrillo Street - Street & Drainage Improvements

SOLICITATION NO: 2005-205

The federally-assisted construction contractor certifies that:

1. He/she does not maintain or provide for his/her employees any segregated facilities at any of his/her establishments, and
2. He/she does not permit his/her employees to perform their services at any location, under his/her control, where segregated facilities are maintained.

The federally-assisted construction contractor certifies further that he/she will not:

1. Maintain or provide for his/her employees any segregated facilities at any of his/her establishments, and that
2. He/she will not permit his/her employees to perform their services at any location, under his/her control, where segregated facilities are maintained.

The federally-assisted construction contractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract.

The federally-assisted construction contractor agrees that (except where he/she has obtained identical certifications from proposed subcontractors for specific time periods) he/she will obtain identical certifications in duplicate from proposed subcontractors prior to the award of Subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he/she will retain the duplicate of such certification in his/her files. The contractor will include the original in his/her Bid Package.

Pacific Electric

Company Name

8/1/05

Date

Signature

*Sarah Lanza for
Cristobal Lopez*

Title

~~President~~

Secretary

LABOR STANDARDS AND PREVAILING WAGE REQUIREMENTS CERTIFICATION

PROJECT: Ladrillo Street - Street & Drainage Improvements
SOLICITATION NO: 2005-205

1. The undersigned, having pledged to a contract with the City of El Paso for the construction of the above identified projects, acknowledges that:
 - a. The Labor Standards provisions are included in the aforesaid contract;
 - b. Correction of any infractions of the aforesaid conditions, including infractions by any of my subcontractors and any lower tier subcontractors, is my responsibility.

2. I certify that:
 - a. Neither I nor any firm, partnership or association in which I have substantial interest is designated as an ineligible contractor, by the Comptroller General of the United States pursuant to Section 5.5(h) of the Regulations of the Secretary of Labor, Part 5 (29 CFR, Part 5) or pursuant to Section 3 (a) of the Davis-Bacon Act, as amended [40 U.S.C. 276a-2(a)].
 - b. No part of the aforementioned contract has been or will be subcontracted to any subcontractor if any firm, corporation, partnership or association in which such subcontractor has substantial interest is designated as an ineligible contractor pursuant to any of the aforementioned regulatory or statutory provisions.

3. I agree to obtain and forward to the aforementioned recipient, the City of El Paso, within ten (10) consecutive calendar days after the execution of any subcontract, including those executed by my subcontractors and any lower tier subcontractors, a Subcontractor's Certification Concerning Labor Standards and Prevailing Wage Requirements executed by the subcontractors.

4. I certify that:
 - a. The legal name and the business address of the undersigned are:

Pacific Electric

219-A South El Paso Street, El Paso, Texas 79901

- b. The undersigned is a:

<input type="checkbox"/> A Single Proprietorship	<input checked="" type="checkbox"/> A Corporation	<input type="checkbox"/> A Limited Partnership
<input type="checkbox"/> A Joint Venture	<input type="checkbox"/> Other: _____	

Organized in the County of EL PASO, State of TX
(Name of State)

Aug-04-05

01:01pm

From: FedEx Kinko's N. Meca

0156321655

T-006

P.006/010

F-637

**LABOR STANDARDS AND PREVAILING WAGE REQUIREMENTS
CERTIFICATION, cont.**

PROJECT: Ladrillo Street - Street & Drainage Improvements

SOLICITATION NO: 2005-206

2. The name, title and address of the owner, partner, or officers of the undersigned are:

NAME

TITLE

ADDRESS

Julio Nunez

President

219-A El Paso, Texas 79901

3. The names and address of all other persons, both natural and corporate, having a substantial interest in the undersigned, and the nature of the interest are:

N/A

4. The names, addresses and trade classifications of all other building construction contractors in which the undersigned has a substantial interest are:

NAME

ADDRESS

TRADE CLASSIFICATION

N/A

Pacific Electric

Company Name

8/1/05

Date

8/24/05

Signature

Julio Nunez
Julio Nunez

President

Title

Secretary

**CERTIFICATION OF LOWER-TIER PARTICIPANTS
REGARDING DEBARMENT, SUSPENSION,
AND OTHER INELIGIBILITY AND VOLUNTARY EXCLUSION**

TO BE SUBMITTED BY ALL SUBCONTRACTORS

**Ladrillo Street - Street & Drainage Improvements
SOLICITATION NO. 2005-205**

Julio Nunez/Pacific Electric certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Julio Nunez/Pacific Electric, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 ET SEQ. ARE APPLICABLE THERETO.

If the Lower Tier Participant is unable to certify to any of the statements in this certification, such participant shall attach an explanation to this proposal.

Julio Nunez - Loya
Julio Nunez

Signature/Authorized Certifying Official

8/1/05

Date Signed

8/1/05

Julio Nunez - President

Typed Name & Title

Aug-04-05

01:02pm

From: FedEx Kinko's N. Mesa

9196921655

T-808 P.008/010 F-637

SELF-CERTIFICATION FORM

Socially or Economically Disadvantaged

**Ladrillo Street - Street & Drainage Improvements
SOLICITATION NO. 2005-205**

I am a member of the following Minority Group* (Circle One):

Black

Hispanic

American Indian

Oriental

Other _____

(Specify)

I own controlling interest, at least fifty-one percent (51%), of the following business:

Pacific Electric

(Name of Firm)

I certify that the above is true.

Julio Munoz - President

(Typed Name & Title)

Julio Munoz
Signature

8-1-05

Date

*Defined in Equal Employment Opportunity Requirements

Aug-04-05

01:02am

From: FedEx Kinko's N. Mesa

0155321665

7-906 P 008/010 F-537

CERTIFICATION REGARDING LOBBYING

Certification for Grants, Loans, and Cooperative Agreements

Ladrillo Street - Street & Drainage Improvements
SOLICITATION NO. 2005-205

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an Officer or employee of Congress, or an employee of a Member of Congress in connection with the Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form LLL "Disclosure Form to Report Lobbying" in accordance with its instructions.
3. The undersigned shall require that the language in this certification be included in the award documents for all subawards exceeding \$100,000 at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any persons who fail to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Julio Nunez *Julio Nunez* Julio Nunez - President/Secretary
 Signature/Authorized Certifying Official Typed Name & Title

Pacific Electric 8/1/05
 Contractor/Subcontractor Date Signed

Aug-04-05

01:02pm

From: FedEx Kinko's N. Mesa

0155321655

T-908

P.010/010

F-857

EQUAL EMPLOYMENT OPPORTUNITY AGREEMENT FOR PROJECT AREA BUSINESSES AND RESIDENTS

**Ladrillo Street - Street & Drainage Improvements
SOLICITATION NO. 2005-205**

I PLEDGE AND AFFIRM THAT I HAVE OR WILL CARRY OUT THE FOLLOWING:

1. Read all terms, conditions and requirements of the Equal Employment Opportunity Agreement set forth in Section IV-A.
2. Filled in completely all required information on the Section 3 Area Business Needs Form and Self Certification Forms, if applicable.
3. Provided for compliance with all conditions listed in this Agreement in a timely manner, including submission to the City of El Paso of an Equal Employment Opportunity Plan for the use of small businesses in the project area.
4. Contractor will not subcontract any work in connection with this project unless he/she first submits EEO Plan as described in Paragraph 3 above.

I HEREBY CERTIFY THAT ALL INFORMATION ABOVE IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHER BIND MYSELF TO CARRY OUT ALL COMPLIANCE REQUIREMENTS SET FORTH IN THIS CONTRACT.

Pacific Electric

Company Name

8/1/05

Date

8/1/05

[Handwritten Signature]
Signature

President

Title

[Handwritten Signature]

WARNING

U.S. Criminal Code, Section 1010, Title 18, U.S.C., provides in part:

"WHOEVER,....MAKES, PASSES, UTTERS OR PUBLISHES ANY STATEMENT, KNOWING THE SAME TO BE FALSE....SHALL BE FINED NOT MORE THAN \$5,000 OR IMPRISONED NOT MORE THAN TWO YEARS, OR BOTH."

FEDERAL LABOR PRACTICES CERTIFICATION

TO BE SUBMITTED BY PRIME CONTRACTOR AND ALL SUBCONTRACTORS

PROJECT: Ladrillo Street - Street & Drainage Improvements

SOLICITATION NO: 2005-205

EQUAL EMPLOYMENT OPPORTUNITY AUTHORITY

In accordance with Executive Order 11246 (30 F.R. 12319-25), the implementing rules and regulations thereof, and orders of the Secretary of Labor, a Certification regarding Equal Opportunity is required of bidders or prospective contractors and their proposed subcontractors prior to the award of contracts or subcontracts.

This form consolidates all the labor practices the City, by Federal law, must insist its contractors follow. Your signature on this form is a pledge and assurance you have complied with, or will comply with, all terms of these regulations and is a **NON-WAIVEABLE PRECONDITION OF AWARD.**

CONTRACTOR'S CERTIFICATION

1. Contractor has participated in a previous contract or sub-contract subject to the Equal Opportunity Clause. _____ Yes _____ No
2. Compliance reports were required to be filed in connection with such previous contract or subcontract. _____ Yes _____ No
3. Contractor has filed all compliance reports required by Executive Order 11246 or by regulations of the Office of Federal Contract Compliance Programs issued pursuant to Title VII of the Civil Rights Act of 1964. _____ Yes _____ No

If answer to item 3 is "No" please explain in detail on reverse side of this certification.

4. Dollar amount of proposed contract is \$ 15,000.00
 Anticipated performance period is One Hundred Twenty (120) consecutive calendar days.
 Expected total number of employees who will perform the proposed construction is _____
 Race or ethnic group designation of bidder:
 _____ Black Hispanic _____ Oriental _____ American Indian
 _____ Eskimo _____ Aleut _____ White _____ Pacific Islanders
 _____ Other: _____

Green Concrete Construction

Company Name

8/1/05

Date

[Signature]
Signature

Owner

Title

NONSEGREGATED FACILITIES

1. Notice to Prospective Federally-Assisted Construction Contractors

- a. A Certification of Nonsegregated Facilities, as required by the May 9, 1967 order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted to the recipient prior to the award of a federally-assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity clause.
- b. Contractors receiving federally-assisted construction contracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of the following notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity clause.

2. Notice to Prospective Subcontractors of Requirement for Certification of Nonsegregated facilities

- a. A Certification of Nonsegregated Facilities, as required by the May 9, 1967 order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted to the contractor prior to the award of a contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity clause.
- b. Contractors receiving subcontract awards exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause will be required to provide for the forwarding of this notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity clause.

3. Definition

As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, restrooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise.

CERTIFICATION OF NONSEGREGATED FACILITIES

PROJECT: Ladrillo Street - Street & Drainage Improvements

SOLICITATION NO: 2005-205

The federally-assisted construction contractor certifies that:

1. He/she does not maintain or provide for his/her employees any segregated facilities at any of his/her establishments, and
2. He/she does not permit his/her employees to perform their services at any location, under his/her control, where segregated facilities are maintained.

The federally-assisted construction contractor certifies further that he/she will not:

1. Maintain or provide for his/her employees any segregated facilities at any of his/her establishments, and that
2. He/she will not permit his/her employees to perform their services at any location, under his/her control, where segregated facilities are maintained.

The federally-assisted construction contractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract.

The federally-assisted construction contractor agrees that (except where he/she has obtained identical certifications from proposed subcontractors for specific time periods) he/she will obtain identical certifications in duplicate from proposed subcontractors prior to the award of Subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he/she will retain the duplicate of such certification in his/her files. The contractor will include the original in his/her Bid Package.

Green Concrete Construction

8/1/05

Company Name

Date

Alberto Lopez
Signature

Owner

Title

**LABOR STANDARDS AND PREVAILING WAGE REQUIREMENTS
CERTIFICATION**

PROJECT: Ladrillo Street - Street & Drainage Improvements
SOLICITATION NO: 2005-205

1. The undersigned, having pledged to a contract with the City of El Paso for the construction of the above identified projects, acknowledges that:
 - a. The Labor Standards provisions are included in the aforesaid contract;
 - b. Correction of any infractions of the aforesaid conditions, including infractions by any of my subcontractors and any lower tier subcontractors, is my responsibility.

2. I certify that:
 - a. Neither I nor any firm, partnership or association in which I have substantial interest is designated as an ineligible contractor, by the Comptroller General of the United States pursuant to Section 5.6(b) of the Regulations of the Secretary of Labor, Part 5 (29 CFR, Part 5) or pursuant to Section 3 (a) of the Davis-Bacon Act, as amended [40 U.S.C. 276a-2(a)].
 - b. No part of the aforementioned contract has been or will be subcontracted to any subcontractor if any firm, corporation, partnership or association in which such subcontractor has substantial interest is designated as an ineligible contractor pursuant to any of the aforementioned regulatory or statutory provisions.

3. I agree to obtain and forward to the aforementioned recipient, the City of El Paso, within ten (10) consecutive calendar days after the execution of any subcontract, including those executed by my subcontractors and any lower tier subcontractors, a Subcontractor's Certification Concerning Labor Standards and Prevailing Wage Requirements executed by the subcontractors.

4. I certify that:
 - a. The legal name and the business address of the undersigned are:

Green Concrete Construction

P.O. Box 17693, El Paso, Texas 79917

b. The undersigned is a:

A Single Proprietorship

A Corporation

A Limited Partnership

A Joint Venture

Other: _____

Organized in the County of _____, State of _____
(Name of State)

**LABOR STANDARDS AND PREVAILING WAGE REQUIREMENTS
CERTIFICATION, cont.**

PROJECT: Ladrillo Street – Street & Drainage Improvements

SOLICITATION NO: 2005-205

c. The name, title and address of the owner, partner, or officers of the undersigned are:

<u>NAME</u>	<u>TITLE</u>	<u>ADDRESS</u>
<u>Filiberto Garay</u>	<u>Owner</u>	<u>P.O. Box 17693, El Paso, Texas 79917</u>

d. The names and address of all other persons, both natural and corporate, having a substantial interest in the undersigned, and the nature of the interest are:

e. The names, addresses and trade classifications of all other building construction contractors in which the undersigned has a substantial interest are:

<u>NAME</u>	<u>ADDRESS</u>	<u>TRADE CLASSIFICATION</u>
_____	_____	_____
_____	_____	_____

<u>Green Concrete Construction</u>	<u>8/1/05</u>
Company Name	Date
_____	<u>Owner</u>
Signature	Title

**CERTIFICATION OF LOWER-TIER PARTICIPANTS
REGARDING DEBARMENT, SUSPENSION,
AND OTHER INELIGIBILITY AND VOLUNTARY EXCLUSION**

TO BE SUBMITTED BY ALL SUBCONTRACTORS

Ladrillo Street - Street & Drainage Improvements
SOLICITATION NO. 2005-205

Filiberto Garay - Green Concrete certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Filiberto Garay - Green Concrete, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 ET SEQ. ARE APPLICABLE THERETO.

If the Lower Tier Participant is unable to certify to any of the statements in this certification, such participant shall attach an explanation to this proposal.

Filiberto Garay
Signature/Authorized Certifying Official

Filiberto Garay - Owner
Typed Name & Title

8/1/05

Date Signed

SELF-CERTIFICATION FORM

Socially or Economically Disadvantaged

Ladrillo Street – Street & Drainage Improvements
SOLICITATION NO. 2005-205

I am a member of the following Minority Group* (Circle One):

Black

Hispanic

American Indian

Oriental

Other: _____

(Specify)

I own controlling interest, at least fifty-one percent (51%), of the following business:

Green Concrete Construction

(Name of Firm)

I certify that the above is true.

Filiberto Garay

Typed Name & Title

Filiberto Garay

Signature

8/1/05

Date

*Defined In Equal Employment Opportunity Requirements

CERTIFICATION REGARDING LOBBYING

Certification for Grants, Loans, and Cooperative Agreements

Ladrillo Street - Street & Drainage Improvements SOLICITATION NO. 2005-205

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an Officer or employee of Congress, or an employee of a Member of Congress in connection with the Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form LLL "Disclosure Form to Report Lobbying" in accordance with its instructions.
3. The undersigned shall require that the language in this certification be included in the award documents for all subawards exceeding \$100,000 at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any persons who fail to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Filiberto Garay
Signature/Authorized Certifying Official

Filiberto Garay - Owner
Typed Name & Title

Green Concrete Construction
Contractor/Subcontractor

8/1/05
Date Signed

**EQUAL EMPLOYMENT OPPORTUNITY AGREEMENT FOR
PROJECT AREA BUSINESSES AND RESIDENTS**

**Ladrillo Street – Street & Drainage Improvements
SOLICITATION NO. 2005-205**

[I PLEDGE AND AFFIRM THAT I HAVE OR WILL CARRY OUT THE FOLLOWING]:

1. Read all terms, conditions and requirements of the Equal Employment Opportunity Agreement set forth in Section IV-A.
2. Filled in completely all required information on the Section 3 Area Business Needs Form and Self Certification Forms, if applicable.
3. Provided for compliance with all conditions listed in this Agreement in a timely manner, including submission to the City of El Paso of an Equal Employment Opportunity Plan for the use of small businesses in the project area.
4. Contractor will not subcontract any work in connection with this project unless he/she first submits EEO Plan as described in Paragraph 3 above.

I HEREBY CERTIFY THAT ALL INFORMATION ABOVE IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHER BIND MYSELF TO CARRY OUT ALL COMPLIANCE REQUIREMENTS SET FORTH IN THIS CONTRACT.

Green Concrete Construction
Company Name

8/1/05
Date

Subhul Gony
Signature

Owner
Title

WARNING

U.S. Criminal Code, Section 1010, Title 18, U.S.C., provides in part:

"WHOEVER...MAKES, PASSES, UTTERS OR PUBLISHES ANY STATEMENT, KNOWING THE SAME TO BE FALSE...SHALL BE FINED NOT MORE THAN \$5,000 OR IMPRISONED NOT MORE THAN TWO YEARS, OR BOTH."