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**El Paso County  
Agenda Item Details**

**Item Title:** Public Works - Change Order #1 with Banes General Contractors, Inc. for construction of Skate parks at Agua Dulce, Estrella and Gallegos Park (2025-0224)

**Submitted By:** Norma Rivera-Palacios, Deputy County Administrator

**Department:** Public Works Department

**Department Phone Number:** 915-273-3330

**Subject:** Approve and authorize the County Judge to sign Change Order #1 to the Fixed Price Construction Agreement for the El Paso County Skateparks Renovations with Banes General Contractors, Inc. for the construction of Skateparks at Agua Dulce, Estrella and Gallegos Park in the amount of \$83,710. Funds are available in CP-CO23A-CP PJ-SKTPK PROF SVCS and CP-TAXCO2023B-CP PJ-SKTPK PROF. (Contract No. 2025-0224) (Precinct 3 & 4)

**Background:** The plans called for cutting and replacing concrete in certain areas, during this process the concrete developed additional cracking and could not be repaired as originally specified in plans. This change order is for a new slab for Gallegos and Estrella Park and amending the price from \$3,536,000 to \$3,619,710.

**Fiscal Impact:** Fiscal Impact Projected  
\$83,710  
Funds are available in:  
CP-CO23A-CP PJ-SKTPK PROF SVCS  
COC-3021-SKTEPRK-431-70-70000-0415-23032-750001-  
CP-TAXCO2023B-CP PJ-SKTPK PROF  
COC-3022-SKTEPRK-431-70-70000-0415-23033-750001-

**Budget or Unbudgeted Match:**

**Recommendation:** Approve and authorize the County Judge to sign Change Order #1 to the Fixed Price Construction Agreement for the El Paso County Skateparks Renovations with Banes General Contractors, Inc. for the construction of Skateparks at Agua Dulce, Estrella and Gallegos Park in the amount of \$83,710. Funds are available in CP-CO23A-CP PJ-SKTPK PROF SVCS and

CP-TAXCO2023B-CP PJ-SKTPK PROF. (Contract No. 2025-0224)  
(Precinct 3 & 4)

**Prior Action:**

07/22/24- Item # O - Public Works - Construction Contract  
Award  
04/08/24 – Item #14 - Purchasing - Award of Bid 24-003 Re-Bid  
El Paso County Skate Parks Renovations

**Strategic Plan:**

Goal:

null

Objective:

**Strategic Plan Information:**

**Estimated Time Needed  
For This Item:**

**STATE OF TEXAS            )**  
**COUNTY OF EL PASO        )**

**CHANGE ORDER #1 TO FIXED PRICE CONSTRUCTION AGREEMENT FOR THE  
EL PASO COUNTY SKATEPARKS RENOVATIONS**

This Change Order is entered into by and between the County of El Paso, a political subdivision of the State of Texas (“County” or “Owner”) and Banes General Contractors, Inc., an entity authorized to conduct business in Texas (“Contractor” or “Vendor”) to amend and modify the Fixed Price Construction Agreement Between Owner and Contractor (2024-0540) relating to the El Paso County Skatepark Renovations, and any applicable addendums amendments, attachments, exhibits, and any other applicable terms (collectively the “Agreement”). To the extent that any provisions in the main body of the Agreement conflict with the provisions of this Change Order, this Change Order shall control.

The parties wish to modify and supersede the Agreement in the following respects:

1. Exhibit 1 of the original agreement shall be amended to include Change Order 1-Concrete Overlay, prepared by Contractor and attached and incorporated into this Agreement as Exhibit 1-A.
2. Section 8.1 shall be amended as follows:

The fixed price will be increased from \$3,536,000.00 to \$3,619,710.00

3. All other terms conditions of the Agreement remain the same.

**IN WITNESS WHEREOF**, the parties executed this agreement on April 7, 2025.

**EL PASO COUNTY, TEXAS**

**BANES GENERAL CONTRACTORS, INC.**

\_\_\_\_\_  
Hon. Ricardo A. Samaniego  
El Paso County Judge

\_\_\_\_\_  
John A. Panahi  
President



# Proposal

*Potential Change Order No.1, Revision 4*  
*El Paso County Skate Parks*

Date: Wednesday, January 15, 2025

Banes General Contractors, Inc  
 6001 Doniphan  
 El Paso, TX  
 Phone: (915) 584-0404  
 Fax: (915) 584-2432

To: **El Paso County**  
 800 East Overland, Suite 300  
 El Paso, TX 79901

Job	Vendor / Sub	Payment Terms	Due Date
El Paso County Skate Parks			

Proposal #	Description	Unit Price	Line Total
#1	4" Overlay above existing concrete slab - Estrella Park		\$ 41,166.00
#2	Additional sawcut and removal as per drawing issued by Architect		\$ 12,950.00
#3	4" Overlay above existing concrete slab - Gallegos Park		\$ 38,900.00
#4	Credit and Cost for Additional Work Requested by Owner		\$ (16,916.00)
			\$ -

**Owner Signature for Execution**  
 \_\_\_\_\_  
**Name and Title**  
 \_\_\_\_\_

Subtotal	\$76,100.00
GC O/P (10%)	\$7,610.00
<b>Total</b>	<b>\$83,710.00</b>

# EXHIBIT M



Ozaeta Construction LLC

October 4, 2024

**El Paso County - Skate Parks Renovation (Estrella Park - Concrete Overlay)** - Ozaeta Construction LLC is pleased to provide our proposal to furnish the necessary labor, material, and equipment required to complete the work for the above-referenced project. The following is our detailed scope of work, qualifications, and exclusions based on **Site Visit and Conversation with Bardo Contreras**. Our estimates are as follows:

<b>El Paso County - Skate Parks Renovation</b>	
<b>Concrete</b>	<b>Total Price</b>
<p><b>Estrella Skate Park - 14590 Greg Dr. El Paso, Texas 79938 [2" Concrete Overlay Reinf. W/Fiber]</b></p> <p>➤ 4,000 PSI - Reinf. W/Fiber (3lbs./yard) ➤ Sawcut, Demo, and remove concrete in a straight line.</p> <p>***Exclude Subgrade, Select Fill, Dirt Work, and/or Basecourse. Done by Others. ***Exclude Epoxy Joint Filler Joint. Done by Others. ***Exclude Anchor Rods, Steel Plates, Galvanized Angles, Headed Studs, and Safety Guardrails. Done and Provided by Others. ***Exclude Warranty. Ozaeta Construction can not provide warranty for this work.</p>	\$32,182.40
<p><b>Estrella Skate Park - 14590 Greg Dr. El Paso, Texas 79938 [4" Concrete Overlay]</b></p> <p>➤ 4,000 PSI - Reinf. W/W.W.F. (W2.9/W2.9) ➤ Sawcut, Demo, and remove concrete in a straight line.</p> <p>***Exclude Subgrade, Select Fill, Dirt Work, and/or Basecourse. Done by Others. ***Exclude Epoxy Joint Filler Joint. Done by Others. ***Exclude Anchor Rods, Steel Plates, Galvanized Angles, Headed Studs, and Safety Guardrails. Done and Provided by Others. ***Exclude Warranty. Ozaeta Construction can not provide warranty for this work.</p>	\$41,165.90
<p><b>Estrella Skate Park - 14590 Greg Dr. El Paso, Texas 79938 [4" Concrete Overlay - Over Prepared Subgrade]</b></p> <p>➤ 4,000 PSI - Reinf. W/W.W.F. (W2.9/W2.9) ➤ Sawcut, Demo, and remove concrete in a straight line. ➤ Remove and replace 6" of Existing Soil. Replace with 6" of TXDOT Base Course.</p> <p>Exclude Epoxy Joint Filler Joint. Done by Others. Exclude Anchor Rods, Steel Plates, Galvanized Angles, Headed Studs, and Safety Guardrails. Done and Provided by Others.</p>	\$55,008.40

**\*\*Proposal Price is guaranteed for 30 days from the above date.**

**\*\*All work is based on a 40-hour-per-week schedule.**

**\*\*Exclude any other concrete work not mentioned above.**

**\*\*Exclude overall Joint Sealant, Stamped, Colored, or Artistic Concrete.**

## **QUALIFICATIONS:**

- Safety for our scope of work.
- All concrete to be normal weight.
- General contractor to provide all temporary, utility, and sanitation facilities.
- Subgrade to be Received at 0.1' +/-
- OZ Construction shall place all concrete embeds, furnished by others.
- General Contractor to provide suitable benchmarks for use in layout concrete work.



Trade: Concrete

Sub's Name: Ozaeta Construction LLC

Project: El Paso County - Skate Parks Renovation

Date: 10/4/2024

Scope of Work Description:

(Estrella Park) 4' Concrete Overlay - Requested by GC (Banes)

Scope of Work Description	Item Description	Materials				Total	Units per MH	Labor			Equipment				Total Cost
		UOM	Qty	Cost Per Unit				MHRS	Rate	Total	Eq. Type	# Weeks	Rate	Total	
Concrete Work	Concrete (4,000 PSI)	EA.	100.0	\$155.00	\$15,500.00	Carpenter	40.00	19.00	\$760.00				\$0.00	\$16,260.00	
	Wood Forms (2X12)	EA.	25.0	\$36.00	\$900.00	Carpenter	40.00	19.00	\$760.00				\$0.00	\$1,660.00	
						Carpenter	40.00	22.00	\$880.00				\$0.00	\$880.00	
						Finisher	40.00	22.00	\$880.00				\$0.00	\$880.00	
						Finisher	40.00	22.00	\$880.00				\$0.00	\$880.00	
						Finisher	40.00	22.00	\$880.00				\$0.00	\$880.00	
						Skilled Labor	40.00	17.00	\$680.00				\$0.00	\$680.00	
						Labor	40.00	15.00	\$600.00				\$0.00	\$600.00	
						Labor	40.00	15.00	\$600.00				\$0.00	\$600.00	
									\$0.00				\$0.00	\$0.00	
Rebar/Wire Mesh	W.W.F. (W2.9 X W2.9)	EA	12.0	\$200.00	\$2,400.00	Rodbuster	24.00	23.00	\$552.00				\$0.00	\$2,952.00	
						Rodbuster	24.00	23.00	\$552.00				\$0.00	\$552.00	
						Rodbuster	24.00	23.00	\$552.00				\$0.00	\$552.00	
						Labor	24.00	15.00	\$360.00				\$0.00	\$360.00	
						Skilled Labor	40.00	17.00	\$680.00				\$0.00	\$680.00	
						Labor	24.00	15.00	\$360.00				\$0.00	\$360.00	
Demolition Work						Saw Cutter	24.00	20.0	\$480.00	Husqvarna FS 3500 E (SAW)	1.00	\$3,225.00	\$3,225.00	\$3,705.00	
						Saw Cutter	24.00	20.0	\$480.00	Diesw/ Gen. W00 KW	1.00	\$3,525.00	\$3,525.00	\$4,005.00	
						Saw Cutter	24.00	20.0	\$480.00	Backhoe	1.00	\$2,800.00	\$2,800.00	\$3,280.00	
						Skilled Labor	40.00	17.00	\$680.00				\$0.00	\$680.00	
						Labor	24.00	15.0	\$360.00				\$0.00	\$360.00	
						Labor	24.00	15.0	\$360.00				\$0.00	\$360.00	
													\$0.00	\$0.00	
<b>Subtotals</b>					\$18,800.00			396.0	\$12,816.00		3.0	\$9,550.00	\$41,166.00		
					\$18,800.00			411.0	\$12,816.00		3.0	\$9,550.00	\$41,166.00		
<b>Total CO No. 1</b>					\$18,800.00			411.0	\$12,816.00		3.0	\$9,550.00	\$41,166.00		



Ozaeta Construction LLC  
January 10, 2025

**El Paso County - Skate Parks Renovation (Gallegos Park – 4” Concrete Overlay)** - Ozaeta Construction LLC is pleased to provide our proposal to furnish the necessary labor, material, and equipment required to complete the work for the above-referenced project. The following is our detailed scope of work, qualifications, and exclusions based on **Site Visit and Conversation with Bardo Contreras**. Our estimates are as follows:

<b>El Paso County - Skate Parks Renovation</b>	
<b>CO # 3 - 4" Concrete Overlay</b>	<b>Total Price</b>
<p><b><u>Gallegos Skate Park - 7361 Bosque Rd. Canutillo, TX 79835 (4" Concrete Overlay)</u></b></p> <ul style="list-style-type: none"> <li>➤ 4,000 PSI - Reinf. W/W.W.F. (W2.9/W2.9) - 12" Turn Downs at Edges.</li> <li>➤ Sawcut, Demo, and remove concrete in a straight line.</li> <li>➤ Additional Dowel Reinforcement needed where control Joints are at.</li> </ul> <p>***Exclude Subgrade, Select Fill, Dirt Work, and/or Basecourse. Done by Others.  ***Exclude Epoxy Joint Filler Joint. Done by Others.  ***Exclude Anchor Rods, Steel Plates, Galvanized Angles, Headed Studs, and Safety Guardrails. Done and Provided by Others.  ***Exclude Warranty. Ozaeta Construction can not provide warranty for this work.</p>	\$38,900.00

**\*\*Proposal Price is guaranteed for 30 days from the above date.**

**\*\*All work is based on a 40-hour-per-week schedule.**

**\*\*Exclude any other concrete work not mentioned above.**

**\*\*Exclude overall Joint Sealant, Stamped, Colored, or Artistic Concrete.**

**QUALIFICATIONS:**

- Safety for our scope of work.
- All concrete to be normal weight.
- General contractor to provide all temporary, utility, and sanitation facilities.
- Subgrade to be Received at 0.1' +/-
- OZ Construction shall place all concrete embeds, furnished by others.
- General Contractor to provide suitable benchmarks for use in layout concrete work.

**EXCLUSIONS:**

- Undercutting of foundations and replacement with select material (engineered fill)
- Setting and filling of Pipe Bollards only. Pipe Bollard is to be supplied by a General Contractor.
- Steel Structures, steel plates, anchors, embedded plates, handrails, and/or any steel. (To be provided by General Contractors or Others)
- Furnishing of embedded and bolt-on metals. (Dock Angles to be supplied by the General Contractor.)
- Traffic control & barricades
- Performance and payment bonds
- Demolition, earthwork, utilities
- Waterproofing/Weatherproofing
- All items not specifically listed on this proposal.
- Architectural and decorative concrete
- Landscaping
- Materials testing
- General Contractor to provide any permits needed to perform the job.
- General Contractor to provide testing and any inspection needed to pour concrete.



Ozaeta Construction LLC  
January 9, 2025

**El Paso County - Skate Parks Renovation (CO #2 - Additional Saw Cutting and Replacement of Slab)** - Ozaeta Construction LLC is pleased to provide our proposal to furnish the necessary labor, material, and equipment required to complete the work for the above-referenced project. The following is our detailed scope of work, qualifications, and exclusions based on **Site Visit and Conversation with Micheal Vasquez**. Our estimates are as follows:

<b>El Paso County - Skate Parks Renovation</b>	
<b>CO #2 - Additional Saw Cutting and Replacement of Slab</b>	<b>Total Price</b>
<p><b><u>Agua Dulce Skate Park - Additional Areas Removed - Approx. 780 SF</u></b></p> <ul style="list-style-type: none"><li>➤ Sawcut, Demo, Remove and Haul Away Concrete Rubble</li><li>➤ 8" Slab with 12" Turn Down - Reinf. W/#3 Rebar @ 12" O.C.E.W.</li><li>➤ 4,000 PSI Concrete</li></ul> <p>***Exclude Subgrade, Select Fill, Dirt Work, and/or Basecourse. Done by Others. ***Exclude Epoxy Joint Filler Joint. Done by Others. ***Exclude Anchor Rods, Steel Plates, Galvanized Angles, Headed Studs, and Safety Guardrails. Done and Provided by Others. ***Exclude Warranty. Ozaeta Construction can not provide warranty for this work.</p>	<p>\$12,950.00</p>

**\*\*Proposal Price is guaranteed for 30 days from the above date.**

**\*\*All work is based on a 40-hour-per-week schedule.**

**\*\*Exclude any other concrete work not mentioned above.**

**\*\*Exclude overall Joint Sealant, Stamped, Colored, or Artistic Concrete.**

**QUALIFICATIONS:**

- Safety for our scope of work.
- All concrete to be normal weight.
- General contractor to provide all temporary, utility, and sanitation facilities.
- Subgrade to be Received at 0.1' +/-
- OZ Construction shall place all concrete embeds, furnished by others.
- General Contractor to provide suitable benchmarks for use in layout concrete work.

**EXCLUSIONS:**



Date 1/15/2025  
To Banes General Contractors Inc

Phone: 915-584-0404  
Email: [bardo@banes-gc.com](mailto:bardo@banes-gc.com)

Email Only	<input checked="" type="checkbox"/>
Fax & Email	<input type="checkbox"/>

Project Name: **El Paso County Skate Parks Renovations**

This agreement confirms our discussion regarding the services as described herein. The following services have been provided upon receipt of this signed agreement. These services will be identified on your billing by the Task Name assigned below.

Task Name: **Additional Services - Flatwork**

Item#	Qty	Unit	Description	Unit \$	Total
<b>ESTRELLA</b>					\$ -
Foam	1	LS	Addtl foam due to 4 inch elevation change (material only )	\$ 4,679.40	\$ 4,679.40
Concrete	1	LS	Addtl concrete at toe and on edges above walls due to 4 inch elevation change	\$ 3,045.00	\$ 3,045.00
Form work	1	LS	form work at bottom of all features	\$ 6,925.00	\$ 6,925.00
Credit	1	LS	Concrete slab repair	\$ (12,500.00)	\$ (12,500.00)
Credit	1	LS	Concrete flat work refill	\$ (17,500.00)	\$ (17,500.00)
<b>AGUA DULCE</b>					\$ -
Concrete	1	LS	Provide Additional 14' steel and concrete Curb Feature	\$ 3,650.00	\$ 3,650.00
<b>GALLEGOS</b>					\$ -
Foam	1	LS	Addtl foam due to 4 inch elevation change (Material, Dellivery and Labor )	\$ 5,350.00	\$ 5,350.00
Concrete	1	LS	Addtl concrete at toe and on edges due to 4 inch elevation change	\$ 2,001.00	\$ 2,001.00
Form work	1	LS	Form work at bottom of all features (Material, Dellivery and Labor )	\$ 6,813.00	\$ 6,813.00
Concrete	1	LS	Assistance / Quality Review / Tools	\$ 2,000.00	\$ 2,000.00
Credit	1	LS	Concrete flat work Repair	\$ (16,700.00)	\$ (16,700.00)
					\$ (16,916.00)

Impact on Schedule: 3 weeks Estrella, 2 Days Agua Dulce, 2 weeks Gallegos Type of Billing Design, Materials and Labor

**Total \$ (16,916.00)**

If this meets with your approval, please sign in the spave provided below and return so that these services may be scheduled. Please keep a copy for your records.

**Hardcore Skateparks**

Signature   
By: William D. Minadeo III  
Title: President  
Date: 1/15/2025

**Client Approval**

Signature \_\_\_\_\_  
By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_