

# STATE OF TEXAS

## DEPARTMENT OF TRANSPORTATION

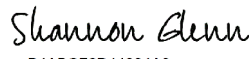
### MATERIALS MAINTENANCE CONTRACT

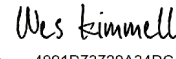
PROJECT NO. MMC 6382350001  
 CSJ: 6382-35-001  
 HIGHWAY: IH 40  
 LIMITS OF WORK: AMARILLO SPECIAL JOBS SECTION

FOR PURCHASE AND DELIVERY OF MATERIALS ONLY: CRACK-SEAL RUBBER ASPHALT

SUBMITTED FOR  
 LETTING: 7/12/2021  
 Date

APPROVED FOR  
 LETTING: 7/14/2021  
 Date


DocuSigned by:  
  
 B4ABC6D44884A0...  
 CONTRACT SPECIALIST

DocuSigned by:  
  
 4091D73729A34DC...  
 DIRECTOR OF OPERATIONS

#### INDEX OF SHEETS

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SPECIFICATIONS ADOPTED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, NOVEMBER 1, 2014 AND SPECIAL SPECIFICATION ITEMS INCLUDED IN THE CONTRACT SHALL GOVERN ON THIS PROJECT.

|                     |               |  |           |
|---------------------|---------------|--|-----------|
| © 2019              |               |  Texas Department of Transportation |           |
| FED.RD.<br>DIV. NO. | PROJECT NO.   | SHEET NO.  |           |
| 6                   | MMC 638235001 | 1  |           |
| STATE               | DISTRICT      | COUNTY   |           |
| TEXAS               | AMARILLO      | POTTER   |           |
| CONTROL             | SECTION       | JOB  | HWY NO.   |
| 6382                | 35            | 001  | IH 40     |
| FILENAME            |               |  | DATE      |
| MMC_638235001       |               |  | 7/12/2021 |

**Project Number:** MMC 638235001**Sheet 2****County:** POTTER**Control:** 6382-35-001**Highway:** IH 40**GENERAL NOTES:**

This project includes plan sheets that are not part of the bid proposal. Plans can be viewed online or downloaded from the web at:

<http://www.txdot.gov/business/letting-bids/plans-online.html>

Order plans from any of the plan reproduction companies shown on the web at:

[http://www.dot.state.tx.us/business/contractors\\_consultants/repro\\_companies.htm](http://www.dot.state.tx.us/business/contractors_consultants/repro_companies.htm)

Information concerning the project, plans, limits and locations may also be obtained by contacting Shannon Glenn at (806) 356-3325 or the Supervisor in charge of this project. Plans, limits, and locations may be viewed at Contract Administration, Texas Department of Transportation District Office, 5715 Canyon Drive, Bldg. B, Amarillo, Texas 79110.

All Contractor pre-bid questions on this project are to be submitted by email to the following individual(s):

|                        |                   |  |
|------------------------|-------------------|--|
| Director of Operations | Wes Kimmell, P.E. | <a href="mailto:wes.kimmell@txdot.gov">wes.kimmell@txdot.gov</a>     |
| Contract Specialist    | Shannon Glenn     | <a href="mailto:shannon.glenn@txdot.gov">shannon.glenn@txdot.gov</a> |
| Contract Specialist    | Brad Buchanan     | <a href="mailto:brad.buchanan@txdot.gov">brad.buchanan@txdot.gov</a> |

Contractor questions will only be accepted through email to the above individuals. All contractor questions will be reviewed by the Area Engineer or Assistant Area Engineer. Once a response is developed, it will be posted to TxDOT's Public FTP at the following Address:

<https://ftp.dot.state.tx.us/pub/txdot-info/Pre-Letting Responses/>

All questions submitted that generate a response will be posted through this site. The site is organized by District, Project Type (Construction or Maintenance), Letting Date, CCSJ/Project Name.

Questions will not be accepted 48 hours prior to letting date and time.

Prior to beginning operations, a meeting will be held at the contract administration building to include material supplier and maintenance section supervisors listed in this contract.

If several contracts are awarded to the same contractor, the contractor shall be sufficiently equipped to concurrently supply each contract.

**Project Number:** MMC 638235001**Sheet 2****County:** POTTER**Control:** 6382-35-001**Highway:** IH 40

Each contract awarded by the Department stands on its own and as such, is separate from other contracts.

All work on this contract will be issued by work order via email. A work order will include the location, the bid item, and the quantity of material to deliver. Callout work orders will be issued based on priorities.

Provide and maintain a dedicated email address for receipt of work orders and correspondence throughout the term of this contract. Respond to all correspondence within 1 business day.

### **General Requirements and Covenants - Items 1 thru 9**

**Project Description** – This project shall consist of the purchase and delivery of materials only, Asphalt, Oils and Emulsions: Crack-Seal, Rubber Asphalt for the Amarillo District Maintenance Sections to be delivered to the District Headquarters Warehouse.

| <b>Special Jobs Supervisor</b>     | <b>Address</b>                             | <b>Contact Person</b> |
|------------------------------------|--|-----------------------|
| Ron Herr                           | 5715 Canyon Drive<br>Amarillo, Texas 79114 | (806)356-3360         |
| <b>Special Jobs Office Manager</b> | <b>Address</b>                             | <b>Contact Person</b> |
| Tangi Hernandez                    | 5715 Canyon Drive<br>Amarillo, Texas 79114 | (806)356-3209         |

Each contract awarded by the Department stands on its own and as such, is separate from other contracts. A contractor awarded multiple contracts, must be capable and sufficiently staffed to concurrently process any or all contracts at the same time.

### **Item 2 – Instructions to Bidders**

By signing this proposal, a bidder acknowledges that he/she has a copy of the “Standard Specifications for Construction of Highways, Streets and Bridges”, adopted by the Texas Department of Transportation, November 1, 2014. This specification book may be purchased from the Department.

### **Item 3 – Award and Execution of Contract**

Material requests shall be issued by Work Order. Each Work Order shall specify items and quantities to be delivered as well as days to complete Work Order.

**Project Number:** MMC 638235001**Sheet 2****County:** POTTER**Control:** 6382-35-001**Highway:** IH 40**Item 4 – Scope of Work**

In accordance with Special Provision 004-004 “Scope of Work (Materials Contract Only)”, when mutually agreed upon in writing by both parties to the contract, the Engineer may extend the contract by change order, up to two times, for an additional period not to exceed the original contract time period.

The extended contract may be for additional quantities up to the original bid quantities, plus any quantities added by previously approved change orders.

The extension will meet the terms and conditions of the original contract, plus any approved terms and conditions made by previously approved change orders.

**Item 6 – Control of Materials**

Use materials from pre-qualified producers. A list of material producers pre-qualified by the Construction Division (CST) of the Texas Department of Transportation (TxDOT) can be found at the following website:

<https://www.txdot.gov/business/resources/producer-list.html>

**Item 8 - Prosecution and Progress**

Contract time charges shall begin upon issuance of “Authorization to Begin Work” letter. One hundred and twenty (120) Working Days have been designated for this contract. Working Days shall be computed and charged in accordance with Article 8.3.1.5 “Calendar Day.”

Individual Work Order charge days shall run concurrently with Contract time charges.

In accordance with Article 8.6 “Failure to Complete Work on Time,” liquidated damages shall be charged each day for failure to meet each work order. This will include:

1. Failure to produce at the starting date or continually progress on the work order.
2. Failure to produce the required amount of material per day.
3. Failure to complete work order within 3 weeks (21 calendar days) from the issue date on work order.

The amount assessed per day for liquidated damages shall be 1% of the estimated cost of the work order, not to be less than \$200 per day and not to exceed \$500 per day.

Notify the Maintenance Section Supervisor when encountering any unforeseen delays.

**Project Number:** MMC 638235001**Sheet 2****County:** POTTER**Control:** 6382-35-001**Highway:** IH 40**Item 9 – Measurement and Payment**

In accordance with Article 9.2 “Plans Quantity Measurement,” plans quantity measurement requirements are not applicable for this contract. Quantities shown in the plans are for bidding purposes only. TxDOT does not guarantee that all quantities shown in plans will be requested for delivery. Maintenance Sections may request quantities varying from those shown in the plans to meet their needs.

Contractor is responsible for obtaining annual overweight tolerance permit if hauling materials that exceed the legal road weight.

**Item 500 – Mobilization**

Mobilization does not apply to this Maintenance Materials Contract.

**Item 502 – Barricades, Signs, and Traffic Handling**

In accordance with Item 502.4.1.6, “Contracts with Callout Work and Work Orders”, this item will not be paid for separately but will be considered subsidiary to the contract bid item.

Use strobe lights or rotation beacons on all motorized equipment operating on or adjacent to the road surface.

**Item 8010 – Oils, Asphalts & Emulsions (Materials Only)**

Minimum delivery quantity shall be 45000 pounds/22.50 Tons per truckload.

Contact the Special Jobs supervisor at least 24 hours prior to delivery.

Deliver Monday through Thursday during business hours only. Deliveries outside of these times may be allowed at the sole discretion of the Maintenance Section Supervisor.

The Contractors driver shall report to the Maintenance Section Supervisor, or his representative, at the time of arrival at the final delivery location and obtain a signature documenting the date and time of delivery and departure.


A 2 hour unload time per truck will be included in the bid price. If a truck has to stay on site longer than 2 hours, do to no fault of the contractor, each additional 15 minutes will be paid at \$80 per 15 minute increment per truck.

If a load is more than 2 hours late, due to no fault of TxDOT, each additional 15 minutes will be withheld at \$80.00 per each 15 minute increment per truck.





| Item      | Description                       | Unit | Quantity |
|-----------|-----------------------------------|------|----------|
| 8010-6165 | CRACK-SEAL,RUBBER ASPH(DEL)SITE 2 | TON  | 75.000   |

|                  |               |   |           |
|------------------|---------------|---|-----------|
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## PLAN SHEET SUMMARY