

# STATE OF TEXAS

## DEPARTMENT OF TRANSPORTATION


### MATERIALS MAINTENANCE CONTRACT


PROJECT NO. MMC 639593001  
 CSJ: 6395-93-001  
 HIGHWAY: US 385  
 LIMITS OF WORK: AMARILLO AREA MAINTENANCE SECTIONS

**FOR PURCHASE AND DELIVERY OF MATERIALS ONLY:  
 D-GR HMA TY D PG 64-28**

SUBMITTED FOR  
 LETTING: 1/3/2022  
 Date

APPROVED FOR  
 LETTING: 1/3/2022  
 Date


DocuSigned by:  
  
 \_\_\_\_\_  
 CONTRACT SPECIALIST  
 Shannon L. Glenn

DocuSigned by:  
  
 \_\_\_\_\_  
 DIRECTOR OF OPERATIONS  
 Wesley D. Kimmell, P.E.

#### INDEX OF SHEETS

1	TITLE SHEET
2A-2G	GENERAL NOTES
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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.

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FED.RD. DIV. NO.	PROJECT NO.	SHEET NO.	
6	MMC 639593001	1	
STATE	DISTRICT	COUNTY	
TEXAS	AMARILLO	DEAF SMITH	
CONTROL	SECTION	JOB	HWY NO.
6395	93	001	US 385
FILENAME			DATE
MMC_639593001			1/3/2022

**Project Number:** MMC 639593001**Sheet 2****County:** DEAF SMITH**Control:** 6395-93-001**Highway:** US 385**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/](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 or via Cisco Webex 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.

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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; Dense Graded HMAC Type D PG 64-28 for the Armstrong, Potter, Deaf Smith, Oldham, Randall (1) and Randall (2) Counties Maintenance Sections. Materials shall be delivered to TxDOT maintenance roadway work areas as shown on work order.

<b>Area Engineer</b>	<b>Address</b>	<b>Contact Person</b>
Roy C. Neukam, P.E.	8401 S. FM 1541 Amarillo, Texas 79118	(806)378-0071
<b>Maintenance Section</b>	<b>Address</b>	<b>Maintenance Supervisor</b>
Armstrong County	801 Hurley Street Claude, Texas 79109	Kevin Kerlee (806)226-2321
Deaf Smith County	3869 US HWY 385 Hereford, Texas 79045	Robert "Sean" Mays (806)364-2262
Oldham County	606 W. Vega Blvd Vega, Texas 79092	Justin Lawrence (806)267-2219
Potter County	7700 E. Loop 335 North Amarillo, Texas 79114	Neil McDonald (806)383-1661
Randall County(1) E-Way	8401 S. FM 1541 Amarillo, Texas 79118	Cody Harris (806)378-0073
Randall County(2) Canyon	305 W. US 60 Canyon, Texas 79015	Devin White (806)655-4372

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.

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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.

**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.

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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.

### **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 8011 D-GR HMA TY D PG 64-28 (Materials Only)**

The contractor shall provide mixture Type D using PG binder 64-28 for delivery and PG binder 64-22 for pickup material by TxDOT Equipment. No PG Binder grade dumps will be allowed on this contract. It is at the engineer's discretion to accept a different material if contractor is producing a superior product.

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**Contractor is required to be able to produce and deliver a minimum of 1200 tons of HMAC per day with a delivery time not to exceed 1 hour. When a work order is placed the contractor will have 10 days to complete the work order. Liquidated damages will be assessed if 1200 tons per day is not achieved by the contractor and will continue until the anticipated quantity is achieved with material quantity including all quantities less than the 1200 tons per day.**

Item 8011 – This item is for TxDOT to pick up the materials at the hot-mix plant and HMAC delivery as determined by work order request.

There are 6 delivery locations shown in the plans. Each delivery location will have a separate bid item. The location will not be the exact delivery point of the material but used as a bid reference for delivery charge. The bid price for this work shall include delivery to the bid item location, or an actual work order location shorter in mileage from the plant than the bid item location. There will not be any actual work order locations further in distance from the plant than the 6 bid item location. The 6 bid item delivery locations are as follows:

1. Zero to twenty miles from designated HMAC plant.
2. Twenty one to forty miles from designated HMAC plant.
3. Forty one to sixty miles from designated HMAC plant.
4. Sixty one to eighty miles from designated HMAC plant.
5. Eighty one to one hundred miles from designated HMAC plant.
6. One hundred to one hundred twenty miles from designated HMAC plant.

For pickup HMAC to avoid excessive travel costs, the Hot-Mix Asphalt Concrete plant must be located within 45 miles of Potter County Maintenance Office. Various maintenance sections will have the availability of releasing work orders from this contract

Contact the receiving Maintenance Section 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.

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For small quantity needs, a work order will be issued to the contractor a minimum of 24 hours in advance and the contractor shall be able to provide and deliver a minimum of 500 tons per day.

For larger quantity work locations (over 1200 tons), a work order will be issued to the contractor a minimum of 2 weeks (14 calendar days) in advance of the project start date. **Contractor is required to be able to produce and deliver a minimum of 1200 tons of HMAC per day with a delivery time not to exceed 1 hour. When a work order is placed the contractor will have 10 days to complete the work order. Liquidated damages will be assessed if 1200 tons per day is not achieved by the contractor and will continue until the anticipated quantity is achieved with material quantity including all quantities less than the 1200 tons per day.**

The contractor shall provide mixture Type D using PG binder 64-22 for all HMAC picked up by TxDOT trucks. The contractor shall provide mixture Type D using PG binder 64-28 for all HMAC being delivered to a designated jobsite. No PG Binder grade dumps will be allowed on this contract. It is at the engineer's discretion to accept a different material if contractor is producing a superior product.

The use of Recycled Asphalt Shingles (RAS) will not be permitted on this contract.

The maximum amount of RAP allowed will be 20% unless otherwise approved by the engineer.

Supply aggregate on the contract that meets surface aggregate classification (SAC) A.

For Hauling Operations:

- Hauling Operations are required to manufacture a minimum of 1200 tons per day
- Monitor the temperature of the material in the truck before shipping to ensure that it does not exceed 350° and is not lower than 275° unless using warm mix and then no lower than 215° at delivery. The Department will not pay for or allow placement of any mixture produced above 350°.
- The Contractors driver shall report to the State's representative at the time of arrival at the final delivery location and obtain a signature documenting the date and time.
- Supply tarp and all components necessary to tarp materials during transport.
- A 2 hour unload time per truck will be included in the bid price, time shall be calculated from TxDOT work order request time. If a truck has to stay on site longer than 2 hours, due to no fault of the contractor, each

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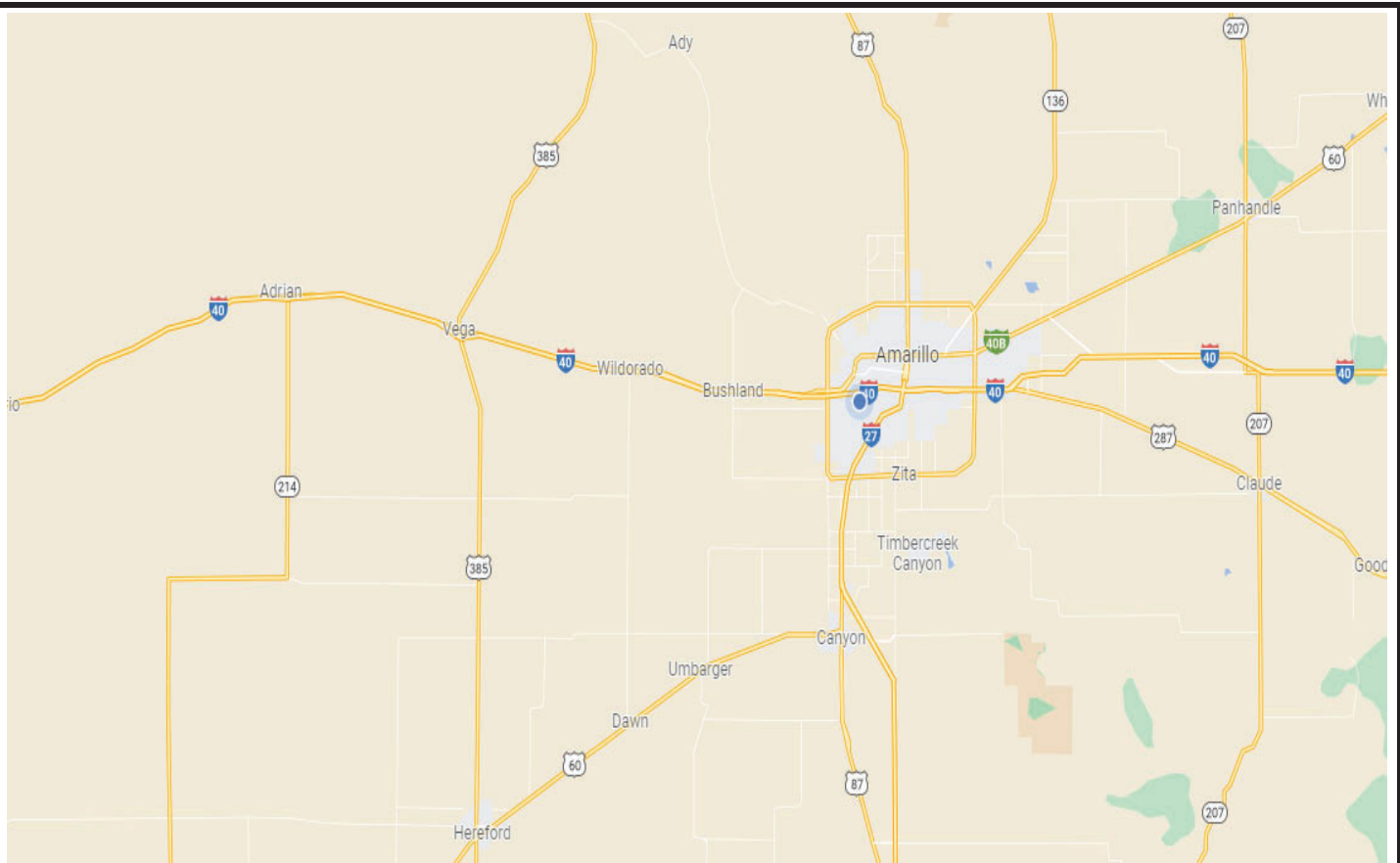
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additional 15 minutes will be paid at \$20 per 15 minute increment per truck.

- If a load is more than 2 hours late, due to no fault of TxDOT, each additional 15 minutes will be withheld at \$20.00 per each 15 minute increment per truck time, shall be calculated from TxDOT work order request time.
- Make all deliveries between the hours of 8:00 am and 4:00 pm CST unless prior arrangements have been made with the Maintenance Supervisor.







ITEM		DESCRIPTION	UNIT	QUANTITY
8011	6001*	D-GR HMA (SQ) TY D PG 64-22 (PICKUP)	TON	1500
8011	6019*	D-GR HMA TY D PG 64-28 (DLVR) SITE 1	TON	200
8011	6020*	D-GR HMA TY D PG 64-28 (DLVR) SITE 2	TON	200
8011	6021*	D-GR HMA TY D PG 64-28 (DLVR) SITE 3	TON	200
8011	6022*	D-GR HMA TY D PG 64-28 (DLVR) SITE 4	TON	200
8011	6023*	D-GR HMA TY D PG 64-28 (DLVR) SITE 5	TON	200
8011	6024*	D-GR HMA TY D PG 64-28 (DLVR) SITE 6	TON	200

**\*ITEMS ARE TO ESTABLISH BID PRICE ~ ALL MATERIALS MAY NOT BE PURCHASED**

**\*REFERENCE GENERAL NOTES SHEET E FOR DEFINITIONS OF SITE LOCATIONS FOR DELIVERY**

**\*REFERENCE GENERAL NOTES FOR MINIMUM REQUIRED PRODUCTION PER DAY**

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# PLAN SHEET SUMMARY