

# STATE OF TEXAS

## DEPARTMENT OF TRANSPORTATION

### MATERIALS MAINTENANCE CONTRACT

PROJECT NO. MMC - 639817001  
 CSJ 6398-17-001  
 HIGHWAY: US0377  
 DELIVERY LOCATION(S): SEE GENERAL NOTES

FOR PURCHASE AND DELIVERY OF MATERIALS ONLY:  
 FLEXIBLE BASE (MATERIALS ONLY)

Submitted for Letting: 7/28/2022  
 Date

DocuSigned by:  
*Tina Crelia*  
 76C8A3E5D7D24C9...  
 Contract Specialist

Approved for Letting: 7/28/2022  
 Date

DocuSigned by:  
*Chris Graf, P.E.*  
 5D8F6D958F8543B...  
 Interim Director of Operations

#### INDEX OF SHEETS

- 1 TITLE SHEET
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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 - 639817001	1	
STATE	DISTRICT	COUNTY	
TEXAS	BWD	BROWN	
CONTROL	SECTION	JOB	HWY NO.
6398	17	001	US0377
FILENAME			DATE
MMC - 639817001			07/27/22

**Project Number:** MMC-639817001

**County:** BROWN, ETC

**Control:** 6398-17-001

**Highway:** US0377, ETC

**GENERAL NOTES**

**Counties included in the Contract are Brown, Coleman, Comanche, Eastland, Lampasas, McCulloch, Mills, San Saba and Stephens.**

The Engineer will specify the number of WORKING DAYS granted for each WORK ORDER based on appropriate production and delivery rates.

The Engineer will notify the Contractor by email no later than 5:00PM the day before to cancel either a delivery by the Contractor or to cancel a pickup by TxDOT, along with a revised WORK ORDER reflecting this change.

**ITEM 2 INSTRUCTIONS TO BIDDERS**

Contractor questions on this project are to be addressed to the following individual(s):

Name	Email Address
Blake Stembridge, P.E.	<a href="mailto:blake.stembridge@txdot.gov">blake.stembridge@txdot.gov</a>

Contractor questions will be accepted through email by the above individual.

All Contractor questions will be reviewed by the 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.

View plan sheets on-line or download from the web at:  
<https://www.txdot.gov/business/letting-bids/plans-online.html>

Order plans from any of the plan reproduction companies shown on the web at:  
<https://www.txdot.gov/business/letting-bids/repro-companies.html>

Below is a link to TxDOT's website that explains the State's new bidding process for MATERIAL CONTRACTS and the steps for prospective bidders to follow in preparation of a bid:  
<https://www.txdot.gov/business/letting-bids/attention-vendors.html>

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To bid TxDOT's Maintenance Materials Contracts (MMC), bidders must provide a completed Maintenance/Traffic Materials Contract Supplier's Questionnaire (MQ) and related supporting documents. The questionnaire can be downloaded from the above website.

By signing this proposal, the bidder acknowledges they have a copy of the "Standard Specifications for Construction of Highways, Streets and Bridges", adopted by the Texas Department of Transportation, November 1, 2014.

### **ITEM 3 AWARD AND EXECUTION OF CONTRACT**

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 4 SCOPE OF WORK**

SITE 1: BROWN CO. MAINTENANCE YARD – 31°44'19.69"N, 98°58'03.01"W  
2160 CR 381, BROWNWOOD, TX. 76802  
8007-6078: 50 TONS

SITE 2: COLEMAN CO. MAINTENANCE YARD – 31°48'33.18"N, 99°25'22.64"W  
2603 COMMERCIAL AVE., COLEMAN, TX. 76834  
8007-6079: 160 TONS

SITE 3: STEPHENS CO. MAINTENANCE YARD – 32°45'13.83"N, 98°52'33.78"W  
1517 US HWY 180 EAST, BRECKENRIDGE, TX. 76424  
8007-6080: 500 TONS

SITE 4: SAN SABA CO. FM 502 STOCKPILE – 31.35462483, -98.9628314  
FM 502, APPROX. 1 MILE WEST OF JCT FM 45  
8007-6081: 650 TONS

SITE 5: N/A

SITE 6: N/A

SITE 7: COMANCHE CO. SH 36 NORTH YARD – 31°54'32.63"N, 98°37'7.87"W  
SH 36 0.3 MI NORTH OF INTERSECTION WITH FS 2247  
8007-6083: 500 TONS

SITE 8: COMANCHE CO. SH 16 SOUTH YARD – 31°53'03.97"N, 98°36'11.27"W  
SH 16 0.2 MI SOUTH OF INTERSECTION WITH FM 590  
8007-6084: 500 TONS

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SITE 9: McCULLOCH CO. US HWY 377 NORTH YARD – 31°11'51.50"N, 99°18'26.00"W  
US HWY 377 AT INTERSECTION WITH CR 418  
8007-6085: 700 TONS

SITE 10: MILLS CO. US HWY 183 SOUTH YARD – 31°26'26.12"N, 98°34'8.70"W  
US HWY 183 0.4 MI SOUTH OF INTERSECTION WITH SH 16  
8007-6086: 775 TONS

If agreed upon in writing by both parties to the Contract, the Contract may be extended up to two (2) times in accordance with Special Provision 004-004.

This Contract requires the Contractor to provide Materials in accordance with ITEM 8007 FLEXIBLE BASE (MATERIALS ONLY) by the following methods:

1. Picked up by TxDOT, TxDOT contracted trucks or by **County trucks** at the Contractor's plant,
2. Delivered by the Contractor to a designated location as defined in each WORK ORDER.

#### **ITEM 7 LEGAL RELATIONS AND RESPONSIBILITIES**

No significant traffic generator events identified.

#### **ITEM 8 PROSECUTION AND PROGRESS**

One-hundred and twenty (120) days have been designated for this Contract. CONTRACT TIME CHARGES begin upon issuance of the "Authorization to Begin Work" letter.

CONTRACT TIME CHARGES will 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.

Material requests will be issued by WORK ORDER. Each WORK ORDER will specify the following:

1. The type and quantity of material to be delivered and/or picked-up each day,
2. The Contractor's delivery location(s),
3. The number of WORKING DAYS to complete the WORK ORDER,
4. The type of haul vehicle the Contractor shall use in the delivery.

The Contractor shall have the capability to deliver material using belly dumps, end dumps, and flow boys as haul vehicles.

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A one (1) hour unload time per truck shall be included in the bid price. If a truck is on site longer than one (1) hour due to no fault of the Contractor, demurrage charges may be invoiced at twenty-five dollars (\$25.00) per fifteen (15) minute increments up to a maximum of one-hundred dollars (\$100.00).

Contractor deliveries and TxDOT pickups will typically occur between the hours of 7:00AM and 4:00 PM CST. Prior arrangements will be made with the Engineer if deliveries or pickups are outside these hours.

Contractor's driver shall report to the Engineer or representative at the time of arrival at the final delivery location and obtain a signature documenting the date and time on the haul ticket which will include the WORK ORDER number.

**NONCOMPLIANCE LIQUIDATED DAMAGES:** In cases where Contractor delivery does not arrive at the time and/or location specified in the WORK ORDER, a NONCOMPLIANCE LIQUIDATED DAMAGES charge will be assessed for each occurrence for the amount specified in Special Provision 000-658.

NONCOMPLIANCE LIQUIDATED DAMAGES will be deducted from the payment estimate period the incident(s) occurred.

#### **ITEM 9 MEASUREMENT AND PAYMENT**

This Contract is considered a CALL-OUT Contract and Plans Quantity Measurement does not apply. Quantities shown in the plans are for bidding purposes only. The State does not guarantee that all quantities shown in the plans will be requested for delivery or pickup.

#### **ITEM 8007 FLEXIBLE BASE (MATERIALS ONLY)**

Delivery costs incurred by the Contractor are subsidiary to this Item.

Use aggregate that meets the SAC requirement of Class B or better.

The Plant is the designated aggregate sampling location, unless otherwise approved by the Engineer.

Material deliveries shall be covered by a tarp during transport.

