

# STATE OF TEXAS

## DEPARTMENT OF TRANSPORTATION

### MATERIALS MAINTENANCE CONTRACT

PROJECT NO. MMC 6422-42-001

HIGHWAY: IH45 ETC.  
LIMITS OF WORK: WALKER ETC.

FOR PURCHASE AND DELIVERY OF MATERIALS ONLY:  
CUTBACK ASPHALT (DELIVERY ONLY)

SUBMITTED FOR  
LETTING: 10/5/2022  
Date

APPROVED FOR  
LETTING: 10/4/2022  
Date

DocuSigned by:

*Paul M. Ray P.E.*

CONTRACT SPECIALIST

DocuSigned by:


*[Signature]*, P.E.

DIRECTOR OF MAINTENANCE

#### INDEX OF SHEETS

1	TITLE SHEET
2A-2D	GENERAL NOTES
3	ESTIMATE & QUANTITY SHEET
4	LOCATION MAP & SUMMARY

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 6422-42-001	1	
STATE	DISTRICT	COUNTY	
TEXAS	BRYAN	WALKER Etc.	
CONTROL	SECTION	JOB	HWY NO.
n/a	n/a	n/a	IH45 Etc.
FILENAME			DATE

**County:** WALKER, ETC.

**Highway:** IH 45, ETC.

**GENERAL NOTES:**

**General Project Description** – This is a MATERIALS ONLY, CALL-OUT Contract for the purchase and delivery of CUTBACK ASPHALT to the location(s) specified.

Pre-Bid Contractor questions on this project are to be addressed to the following individuals:

Paul M. Ray, P.E. – District Maintenance – [Paul.Ray@txdot.gov](mailto:Paul.Ray@txdot.gov)

Michael Estillette – District Maintenance – [Michael.Estillette@txdot.gov](mailto:Michael.Estillette@txdot.gov)

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, MMC/Project Name.

A Work Order, issued by one of the following offices, will specify the location(s) to receive delivery of materials requested in this Contract.

**All Locations in Walker County (Site 1)**

**Contact:**

Walker County Maintenance Supervisor  
Will Ray 936-295-7491  
580 IH 45 N. Huntsville, Texas 77320

**All Locations in Madison County (Site 2)**

**Contact:**

Madison County Maintenance Supervisor  
William Connor 936-348-2759  
910 N. May St. Madisonville, Texas 77864

**All Locations in Leon County (Site 3)**

**Contact:**

Leon County Maintenance Supervisor  
Thomas Hendrix 903-322-4648  
2800 Commerce St. E. Buffalo, Texas 75831



**SECTION 10.4 – SCOPE OF WORK:**

Prior to beginning operations, per Article 10.4.2, the Contractor will arrange a coordination call between representatives of the Department and the Contractor.

In accordance with Article 10.4.3, TXDOT does not guarantee that all or only the quantities shown in plans for delivery may be requested (under-run / over-run). Contractor should expect to provide materials in the quantity and type requested in the Work Order(s).

The acceptance of this contract also does not guarantee that any materials may be purchased (zero-run) by TXDOT during the time period for which the contract is active.

In accordance with Article 10.4.3.1, this contract may be extended twice not to exceed 540 calendar days for the entire contract term if mutually agreed.

**SECTION 10.6 – CONTROL OF MATERIALS:**

Contractor shall furnish all material in accordance with applicable specifications, test methods and general notes in this Contract and as directed by the Engineer.

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>.

**SECTION 10.8 – PROSECUTION AND PROGRESS:**

Contract time charges shall begin upon issuance of “Authorization to Begin Work” letter. This Contract is for one-hundred and eighty (180) days and shall be computed and charged in accordance with Article 10.8.2, “Contract Term”.

All material delivery tickets must include the Work Order number and be signed, dated, and list the arrival/departure times by the Department representative upon arrival at final delivery location.

In the event of a delay in delivery of materials, notify the Maintenance Supervisor for the work order immediately by phone and provide documentation, in writing, to the office of record upon completion of delivery.

Failure to complete a work order will incur damages in accordance with Article 10.8.6. Actual damages incurred will be deducted from the work order payment and calculations will be provided upon request.

**County:** WALKER, ETC.

**Highway:** IH 45, ETC.

Providing material that does not meet the requirements of the specification does not constitute delivery and the Contractor may be required to remove all failed materials from the site. Applicable damages may continue to accrue until the Contractor delivers materials in full compliance to the designated site.

**SECTION 10.9 – MEASUREMENT AND PAYMENT:**

Contractor is responsible for obtaining annual overweight tolerance permit if hauling material which exceeds the legal road weight.

Trucks may be held for up to 2 hr. at the jobsite at no additional expense to the Department. Written documentation of arrival will be used when calculating demurrage charges and included on an invoice submitted to the managing office. The Department will specify the arrival time and delivery frequency on the work order provided to the Contractor. If the Contractor arrives prior to the specified delivery time, the 2 hr hold will not begin until the arrival time specified on the work order.

Contractor will provide demurrage rate per truck, per 15-min increment, at the Coordination call prior to beginning work on the Contract.

Demurrage charges will be invoiced in 15-min increments, rounded down to the nearest whole increment. Contractor will be required to provide documentation for the demurrage per truck.

**Item 8010 – CUTBACK ASPHALT**

Minimum delivery quantity shall be 4,000 gallons.

Transport truck shall be equipped with transfer pump and required hoses to transfer material from transport to TxDOT storage tanks. Hose shall be compatible with 3-inch cam lock type connection.

Failure to provide required pump and hoses may result in rejection of the transported load.

Material for this contract must be delivered in seven (7) calendar days from the issuance of the work order.



