

# STATE OF TEXAS

## DEPARTMENT OF TRANSPORTATION

### MATERIALS MAINTENANCE CONTRACT

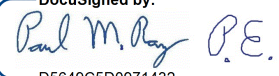
PROJECT NO. MMC 6426-76-001

HIGHWAY: SH 36, ETC  
LIMITS OF WORK: WASHINGTON, ETC

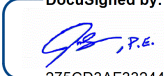
FOR PURCHASE AND DELIVERY OF MATERIALS ONLY:  
TYPE II BRINE SALT (SUPERSACK)(DELIVERY)

SUBMITTED FOR  
LETTING: 10/26/2022  
Date

APPROVED FOR  
LETTING: 10/24/2022  
Date

DocuSigned by:  
  
D5649C5D0971432...

CONTRACT SPECIALIST


DocuSigned by:  
  
275CD3AF332445F...

DIRECTOR OF MAINTENANCE

#### INDEX OF SHEETS

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2A-2D	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.

© 2022		 Texas Department of Transportation	
FED.RD. DIV. NO.	PROJECT NO.	SHEET NO.	
6	MMC 6426-76-001	1	
STATE	DISTRICT	COUNTY	
TEXAS	BRYAN	WASHINGTON, ETC	
CONTROL	SECTION	JOB	HWY NO.
n/a	n/a	n/a	SH 36, ETC
FILENAME			DATE

**County:** Washington, ETC.

**Highway:** SH 36, ETC.

**GENERAL NOTES:**

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

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

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.

Washington County Maintenance (Site 1)  
Brett Sander                               979-836-9350  
1821 SH 105                               Brenham, Texas 77833

Burleson County Maintenance (Site 2)  
Joel Withem                               979-567-7862  
2157 SH 36 South                       Caldwell, Texas 77836

Milam County Maintenance (Site 3)  
Robert Talafuse                       254-697-6629  
3303 North Travis                       Cameron, Texas 76520

**SECTION 10.2 – INSTRUCTIONS TO BIDDERS:**

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

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Attention Material Providers: Below is a link to TXDOT's website that explains the State's new bidding process for roadway material contracts, including the Material Supplier's Questionnaire, and the steps for prospective bidders to follow in preparation of a bid : <https://www.txdot.gov/business/road-bridge-maintenance/contract-letting/contractor-prequalification.html> (NOTE: Download questionnaires and open using Adobe Acrobat or other PDF viewer; otherwise, Internet Explorer is the only browser which can open as PDF.)

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.

**SECTION 10.3 – 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.

Material requests shall be issued by Work Order. Each Work Order shall be scheduled by the assigned TXDOT representative and will specify items, quantities, and delivery location.

Each Work Order sent by the Department is independent and separate from other Work Orders held by the Contractor. If the Contractor is sent multiple Work Orders, they must be equipped to provide, possess, or acquire the necessary material and be sufficiently staffed to fulfill all Work Orders at the same time.

**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.

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**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”.

In the event of an Expedited Work Order (EWO), a representative of the Department may call for the initial expedited request and an email of the request shall be provided by the Department. In accordance with Article 10.8.5, a Contractor must accept an Expedited Work Order (EWO) within 2 hr. from initial contact of the Department, or the Department will obtain the material through another source. The Department could seek damages for any costs exceeding the EWO cost.

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.

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.

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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 8042 – WINTER WEATHER MATERIALS**

Delivery of TY-II Brine Salt will be made in Supersack bags to the maintenance yard listed for the site. The unit of measure (BAG) is for salt packaged in supersacks of a nominal weight of 2,000 pounds.

Minimum order per office will be twenty-two (22) bags.

Material for this contract must be delivered in fourteen (14) calendar days from the issuance of the work order.

Expedited material for this contract must be delivered in twenty-four (24) hours from the issuance of the work order.



