

STATE OF TEXAS
TEXAS DEPARTMENT OF TRANSPORTATION

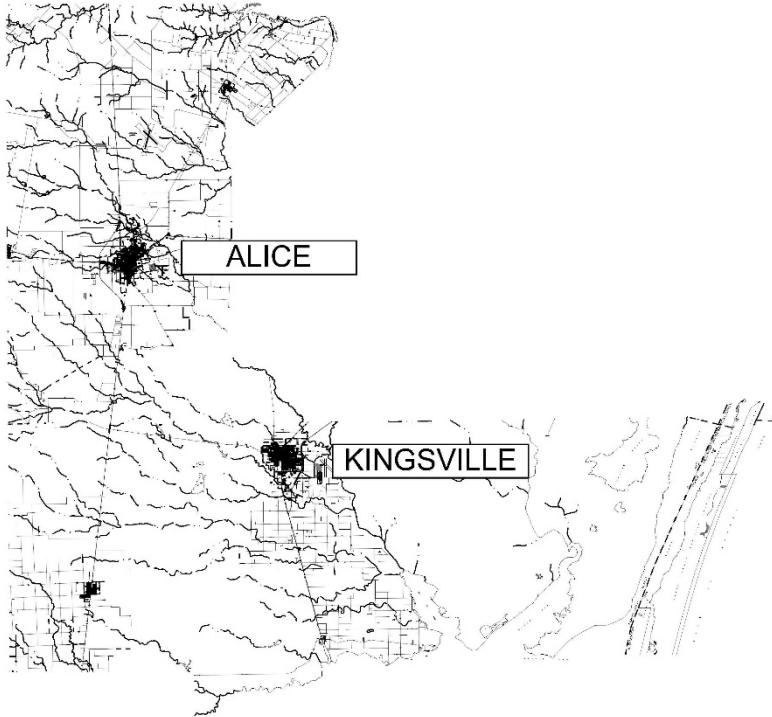
MATERIALS MAINTENANCE CONTRACT

PROJECT NO: MMC 6466-29-001

CSJ: 6466-29-001

LIMITS:*

FOR PURCHASE, DELIVERY & PICK-UP OF MATERIALS ONLY:
DENSE-GRADE HOT-MIX COLD-LAID ASPHALT



- ALICE MAINTENANCE OFFICE AREA OF RESPONSIBILITY
- KINGSVILLE MAINTENANCE OFFICE AREA OF RESPONSIBILITY

INDEX OF SHEETS

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| 1 | TITLE SHEET |
| 2 - 5 | GENERAL NOTES |
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| 7 | SUMMARY & LOCATION SHEET |

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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TEXAS DEPARTMENT OF TRANSPORTATION

SUBMITTED FOR LETTING: 3/21/2024

APPROVED FOR LETTING: 3/22/2024

DocuSigned by:

Armando Bosquez

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BRIDGE ENGINEER

DocuSigned by:

James D. Harris

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DIRECTOR OF MAINTENANCE

Project Number: MMC 6466-29-001

County: Jim Wells, ETC

Control: 6466-29-001

General Notes:

This contract shall commence upon the issuance of a work order by the Director of Maintenance or his representative and shall continue for 180 calendar days. This project consists of described work defined with item 8013, Hot-Mix Cold-Laid Asphalt Concrete Pavement (Material Only) the 2014 Texas Standard Specifications, General Notes and Plans. See estimate and quantity sheet for type and quantity of materials.

This purpose of this contract is to supply HMCL ACP TYPE D (DELIVERY) at the following locations:

| | |
|--------|---|
| Site 1 | Alice Maintenance Office |
| Site 2 | Roadways within Alice Maintenance Area |
| Site 3 | Kingsville Maintenance Office |
| Site 4 | Roadways within Kingsville Maintenance Area |

Coordinate work through the following individuals:

| Area Engineer | Address | Contact Information |
|---|--|--|
| Nicholas Novosad Area Engineer | 1071 N US HWY 281 Alice, TX 78332 | Nicholas Novosad, P.E. Nicholas.Novosad@txdot.gov |
| Lucia Adame Assistant Area Engineer | 1071 N US HWY 281 Alice, TX 78332 | Lucia Adame, P.E. Lucia.Adame@txdot.gov |
| Maintenance Section | Address | Contact Information |
| Cal Mora, JR. Alice Maintenance Supervisor | 1071 N US HWY 281 Alice, TX 78332 | Cal Mora, JR Cal.Mora@txdot.gov |
| Alfredo Gaona Kingsville Maintenance Supervisor | 1802 North 14 th St Kingsville, TX 78363 | Alfredo Gaona Alfredo.Gaona@txdot.gov |

SECTION 10.2 – Instructions to Bidders:

This project includes plan sheets that are not part of the bid proposal. View or download plans at:

<https://www.dot.state.tx.us/business/plansonline/ftpinfo.htm>

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:

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<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 may be submitted via the Letting Pre-Bid Q&A web page. This webpage can be accessed from the Notice to Contractors dashboard located at the following Address:

<https://tableau.txdot.gov/views/ProjectInformationDashboard/NoticetoContractors>

All contractor questions will be reviewed by the Engineer. All questions and any corresponding responses that are generated will be posted through the same Letting Pre-Bid Q&A web page.

The Letting Pre-Bid Q&A web page for each project can be accessed by using the dashboard to navigate to the project you are interested in by scrolling or filtering the dashboard using the controls on the left. Hover over the blue hyperlink for the project you want to view the Q&A for and click on the link in the window that pops up.

SECTION 10.3 – AWARD AND EXECUTION OF CONTRACT:

If several contracts are awarded to the same contractor, the contractor shall be sufficiently equipped to concurrently supply each contract material. Each contract awarded by the Department stands on its own and as such, is separate from other contracts.

Material requests shall be issued by Work Order to the Contractor a minimum of 15 calendar days in advance unless expedited items therefore allowing a minimum of 48 hours. Each Work Order shall specify quantities to be delivered, location of delivery, and days to complete Work Order.

SECTION 10.4 – SCOPE OF WORK:

Prior to beginning operations, schedule and participate in a coordination call or virtual meetings with the Engineer or designated representative to establish points of contact for communication, an issue escalation ladder, delivery location details, and other Contract requirements. Work with Engineer to resolve or escalate all issues.

In accordance with Article 10.4.3, TXDOT does not guarantee a specific volume to be purchase. No minimum compensation to the Contractor is guaranteed. Quantities indicated for each Item in the Contract are estimates only and are based on the previous usage. These estimates should not be construed as a minimum or maximum quantity to be ordered. The acceptance of this contract also does not guarantee that any specific volume will be purchased.

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If a delivery location changes by more than five miles, either party can request an adjustment to the Contract for changes in freight trucking cost.

SECTION 10.8 – PROSECUTION AND PROGRESS:

Contract time charges shall begin within 30 days of the activation date with issuance of "Authorization to Begin Work" letter. This contract is for one-hundred and eighty (180) calendar 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.

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 up for 2-hours at the jobsite at no additional expense to the Department. Written documentation of arrival will be used when calculation 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-hour hold will not begin until the arrival time specified on the work order.

Demurrage charges (an amount billed to the Department when the vendor incurs a wait time of more than two hours) Written documentation of arrival will be used when calculating demurrage charges and included on an invoice submitted to the managing office. Contractor will provide demurrage rate per truck, per 15-min increment, and 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.

Actual Damage charges (when a vendor is unable to meet delivery requirement and TxDOT suffers a verifiable loss as a result.) If advanced notice is not approved and the Department must obtain material through another source, the Department could seek damages for any costs exceeding the Contract bid items.

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ITEM 8013 – Hot-Mix Cold-Laid Asphalt Concrete Pavement (Material Only)

Deliver Hot-Mix Cold-Laid ACP to the maintenance office or roadway in end dumps unless otherwise directed by the Maintenance Supervisor.

For sites 2 and 4 there will usually be two rounds of material delivered each day. Schedule the trucking so that all the trucks ordered for each round arrive at the site around the same time. No truck will be dumped and allowed to leave the construction site until all the trucks ordered for that round have arrived on the site. A minimum of 20 Tons per work order will be required for delivery only.

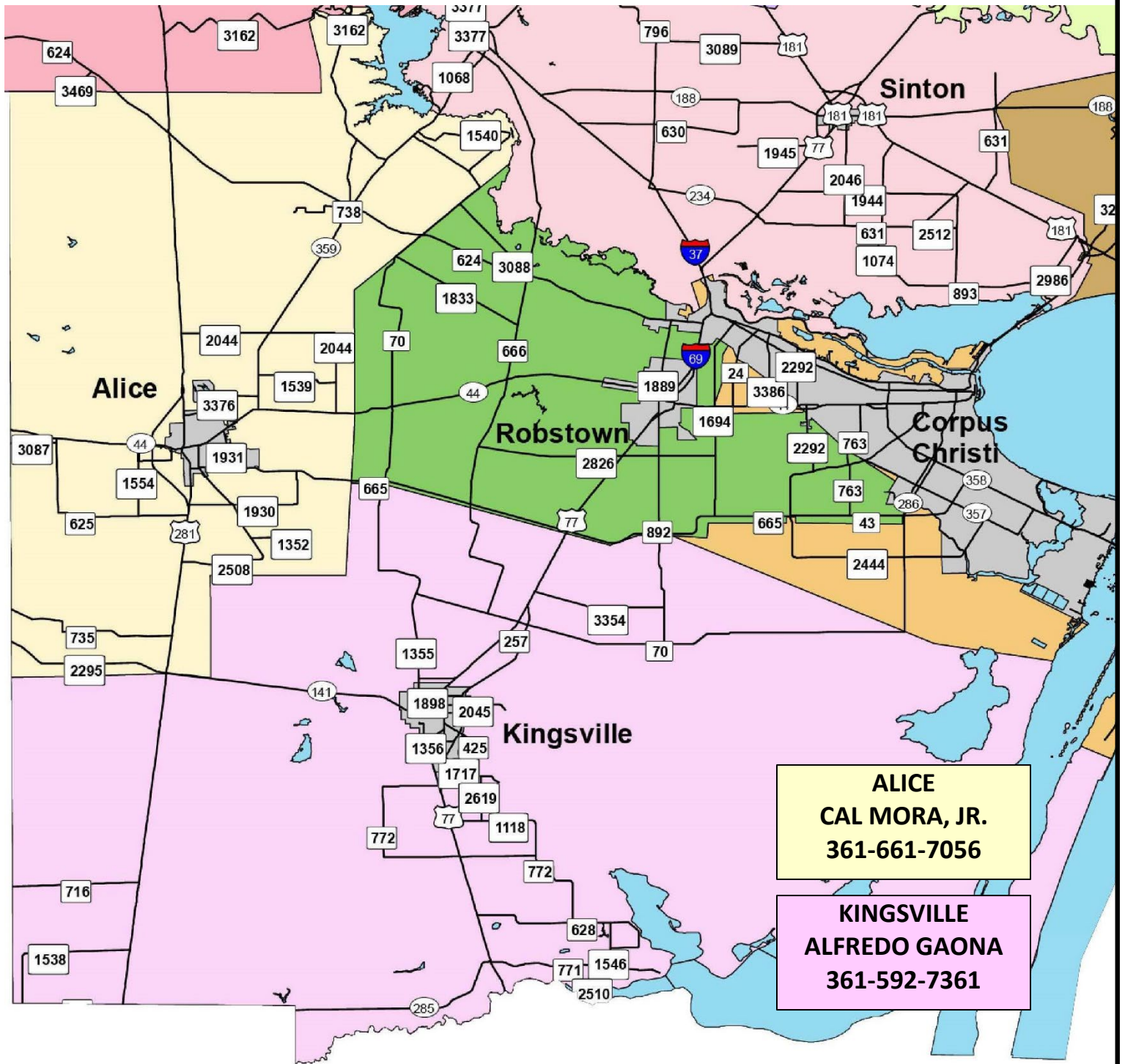
Site Locations:

HMCL ACP TYPE D (DELIVERY)(SITE 1): Alice Maintenance Office at 1071 N US 281 Alice, TX 78332.

HMCL ACP TYPE D (DELIVERY)(SITE 2): Roadways within Alice Maintenance Office area of responsibility.

HMCL ACP TYPE D (DELIVERY)(SITE 3): Kingsville Maintenance Office at 1802 N 14th Street Kingsville, TX 78363.

HMCL ACP TYPE D (DELIVERY)(SITE 4): Roadways within Kingsville Maintenance Office area of responsibility.



**PLAN SHEET
& SUMMARY**

| ITEM NO. | DESC. NO. | SPEC NO. | DESCRIPTION | UNIT | QTY |
|----------|-----------|----------|------------------------------------|------|-------|
| 8013 | 6009 | | HMCL ACP TYPE D (DELIVERY)(SITE 1) | TON | 200 |
| 8013 | 6010 | | HMCL ACP TYPE D (DELIVERY)(SITE 2) | TON | 500 |
| 8013 | 6011 | | HMCL ACP TYPE D (DELIVERY)(SITE 3) | TON | 200 |
| 8013 | 6012 | | HMCL ACP TYPE D (DELIVERY)(SITE 4) | TON | 1,600 |



| CONT | SECT | JOB | HIGHWAY |
|------|-----------------|-----|-----------|
| 6466 | 29 | 001 | US 281 |
| DIST | COUNTY | | SHEET NO. |
| 16 | JIM WELLS, etc. | | 7 |