Control	**0114-12-017**
Project	**C 114-12-17**
Highway	**US 290**
County	**HARRIS**

ADDENDUM ACKNOWLEDGMENT

Each bidder is required to acknowledge receipt of an addendum issued for a specific project. This page is provided for the purpose of acknowledging an addendum.

FAILURE TO ACKNOWLEDGE RECEIPT OF AN ADDENDUM WILL RESULT IN THE BID NOT BEING READ.

In order to properly acknowledge an addendum place a mark in the box next to the respective addendum.

ADDENDUM NO. 1 ☐

ADDENDUM NO. 2 ☐

ADDENDUM NO. 3 ☐

ADDENDUM NO. 4 ☐

ADDENDUM NO. 5 ☐

In addition, the bidder by affixing their signature to the signature page of the proposal is acknowledging that they have taken the addendum(s) into consideration when preparing their bid and that the information contained in the addendum will be included in the contract, if awarded by the Commission or other designees.

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Control	**0114-12-017**
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PROPOSAL TO THE TEXAS TRANSPORTATION COMMISSION

2024 SPECIFICATIONS

WORK CONSISTING OF TRANSPORTATION NON-ROADWAY

HARRIS COUNTY, TEXAS

The quantities in the proposal are approximate. The quantities of work and materials may be increased or decreased as considered necessary to complete the work as planned and contemplated.

This project is to be completed in 75 working days and will be accepted when fully completed and finished to the satisfaction of the Executive Director or designee.

Provide a proposal guaranty in the form of a Cashier's Check, Teller's Check (including an Official Check) or Bank Money Order on a State or National Bank or Savings and Loan Association, or State or Federally chartered Credit Union made payable to the Texas Transportation Commission in the following amount:

THIRTY-NINE THOUSAND (Dollars) **($39,000)**

A bid bond may be used as the required proposal guaranty. The bond form may be detached from the proposal for completion. The proposal may not be disassembled to remove the bond form. The bond must be in accordance with Item 2 of the specifications.

Any addenda issued amending this proposal and/or the plans that have been acknowledged by the bidder, become part of this proposal.

By signing the proposal the bidder certifies:

1. the only persons or parties interested in this proposal are those named and the bidder has not directly or indirectly participated in collusion, entered into an agreement or otherwise taken any action in restraint of free competitive bidding in connection with the above captioned project.
2. in the event of the award of a contract, the organization represented will secure bonds for the full amount of the contract.
3. the signatory represents and warrants that they are an authorized signatory for the organization for which the bid is submitted and they have full and complete authority to submit this bid on behalf of their firm.
4. that the certifications and representations contained in the proposal are true and accurate and the bidder intends the proposal to be taken as a genuine government record.

- **Signed: ****

(1) _____ (2) _____ (3) _____

Print Name:

(1) _____ (2) _____ (3) _____

Title:

(1) _____ (2) _____ (3) _____

Company:

(1) _____ (2) _____ (3) _____

- Signatures to comply with Item 2 of the specifications.

**Note: Complete (1) for single venture, through (2) for joint venture and through (3) for triple venture.

*** When the working days field contains an asterisk (*) refer to the Special Provisions and General Notes.**

NOTICE TO CONTRACTORS

ANY CONTRACTORS INTENDING TO BID ON ANY WORK TO BE AWARDED BY THIS DEPARTMENT MUST SUBMIT A SATISFACTORY "AUDITED FINANCIAL STATEMENT" AND "EXPERIENCE QUESTIONNAIRE" AT LEAST TEN DAYS PRIOR TO THE LETTING DATE.

UNIT PRICES MUST BE SUBMITTED IN ACCORDANCE WITH ITEM 2 OF THE STANDARD SPECIFICATIONS OR SPECIAL PROVISION TO ITEM 2 FOR EACH ITEM LISTED IN THIS PROPOSAL.

TEXAS DEPARTMENT OF TRANSPORTATION

BID BOND

KNOW ALL PERSONS BY THESE PRESENTS,

That we, (Contractor Name) _____

_____

Hereinafter called the Principal, and (Surety Name) _____

_____

a corporation or firm duly authorized to transact surety business in the State of Texas, hereinafter called the Surety, are held and firmly bound unto the Texas Department of Transportation, hereinafter called the Obligee, in the sum of not less than two percent (2%) of the department's engineer's estimate, rounded to the nearest one thousand dollars, not to exceed one hundred thousand dollars ($100,000) as a proposal guaranty (amount displayed on the cover of the proposal), the payment of which sum will and truly be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the principal has submitted a bid for the following project identified as:

Control	**0114-12-017**
Project	**C 114-12-17**
Highway	**US 290**
County	**HARRIS**

NOW, THEREFORE, if the Obligee shall award the Contract to the Principal and the Principal shall enter into the Contract in writing with the Obligee in accordance with the terms of such bid, then this bond shall be null and void. If in the event of failure of the Principal to execute such Contract in accordance with the terms of such bid, this bond shall become the property of the Obligee, without recourse of the Principal and/or Surety, not as a penalty but as liquidated damages.

Signed this _____ Day of _____ 20_____

By: _____

(Contractor/Principal Name)

_____

(Signature and Title of Authorized Signatory for Contractor/Principal)

*By: _____

(Surety Name)

_____

(Signature of Attorney-in-Fact)

*Attach Power of attorney (Surety) for Attorney-in-Fact

Impressed Surety Seal Only

This form may be removed from the proposal.

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BIDDER'S CHECK RETURN

IMPORTANT

The space provided for the return address must be completed to facilitate the return of your bidder's check. Care must be taken to provide a legible, accurate, and complete return address, including zip code. A copy of this sheet should be used for each different return address.

NOTE

Successful bidders will receive their guaranty checks with the executed contract.

RETURN BIDDERS CHECK TO (PLEASE PRINT):

Control	**0114-12-017**
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County	**HARRIS**

IMPORTANT

PLEASE RETURN THIS SHEET IN ITS ENTIRETY

Please acknowledge receipt of this check(s) at your earliest convenience by signing below in longhand, in ink, and returning this acknowledgement in the enclosed self addressed envelope.

Check Received By: _____ Date:_____

Title: _____

For (Contractor's Name): _____

Project _____ County_____

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NOTICE TO THE BIDDER

In the space provided below, please enter your total bid amount for this project. Only this figure will be read publicly by the Department at the public bid opening.

It is understood and agreed by the bidder in signing this proposal that the total bid amount entered below is not binding on either the bidder or the Department. It is further agreed that **the official total bid amount for this proposal will be determined by multiplying the unit bid prices for each pay item by the respective estimated quantities shown in this proposal and then totaling all of the extended amounts.**

$_____

Total Bid Amount

Control 0001-03-030
Project STP 2000(938)HES
Highway SH 20
County EL PASO

ALT	ITEM	DESC	SP	Bid Item Description	Unit	Quantity	Bid Price	Amount	Seq
	104	509		REMOV CONC (SDWLK)	SY	266.400	$10.000	$2,664.00	1

EXAMPLE

Total Bid Amount _____$2,664.00_____

Signed _____
Title _____
Date _____

Additional Signature for Joint Venture:

Signed _____
Title _____
Date _____

EXAMPLE OF BID PRICES SUBMITTED BY COMPUTER PRINTOUT

EXAMPLES

BID PRICES SUBMITTED BY HAND WRITTEN FORMAT

ALT	ITEM-CODE			UNIT BID PRICE ONLY WRITTEN IN WORDS	UNIT	APPROX QUANTITIES	DEPT USE ONLY
	ITEM NO	DESC NO	S.P. NO.				
	190	026		RED OAK 1 1/2 - 1 3/4 GAL BB	EA	9.000	1
				EXAMPLE: One hundred fifty DLRS and No CENTS			

Unit price for each plant in place

	249	014		FLEX BASE(DEL)(DENSCOT)(TY A GR4 CL2)	TON	56,787.00	14
				EXAMPLE: Seven DLRS and Fifty three CENTS			

Unit price for each ton of Flexible Base

	430	001	001	CL A CONC FOR EXT STR (CULV)	CY	45.000	27
				EXAMPLE: Three hundred five DLRS and No CENTS			

Unit price for each cubic yard of Concrete

	610	007	001	RDWY ILL ASSEM(TY ST 50T-8-8)(.4 KW)S	EA	13.000	7
				EXAMPLE: Fourteen hundred sixteen DLRS and Thirty seven CENTS			

Unit price of each Roadway Illumination Assembly

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ALT	ITEM-CODE			UNIT BID PRICE ONLY. WRITTEN IN WORDS	UNIT	APPROX QUANTITIES	DEPT USE ONLY
	ITEM NO	DESC CODE	S.P. NO.				
	100	7001		PREPARING ROW DOLLARS and CENTS	AC	2.800	1
	100	7003		PREP ROW (TREE REMOVE) (0"-12" DIA) DOLLARS and CENTS	EA	17.000	2
	100	7004		PREP ROW (TREE REMOVE) (12"-24" DIA) DOLLARS and CENTS	EA	8.000	3
	105	7007		RMV (7"-11") TRT/UNTRT BASE & ASPH PAV DOLLARS and CENTS	SY	79.000	4
	110	7001		EXCAV (ROADWAY) DOLLARS and CENTS	CY	652.000	5
	112	7002		SUBGR WIDEN (DC) DOLLARS and CENTS	STA	1.100	6
	132	7006		EMBANK (FNL)(DC)(TY C) DOLLARS and CENTS	CY	115.000	7
	150	7002		BLADING DOLLARS and CENTS	HR	52.000	8
	162	7002		BLOCK SODDING DOLLARS and CENTS	SY	2,800.000	9
	166	7001		FERTILIZER DOLLARS and CENTS	AC	.600	10
	168	7001		VEGETATIVE WATERING DOLLARS and CENTS	TGL	72.000	11
	247	7090		FL BS (CMP IN PLC)(TY A GR 1-2) (10") DOLLARS and CENTS	SY	10,465.000	12

ALT	ITEM-CODE			UNIT BID PRICE ONLY. WRITTEN IN WORDS	UNIT	APPROX QUANTITIES	DEPT USE ONLY
	ITEM NO	DESC CODE	S.P. NO.				
	260	7001		LIME (COM OR QK)(SLURRY) OR QK(DRY) DOLLARS and CENTS	TON	124.000	13
	260	7006		LIME TRT (EXIST MATL)(6") DOLLARS and CENTS	SY	9,152.000	14
	292	7017		TACK COAT DOLLARS and CENTS	GAL	628.000	15
	310	7004		PRIME COAT (MC-30) DOLLARS and CENTS	GAL	2,616.000	16
	341	7049		D-GR HMA TY-D SAC-A PG70-22 DOLLARS and CENTS	TON	1,152.000	17
	341	7051		D-GR HMA TY-D PG70-22 (LEVEL-UP) DOLLARS and CENTS	TON	1,152.000	18
	400	7010		CEM STABIL BKFL DOLLARS and CENTS	CY	1,170.000	19
	416	7037		DRILL SHAFT (HIGH MAST POLE) (60 IN) DOLLARS and CENTS	LF	38.000	20
	432	7007		RIPRAP (CONC) (CL B) (4 IN) DOLLARS and CENTS	CY	47.000	21
	432	7013		RIPRAP (MOW STRIP)(4 IN) DOLLARS and CENTS	CY	1.000	22
	464	7021		RC PIPE (CL IV)(24 IN) DOLLARS and CENTS	LF	544.000	23
	467	7328		SET (TY II) (24 IN) (RCP) (6: 1) (P) DOLLARS and CENTS	EA	8.000	24

ALT	ITEM-CODE			UNIT BID PRICE ONLY. WRITTEN IN WORDS	UNIT	APPROX QUANTITIES	DEPT USE ONLY
	ITEM NO	DESC CODE	S.P. NO.				
	500	7001		MOBILIZATION DOLLARS and CENTS	LS	1.000	25
	502	7001		BARRICADES, SIGNS AND TRAFFIC HANDLING DOLLARS and CENTS	MO	5.000	26
	503	7001		PORTABLE CHANGEABLE MESSAGE SIGN DOLLARS and CENTS	DAY	60.000	27
	505	7001		TMA (STATIONARY) DOLLARS and CENTS	DAY	60.000	28
	506	7002		ROCK FILTER DAMS (INSTALL) (TY 2) DOLLARS and CENTS	LF	170.000	29
	506	7011		ROCK FILTER DAMS (REMOVE) DOLLARS and CENTS	LF	170.000	30
	506	7021		CONSTRUCTION EXITS (INSTALL) (TY 2) DOLLARS and CENTS	SY	470.000	31
	506	7024		CONSTRUCTION EXITS (REMOVE) DOLLARS and CENTS	SY	470.000	32
	506	7034		CONSTRUCTION PERIMETER FENCE DOLLARS and CENTS	LF	505.000	33
	506	7039		TEMP SEDMT CONT FENCE (INSTALL) DOLLARS and CENTS	LF	1,633.000	34
	506	7041		TEMP SEDMT CONT FENCE (REMOVE) DOLLARS and CENTS	LF	1,633.000	35
	550	7001		CHAIN LINK FENCE (INSTALL) (6') DOLLARS and CENTS	LF	273.000	36

ALT	ITEM-CODE			UNIT BID PRICE ONLY. WRITTEN IN WORDS	UNIT	APPROX QUANTITIES	DEPT USE ONLY
	ITEM NO	DESC CODE	S.P. NO.				
	613	7006		HI MST IL POLE (150 FT)(100 MPH) DOLLARS and CENTS	EA	1.000	37
	614	7001		LED HI MST IL ASM (6 FIXT) (TY S) DOLLARS and CENTS	EA	1.000	38
	618	7054		CONDT (PVC) (SCH 80) (2") DOLLARS and CENTS	LF	857.000	39
	618	7055		CONDT (PVC) (SCH 80) (2") (BORE) DOLLARS and CENTS	LF	60.000	40
	620	7007		ELEC CONDR (NO.8) BARE DOLLARS and CENTS	LF	917.000	41
	620	7008		ELEC CONDR (NO.8) INSULATED DOLLARS and CENTS	LF	1,834.000	42
	624	7008		GROUND BOX TY D (162922)W/APRON DOLLARS and CENTS	EA	6.000	43
	628	7055		ELC SRV TY A 240/480 060(SS)SS(E)GC(U) DOLLARS and CENTS	EA	1.000	44
	644	7001		IN SM RD SN SUP&AM TY10BWG(1)SA(P) DOLLARS and CENTS	EA	1.000	45
	644	7004		IN SM RD SN SUP&AM TY10BWG(1)SA(T) DOLLARS and CENTS	EA	5.000	46
	644	7048		IN SM RD SN SUP&AM TYS80(2)SA(P) DOLLARS and CENTS	EA	11.000	47
	644	7057		IN SM RD SN SUP&AM TYTWT(1)WS(P) DOLLARS and CENTS	EA	6.000	48

ALT	ITEM-CODE			UNIT BID PRICE ONLY. WRITTEN IN WORDS	UNIT	APPROX QUANTITIES	DEPT USE ONLY
	ITEM NO	DESC CODE	S.P. NO.				
	658	7009		INSTL DEL ASSM (D-SW)SZ 2(WC)GND DOLLARS and CENTS	EA	10.000	49
	662	7064		WK ZN PAV MRK REMOV (W)4"(SLD) DOLLARS and CENTS	LF	1,000.000	50
	662	7097		WK ZN PAV MRK REMOV (Y)4"(SLD) DOLLARS and CENTS	LF	1,000.000	51
	666	7236		RE PM TY III (W)(6")(SLD) DOLLARS and CENTS	LF	2,003.000	52
	666	7244		RE PM TY III (W)(24")(SLD) DOLLARS and CENTS	LF	289.000	53
	666	7248		RE PM TY III (Y)(6")(SLD) DOLLARS and CENTS	LF	1,110.000	54
	677	7002		ELIM EXT PM & MRKS (6") DOLLARS and CENTS	LF	304.000	55
	678	7002		PAV SURF PREP FOR MRK (6") DOLLARS and CENTS	LF	3,113.000	56
	678	7008		PAV SURF PREP FOR MRK (24") DOLLARS and CENTS	LF	289.000	57

CERTIFICATION OF INTEREST IN OTHER BID PROPOSALS FOR THIS WORK

By signing this proposal, the bidding firm and the signer certify that the following information, as indicated by checking “Yes” or “No” below, is true, accurate, and complete.

A. Quotation(s) have been issued in this firm's name to other firm(s) interested in this work for consideration for performing a portion of this work.

_____ YES

_____ NO

B. If this proposal is the low bid, the bidder agrees to provide the following information prior to award of the contract.

1. Identify firms which bid as a prime contractor and from which the bidder received quotations for work on this project.
2. Identify all the firms which bid as a prime contractor to which the bidder gave quotations for work on this project.

ENGINEER SEAL

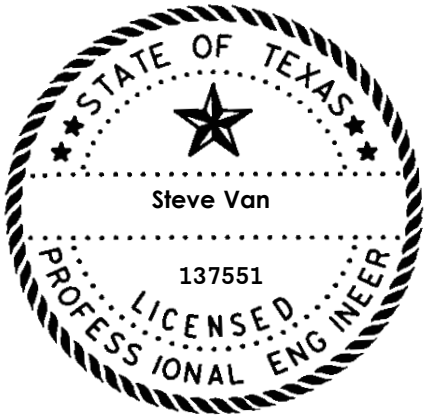
Control **0114-12-017**

Project **C 114-12-17**

Highway **US 290**

County **HARRIS**

The enclosed Texas Department of Transportation Specifications, Special Specifications, Special Provisions, General Notes and Specification Data in this document have been selected by me, or under my responsible supervision as being applicable to this project. Alteration of a sealed document without proper notification to the responsible engineer is an offense under the Texas Engineering Practice Act.



The seal appearing on this document was authorized by

Steve Van, P.E.

OCTOBER 04, 2024

General Notes:

General:

Area Engineer contact information for this project follows:

Hamoon Bahrami, P.E. at Hamoon.Bahrami@txdot.gov.
William Burch, P.E. at William.Burch@txdot.gov.

Submit any questions about this project via the Letting Pre-Bid Q&A web page, located at:

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

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

All relevant project documentation, including Contract Time Determinations will continue to be provided on the following FTP site:

Index of /pub/txdot-info/Pre-Letting Responses/Houston District (state.tx.us) or

https://ftp.dot.state.tx.us/pub/txdot-info/Pre-Letting%20Responses/Houston%20District/

If fixed features require, the governing slopes shown may vary between the limits shown and to the extent determined by the Engineer.

Superelevate the curves to match the existing surface.

Notify the Engineer immediately if discrepancies are discovered in the horizontal control or the benchmark data.

References to manufacturer's trade name or catalog numbers are for the purpose of identification only. Similar materials from other manufacturers are permitted if they are of equal quality, comply with the specifications for this project, and are approved, except for roadway illumination, electrical, and traffic signal items.

The cost for materials, labor, and incidentals to provide for traffic across the roadway and for ingress and egress to private property in accordance with Section 7.2.4 of the standard specifications is subsidiary to the various bid items. Restore access roadways to their original condition upon completing construction.

Grade street intersections and median openings for surface drainage.

If a foundation is to be placed where a riprap surface or an asphalt concrete surface presently exists, use caution in breaking out the existing surface for placement. Break out no greater area than is required to place the foundation. After placing the foundation, wrap the periphery with

0.5 in. pre-molded mastic expansion joint. Then replace the remaining portion of the broken out surface with Class A or Class C concrete or cold mix asphalt concrete to the exact slope, pattern, and thickness of the existing riprap or asphalt. Payment for breaking out the existing surface, wrapping the foundation, and replacing the surface is subsidiary to the various bid items.

The lengths of the posts for ground mounted signs and the tower legs for the overhead sign supports are approximate. Verify the lengths before ordering these materials to meet the existing field conditions and to conform to the minimum sign mounting heights shown in the plans.

Furnish aluminum Type A signs instead of plywood signs for signs shown on the Summary of Small Signs sheet.

Clearly mark or highlight on the shop drawings, the items being furnished for this project. Submit required shop drawings in accordance with the shop drawing distribution list shown in the note for Item 5 for review and distribution.

Make requests for additional soil information for this project at the Area Engineer's office.

Any groundwater elevation information provided is representative of conditions existing on the day when and for the specific location where this information was collected. The actual groundwater elevation may fluctuate with time, climatic conditions, and construction activity.

Procure permits and licenses, which are to be issued by the City, County, or Municipal Utility District.

General: Roadway Illumination and Electrical

For roadway illumination and electrical items, use materials from pre-qualified producers as shown on the Construction Division (CST) of the Department's material producers list. Check the latest link on the Department's website for this list. The category/item is "Roadway Illumination and Electrical Supplies." No substitutions will be allowed for materials found on this list.

Perform electrical work in conformance with the National Electrical Code (NEC) and the Department's standard sheets.

The Contractor may make the electrical grounding connections and permissible splices using the thermal fusion process, Cadweld, ThermOweld, or approved equal, instead of bolted connections and splices.

The Area Engineer will arrange with the Contractor, an inspection of the completed electrical systems for the highway lighting systems before final acceptance for compliance with plans and specifications. The inspection will be made with personnel from the electrical section of the Department's District Transportation Operations Office. The city's electrical division personnel will also inspect lighting systems within the city limits. Portions of the work found to be deficient during this inspection will not be accepted.

General: Traffic Signals

For traffic signal items, use materials from the Pre-Qualified Producers List (located at http://www.dot.state.tx.us/GSD/purchasing/supps.htm) and the materials pre-qualified for illumination and electrical items (located at http://ftp.dot.state.tx.us/pub/txdot-info/cmd/mpl/riaes.pdf) as shown on the Department's Material Producers List and the Roadway Illumination and Electrical Supplies List. Check the latest links on the Department's website for these lists. No substitutions will be allowed for materials found on these lists.

General: Site Management

Mark stations every 100 ft. and maintain the markings for the project duration. Remove the station markings at the completion of the project. This work is subsidiary to the various bid items.

Personal vehicles of employees are not permitted to park within the right of way, including sections closed to public traffic. Employees may park on the right of way at the Contractor's office, equipment, and materials storage yard sites.

Assume ownership of debris and dispose of at an approved location. Do not dispose of debris on private property unless approved in writing by the District Engineer.

Control the dust caused by construction operations. For sweeping the base material in preparation for laying asphalt and for sweeping the finished concrete pavement, use one of the following types of sweepers or approved equal:

Tricycle Type	**Truck Type - 4 Wheel**
Wayne Series 900	M-B Cruiser II
Elgin White Wing	Wayne Model 945
Elgin Pelican	Mobile TE-3
	Mobile TE-4
	Murphy 4042

General: Traffic Control and Construction

Schedule construction operations such that preparing individual items of work follows in close sequence to constructing storm drains in order to provide as little inconvenience as practical to the businesses and residents along the project.

Schedule work so that the base placement operations follow the subgrade work as closely as practical to reduce the hazard to the traveling public and to prevent undue delay caused by wet weather.

This project requires extensive grading operations in an environmentally sensitive area.

If fences cross construction easements shown on the plans and work is required beyond the fences, remove and replace the fences as directed. This work and the materials are subsidiary to the various bid items.

When design details are not shown on the plans, provide signs and arrows conforming to the latest "Standard Highway Sign Designs for Texas" manual.

General: Utilities

Consider the locations of underground utilities depicted in the plans as approximate and employ responsible care to avoid damaging utility facilities. Depending upon scope and magnitude of planned construction activities, advanced field confirmation by the utility owner or operator may be prudent. Where possible, protect and preserve permanent signs, markers, and designations of underground facilities.

If the Contractor damages or causes damage (breaks, leaks, nicks, dents, gouges, etc.) to the utility, contact the utility facility owner or operator immediately.

At least 72 hours before starting work, make arrangements for locating existing Department-owned above ground and underground fiber optic, communications, power, illumination, and traffic signal cabling and conduit. Do this by calling the Department's Houston District Traffic Signal Operations Office at 713-802-5662, or by e-mailing the Department's Houston District Traffic Signal Operations Office at: HOU-LocateRequest@txdot.gov, to schedule marking of underground lines on the ground. Use caution if working in these areas to avoid damaging or interfering with existing facilities.

Notify the Engineer at least 48 hours before constructing junction boxes at storm drain and utility intersections.

Install or remove poles and luminaires located near overhead or underground electrical lines using established industry and utility safety practices. Consult the appropriate utility company before beginning such work.

If overhead or underground power lines need to be de-energized, contact the electrical service provider to perform this work. Costs associated with de-energizing the power lines or other protective measures required are at no expense to the Department.

If working near power lines, comply with the appropriate sections of Texas State Law and Federal Regulations relating to the type of work involved.

Perform electrical work in conformance with the National Electrical Code (NEC) and Department's standard sheets.

Item 5: Control of Work

Submit shop drawings electronically for the fabrication of items as documented in Table 1 below. Information and requirements for electronic submittals can be viewed in the "Guide to Electronic Shop Drawing Submittal" which can be accessed through the following web link, ftp://ftp.dot.state.tx.us/pub/txdot-info/library/pubs/bus/bridge/e_submit_guide.pdf. References to 11 in. x 17 in. sheets in individual specifications for structural items imply electronic CAD sheets.

Table 1

2014 Construction Specification Required Shop/Working Drawing Submittals - TxDOT Generated Plans

Spec Item No.'s	Product	Submittal Required	Approval Required (Y/N)	Contractor/ Fabricator P.E. Seal Required	Reviewing Party	Shop or Working Drawing (Note 1)
7.16.1&.2	Construction Load Analyses	Y	Y	Y	B	WD
400	Excavation and Backfill for Structures (cofferdams)	Y	N	Y	A	WD
403	Temporary Special Shoring	Y	N	Y	C	WD
420	Formwork/Falsework	Y	N	Y	A	WD
423	Retaining Walls, (calcs req'd.)	Y	Y	Y	C	SD
425	Optional Design Calculations (Prstrs Bms)	Y	Y	Y	B	SD
425	Prestr Concr Sheet Piling	Y	Y	N	B	SD
425	Prestr Concr Beams	Y	Y	N	B	SD
425	Prestr Concr Bent	Y	Y	N	B	SD
426	Post Tension Details	Y	Y	N	B	SD
434	Elastomeric Bearing Pads (All)	Y	Y	N	B	SD
441	Bridge Protective Assembly	Y	Y	N	B	SD
441	Misc Steel (various steel assemblies)	Y	Y	N	B	SD
441	Steel Pedestals (bridge raising)	Y	Y	N	B	SD
441	Steel Bearings	Y	Y	N	B	SD
441	Steel Bent	Y	Y	N	B	SD
441	Steel Diaphragms	Y	Y	N	B	SD
441	Steel Finger Joint	Y	Y	N	B	SD
441	Steel Plate Girder	Y	Y	N	B	SD
441	Steel Tub-Girders	Y	Y	N	B	SD
441	Erection Plans, including Falsework	Y	N	Y	A	WD
449	Sign Structure Anchor Bolts	Y	Y	N	T	SD
450	Railing	Y	Y	N	A	SD
462	Concrete Box Culvert	Y	Y	N	C	SD
462	Concrete Box Culvert (Alternate Designs Only,calcs reqd.)	Y	Y	Y	B	SD
464	Reinforced Concrete Pipe (Jack and Bore only; ONLY when requested)	Y	Y	Y	A	SD
465	Pre-cast Junction Boxes, Grates, and Inlets	Y	Y	N	A	SD
465	Pre-cast Junction Boxes, Grates, and Inlets (Alternate Designs Only, calcs req'd.)	Y	Y	Y	B	SD
466	Pre-cast Headwalls and Wingwalls	Y	Y	N	A	SD
467	Pre-cast Safety End Treatments	Y	Y	N	A	SD

495	Raising Existing Structure (calcs reqd.)	Y	Y	Y	B	SD
610	Roadway Illumination Supports (Non-Standard only, calcs reqd.)	Y	Y	Y	BRG	SD
613	High Mast Illumination Poles (Non-standard only, calcs reqd.)	Y	Y	Y	BRG	SD
627	Treated Timber Poles	Y	Y	N	T	SD
644	Special Non-Standard Supports (Bridge Mounts, Barrier Mounts, Etc.)	Y	Y	Y	T	SD
647	Large Roadside Sign Supports	Y	Y	Y	T	SD
650	Cantilever Sign Structure Supports - Alternate Design Calcs.	Y	Y	Y	T	SD
650	Sign Structures	Y	Y	N	T	SD
680	Installation of Highway Traffic Signals	Y	Y	N	T	SD
682	Vehicle and Pedestrian Signal Heads	Y	Y	N	T	SD
684	Traffic Signal Cables	Y	Y	N	T	SD
685	Roadside Flashing Beacon Assemblies	Y	Y	N	T	SD
686	Traffic Signal Pole Assemblies (Steel) (Non-Standard only)	Y	Y	Y	T	SD
687	Pedestal Pole Assemblies	Y	Y	N	T	SD
688	Detectors	Y	Y	N	A	SD
784	Repairing Steel Bridge Members	Y	Y	Y	B	WD
SS	Prestr Concr Crown Span	Y	Y	N	B	SD
SS	Sound Barrier Walls	Y	Y	Y	A	SD
SS	Camera Poles	Y	Y	Y	TMS	SD
SS	Pedestrian Bridge (Calcs req'd.)	Y	Y	Y	B	SD
SS	Screw-In Type Anchor Foundations	Y	Y	N	T	SD
SS	Fiber Optic/Communication Cable	Y	Y	N	TMS	SD
SS	Spread Spectrum Radios for Signals	Y	Y	N	T	SD
SS	VIVDS System for Signals	Y	Y	N	T	SD
SS	CTMS Equipment	Y	Y	N	TMS	SD

Notes:

1. Document flow for Working Drawings differs from Shop Drawings in that Working Drawings must be submitted to the Engineer rather than the Engineer of Record and they are for the information of the Engineer only; an approval stamp and distribution to all project offices is not required.

Key to Reviewing Party

A - Area Office

Area Office	Email Address
Brazoria Area Office	HOU-BRZAShpDrwgs@txdot.gov
Fort Bend Area Office	HOU-FBAShpDrwgs@txdot.gov
Galveston Area Office	HOU-GALVAShpDrwgs@txdot.gov
Montgomery Area Office	HOU-MONTAShpDrwgs@txdot.gov
North Harris Area Office	HOU-NHAShpDrwgs@txdot.gov
Southeast Area Office	HOU-SEHAShpDrwgs@txdot.gov
Traffic Systems Construction Office	HOU-TSCShpDrwgs@txdot.gov
West/Central Harris Area Office	HOU-WWCHAOShpDrwgs@txdot.gov

B - Houston Bridge Engineer

Bridge Design (Houston TxDOT)	HOU-BrgShpDrwgs@txdot.gov

BRG - Austin Bridge Division

Bridge Design (Austin TxDOT)	BRG_ShopPlanReview@txdot.gov

C - Construction Office

Construction	HOU-ConstrShpDrwgs@txdot.gov
Laboratory	HOU-LabShpDrwgs@txdot.gov

T - Traffic Engineer

Traffic Operations	HOU-TrfShpDrwgs@txdot.gov

TMS – Traffic Management System

Computerized Traffic Management Systems (CTMS)	HOU-CTMSShpDrwgs@txdot.gov

Item 7: Legal Relations and Responsibilities

Do not initiate activities in a Project Specific Location (PSL), associated with a U.S. Army Corps of Engineers (USACE) permit area, that have not been previously evaluated by the USACE as part of the permit review of this project. Such activities include those pertaining to, but are not limited to, haul roads, equipment staging areas, borrow and disposal sites. Associated defined here means materials are delivered to or from the PSL. The permit area includes the waters of the U.S. or associated wetlands affected by activities associated with this project. Special restrictions may be required for such work. Assume responsibility for consultations with the USACE regarding activities, including PSLs that have not been previously evaluated by the USACE. Provide the Department with a copy of consultations or approvals from the USACE before initiating activities.

The Contractor may proceed with activities in PSLs that do not affect a USACE permit area if a self-determination has been made that the PSL is non-jurisdictional or if proper USACE clearances have been obtained in jurisdictional areas or have been previously evaluated by the USACE as part of the permit review of this project. The Contractor is solely responsible for documenting any determinations that their activities do not affect a USACE permit area. Maintain copies of their determinations for review by the Department or any regulatory agency.

Document and coordinate with the USACE, if required, before hauling any excavation from or hauling any embankment to a USACE permit area by either 1 or 2 below:

1. **Restricted Use of Materials for the Previously Evaluated Permit Areas.** Document both the Project Specific Locations (PSL) and their authorization. Maintain copies for review by the Department or any regulatory agency. When an area within the project limits has been evaluated by the USACE as part of the permit process for this project:
   a. Suitable excavation of required material in the areas shown on the plans and cross sections as specified in the Item, "Excavation" is used for permanent or temporary fill (under the Item, "Embankment") within a USACE permit area.
   b. Suitable embankment (under the Item, "Embankment") from within the USACE permit area is used as fill within a USACE evaluated area.
   c. Unsuitable excavation or excess excavation, "Waste" (under the Item, "Excavation"), that is disposed of at a location approved within a USACE evaluated area.

2. **Contractor Materials from Areas Other than Previously Evaluated Areas.** Provide the Department with a copy of USACE coordination or approvals before initiating any activities for an area within the project limits that has not been evaluated by the USACE or for any off right of way locations used for the following, but not limited to, haul roads, equipment staging areas, borrow and disposal sites:
   a. The Item, "Embankment" used for temporary or permanent fill within a USACE permit area.
   b. Unsuitable excavation or excess excavation, "Waste" (under the Item, "Excavation"), that is disposed of outside a USACE evaluated area.

The total area disturbed for this project is 2.1618 acres. The disturbed area in this project, the project locations in the Contract, and Contractor project specific locations (PSLs) within 1 mile of the project limits for the Contract, will further establish the authorization requirements for storm water discharges. The Department will obtain an authorization to discharge storm water from the Texas Commission on Environmental Quality (TCEQ) for the construction activities shown on the plans. The Contractor is to obtain required authorization from the TCEQ for Contractor PSLs for construction support activities on or off the ROW. When the total area disturbed in the Contract and PSLs within 1 mile of the project limits exceeds 5 acres, provide a copy of the Contractor NOI for PSLs on the ROW to the Engineer (to the appropriate MS4 operator when on an off-state system route) and to the local government that operates a separate storm drain system.

Before bidding on this project, obtain a copy of the complete U.S. Army Corps of Engineers Nationwide Permit Number 14 at the Area Engineer's office. Review the permit before bidding on the project and become aware of its conditions.

This project does not require a U.S. Army Corps of Engineers (USACE) Section 404 Permit before letting, but if a permit is needed during construction, assume responsibility for preparing the permit application. Submit the permit application to the Department's District Environmental Section for approval. Once the permit application is approved, the Department

will submit it to the USACE. Assume responsibility for the requested revisions, in coordination with the Department's District Environmental Section.

USACE permit requiring wetland delineation is not needed for this project, but the contractor shall avoid encroaching into the wetland areas delineated in the plans. Place erosion control measures around the wetlands as shown on the plans. No construction work or construction equipment is permitted within this delineated area. If applicable for bridge construction, construct drilled shafts outside of this delineated area. Secure approval for the locations of field offices, material storage sites, material disposal sites, plants, borrow pits, etc. in writing before use to ensure that the proposed location is not within Jurisdictional Waters of the United States (wetlands).

Do not store any material in Waters of the United States inside the right of way without written approval.

Before construction operations begin, provide a drawing of the location of proposed temporary access roads, haul roads, or temporary fill used during construction operations to ensure that they are not within Jurisdictional Waters of the United States.

If the Contractor elects to use an area not permitted and determined to be within Jurisdictional Waters of the United States during the prosecution of the work, the Contractor will hold the Department harmless for delays caused by procuring the necessary permits from the United States Army Corps of Engineers.

This project requires permits with environmental resource agencies. There is a high probability of encountering environmentally sensitive areas on Contractor designated project specific locations (PSLs) for this project (haul roads, equipment staging areas, borrow pits, disposal sites, field offices, storage areas, parking areas, etc.). This Item provides listings of regulatory agencies the Contractor may need to contact for this project, for any questions towards this matter please contact the Houston District Environmental group at 713-802-5000 for questions and guidance of which regulatory agencies the Contractor may need to contact.

Maintain the roadway slope stability. Maintaining slope stability is subsidiary to the various bid items.

The beginning of removing trees should start before February 15 to avoid bird nesting season. After February 15, the contractor should coordinate with Robert Burke to request bird survey before construction. Following the bird survey, the contractor may proceed with tree removal if no active bird nests are detected within the project area. The contractor may apply a convenience delay 90-days only if active bird nests are found. The contact information is:

Robert Burke
Email: rburke2@jmt.com
Office: 903-686-3008
Cell: 903-452-6780

The nesting / breeding season for migratory birds is February 15 through September 30.

Conduct any tree removal outside of the migratory bird nesting season. If this is not possible due to scheduling, then exercise caution to remove only those trees with no active nests. Do not destroy nests on structures or in trees within the project limits during the nesting / breeding season.

Take measures to prevent the building of nests on any structures or trees within the project limits throughout the duration of the construction if work / removal will be performed during the nesting / breeding season. This can be accomplished by application of bird repellent gel, netting by hand every 3 to 4 days, or any other non-threatening method approved by the Houston District Environmental Section. Obtain this approval well in advance of the planned use. Contact the Houston District Environmental Section at 713-802-5244. The cost of this work is subsidiary to the various bid items.

No significant traffic generator events have been identified.

Item 8: Prosecution and Progress

The Department will not adjust the number of days for the project and milestones, if any, due to differences in opinion regarding any assumptions made in the preparation of the schedule or for errors, omissions, or discrepancies found in the time determination schedule.

Working days will be computed and charged based on a standard workweek in accordance with Section 8.3.1.4. This project has SP008-005 for a convenience delay 90-days.

The Lane Closure Assessment Fee is $ 500.00. This fee applies to the Contractor for closures or obstructions that overlap into restricted hour traffic for each hour or portion thereof, per lane, regardless of the length of lane closure or obstruction. For Restricted Hours subject to Lane Assessment Fee refer to the Item, “Barricades, Signs, and Traffic Handling.” The time increment for the Lane Closure Assessment fee for this project is one hour.

Item 100: Preparing Right of Way

Clean existing ditches under fill sections of undesirable materials including grass, muck, and trash. Perform this work in accordance with the Construction section of the Item, “Preparing Right of Way.” This work is subsidiary to this bid Item.

The Item, “Preparing Right of Way” will be measured for payment only in those designated areas shown on the plans. Preparing right of way necessary to perform construction that is outside designated areas is subsidiary to this bid Item.

Remove abandoned utilities that are in conflict with the new utilities, at no expense to the Department.

Reestablish and maintain right of way stakes after completing the right of way preparation activities and until the new utilities are in place.

Remove and assume ownership of the existing ground mounted signs within the limits of roadway construction unless otherwise noted or directed. This work is subsidiary to the Item, "Preparing Right of Way."

Item 105: Removing Treated and Untreated Base and Asphalt Pavement

Removing curb on cement-treated and untreated base or on cement treatment being removed at the same time is subsidiary to this bid Item.

Item 110: Excavation

If manipulating the excavated material requires moving the same material more than once to accomplish the desired results, the excavation is measured and paid for only once regardless of the manipulation required.

Transition the ditch grades and channel bottom widths at structure locations. Use only approved channel excavation in the embankment.

Item 112: Subgrade Widening

Removing obstructions within the right of way, such as trees, brush, overhanging limbs, fences, foundations and other miscellaneous debris that may interfere with grading (subgrade widening) is subsidiary to the Item, "Subgrade Widening."

Item 132: Embankment

If salvaged base is used for the embankment material, break it into small pieces to achieve the required density and to facilitate placing in the embankment. Obtain approval of the material before placing in the embankment.

Furnish Type C material with a maximum Liquid Limit (LL) of 65, a minimum Plasticity Index (PI) of 5, and composed of suitable earth material such as loam, clay, or other materials that form a suitable embankment.

The embankment material used on the project which has a Liquid Limit exceeding 45 will be tested for Liquid Limits at the rate of one test per 20,000 cu. yd. or per total quantity less than 20,000 cu. yd., unless otherwise directed. Only use material that passes the above tests.

Item 150: Blading

Blade the shoulders in accordance with this Item and as directed.

Perform blading for ditch grading to ensure proper drainage between the existing and proposed ditches.

If using native soil for reshaping the shoulders, no separate payment for materials will be made.

Item 164: Seeding for Erosion Control
Item 166: Fertilizer

Item 168: Vegetative Watering

Refer to the "Fertilizer, Seed, Sod, Straw, Compost, and Water" plan sheet for material specifications, application rates, and for watering requirements.

Item 204: Sprinkling

Perform subsidiary sprinkling as required under various other items in accordance with the Item, "Sprinkling."

Item 247: Flexible Base

Place the flexible base in courses a maximum of 8 in. thick (loose measurement). Mix flexible base that requires 2 or more mixtures of material, in an approved stationary pugmill type mixer. Material passing the No. 40 sieve is known as soil binder.

Tolerances relating to a specified gradation and to a plasticity index under this specification are permitted.

Furnish one type of the base material unless otherwise authorized.

Compact the courses to a minimum density of 95 percent of the maximum density as determined using test method TEX-113-E.

Sandstone aggregate is not permitted.

Item 260: Lime Treatment (Road-Mixed)

For slurry placing, before discharging through the distributors, sufficiently agitate or mix the lime and water to place the lime in suspension and to obtain a uniform mixture.

The Engineer will observe the lime treatment that the Contractor elects to open to construction traffic immediately after compaction. If the construction traffic damages the subgrade, route the traffic off the damaged section in accordance with the standard specification. If the construction traffic does not damage the subgrade, cure the subgrade until other courses of material cover it. Apply these courses within 14 days with a maximum curing period of 7 days.

Place the hydrated and the commercial lime as a water suspension or slurry according to the slurry placing method shown in Section 260.4.3.2, "Slurry Placement."

Use the type of lime at particular locations as directed.

Place the quicklime dry or as a slurry.

For the dry quicklime, a spreader box is not required if the lime material is evenly distributed.

In limited areas, the Contractor may construct the lime slurry subgrade under a sequence of work in which the application, mixing, and compaction are completed in the same working day, if approved by the Engineer.

Provide documentation from certified public scales showing gross, tare, and net weights. Provide producer's delivery tickets also showing gross, tare, and net weights. Completely empty the lime trailers at the project site. The Engineer may direct the Contractor to reweigh any shipment of lime on certified scales. The cost of this operation is subsidiary to the Item, "Lime Treatment (Road-Mixed)."

The percentage of lime shown on the plans is estimated on the basis of engineering tests. If soil tests made during construction indicate properties different than those originally anticipated, the Engineer may vary the percentage of the lime to provide soil characteristics similar to those of the preliminary tests.

Mix the lime with the new base material in an approved pug mill type stationary mixer.

Item 292: Asphalt Treatment (Plant-Mixed)
Item 341: Dense-Graded Hot-Mix Asphalt

Unless otherwise shown on the plans, Reclaimed Asphalt Pavement (RAP) generated by this project will become the property of the Contractor for use in the current construction project or in future projects.

Item 292: Asphalt Treatment (Plant-Mixed)

If using the iron ore topsoil as the primary aggregate, meaning 80 percent or more by weight of the total mixture, the requirements for the water susceptibility test are waived.

Mixtures containing the iron ore topsoil are exempted from test methods Tex-217-F (Part I, separation of deleterious material and Part II, decantation test for coarse aggregate) and Tex-203-F (Sand Equivalent Test).

Assume responsibility for proportioning the materials entering the asphalt mixture, regardless of the type of plant used.

Furnish the mix designs for approval.

Meet the following grading requirements:

Sieve Size	Percent Passing Grade 4 (Bondbreaker)
1-3/4 in.	-
1 in.	-
1/2 in.	100
No. 4	30 - 70
No. 40	15 - 45

Physical requirements are as follows:

Maximum Plasticity Index (PI) = 8

Maximum Liquid Limit (LL) = 35
Maximum Wet Ball Mill = 50 (crushed stone)
Maximum LA Abrasion = 50 (iron ore)

If blending the materials, perform the Wet Ball Mill test for the composite aggregate.

Form bituminous mix incorporating 3.5 to 7 percent asphaltic binder by dry weight.

For nominal aggregate size less than 0.5 in., design the mix in accordance with test method Tex-204-F.

If the layer thickness after placing is 1.25 in. or less, the bondbreaker is exempt from the in-place density control described in Section 292.4.5, "Compaction."

Item 310: Prime Coat

Use asphalt material (MC-30 or PCE) for new flexible base and for salvaged flexible base to be surfaced and place as directed.

Item 341: Dense-Graded Hot Mix Asphalt

Taper the asphalt concrete pavement at the beginning and ending points.

Use a maximum 6H:1V slope for the asphalt concrete pavement edge.

Where the 6H:1V ACP edge taper extends over onto the unsurfaced shoulders, blade off the loose existing shoulder material to provide a solid base for the outside taper edge. After placing the ACP overlay, blade this material back against the edge taper. This work is subsidiary to the various bid items.

The stockpile will be the point of sampling of coarse aggregate for test method TEX-217-F (Part II, decantation).

Place the asphalt concrete pavement in courses as shown on the typical sections.

Do not use petroleum-based solvents in the beds of hot mix asphalt delivery vehicles.

Dilution of tack coat is not allowed.

Do not use Surface Aggregate Classification (SAC) C for this project.

For determining the Asphalt Content, only ignition ovens will be allowed.

The tack coat rate shown on the "Basis of Estimate" is an average rate for calculating tack coat quantities. Vary the rate based on the pavement conditions and other factors such as manufacturer's recommendations and weather.

Item 400: Excavation and Backfill for Structures

Plugging existing pipe culverts is subsidiary to the various bid items.

If Recycled Cement Treatment (Type D) is included in the plans, the following additional requirements apply:

1. Use only approved sand, crushed concrete, or salvaged base free from deleterious matter, as aggregate for cement-stabilized backfill.
2. Provide crushed concrete or salvaged base backfill material in accordance with the Item, "Cement Treatment (Plant-Mixed) (Type D)" (base or crushed concrete), except the recycled Type D material must not contain Reclaimed Asphalt Pavement (RAP).
3. For backfill material below the spring line of pipes, use cement-stabilized sand rather than Recycled Type D backfill material.
4. For the cement-stabilized sand backfill, use a minimum of 7 percent of hydraulic cement based on the dry weight of backfill material. The cement content for the crushed concrete and salvaged base is specified in the Item, "Cement Treatment (Plant-Mixed) (Type D)."
5. Place and compact the stabilized backfill material using a gradation that provides a dense mass without segregating and is impervious to passing of water.
6. Compact the mixture using density control unless otherwise shown on the plans. Place and compact the backfill within 2 hr. of mixing.

Item 416: Drilled Shaft Foundations

Include the cost for furnishing and installing anchor bolts mounted in the drilled shafts in the unit bid price for the various diameter drilled shafts.

The Department may test using ultrasonic methods the anchor bolts for overhead sign supports, light standards, and traffic signal poles after they are installed. Replace faulty anchor bolts as directed. Do not weld the anchor bolts.

Item 464: Reinforced Concrete Pipe

Rubber gaskets are required for concrete pipe joints except for connections of safety end treatments, driveway culverts, and joints between the existing pipes and extensions.

Open, install, and backfill each section, or a portion of a section, in the same day at locations requiring pipe culverts under existing roadways.

Place the pipe drains across existing roadways half at a time to allow passage of traffic. No trenches may remain open overnight.

Provide leave-outs or holes in the proposed storm drain structures and pipes for drainage during interim construction. This work is subsidiary to the various bid items.

The flowline elevations of side road structures are based on the proposed ditches. Field-verify these elevations and adjust them as necessary to meet the field conditions. Before placing these

structures, prepare and submit for approval, the data (revised elevation, alignment, length, etc.) for the adjusted structures.

If groundwater is encountered while installing the storm drain system, install a suitable dewatering system to facilitate construction of the storm drains. The costs for materials and labor required to install and maintain this system are subsidiary to the Item, "Reinforced Concrete Pipe."

Item 467: Safety End Treatment

Provide precast Type II SETs and riprap aprons (CL B, 4 inches) as shown on the plan.

Item 502: Barricades, Signs, and Traffic Handling

Use a traffic control plan for handling traffic through the various phases of construction. Follow the phasing sequence unless otherwise agreed upon by the Area Engineer and the Project Manager. Ensure this plan conforms to the latest "Texas Manual on Uniform Traffic Control Devices" and the latest Barricade and Construction (BC) Standard Sheets. The latest versions of Work Zone Standard Sheets WZ (BTS-1) and WZ (BTS-2) are the traffic control plan for the signal installations.

Submit changes to the traffic control plan to the Area Engineer. Provide a layout showing the construction phasing, signs, striping, and signalizations for changes to the original traffic control plan.

Furnish and maintain the barricades and warning signs, including the necessary temporary and portable traffic control devices, during the various phases of construction. Place and construct these barricades and warning signs in accordance with the latest "Texas Manual on Uniform Traffic Control Devices" for typical construction layouts.

Cover work zone signs when work related to the signs is not in progress, or when any hazard related to the signs no longer exists.

Keep the delineation devices, signs, and pavement markings clean. This work is subsidiary to the Item, "Barricades, Signs, and Traffic Handling."

If a section is not complete before the end of the workday, pull back the base material to the existing pavement edge on a 6H: 1V slope. Edge drop-offs during the hours of darkness are not permitted.

Before detouring traffic onto the mainlane shoulders, remove dirt, debris, vegetation, and other deleterious material from the surface of the shoulders. Appropriately sign the detour in an approved manner. This work is subsidiary to the various bid items.

Cover or remove the permanent signs and construction signs that are incorrect or that do not apply to the current situation for a particular phase.

Do not mount signs on drums or barricades, except those listed in the latest Barricades and Construction standard sheets.

Use traffic cones for daytime work only. Replace the cones with plastic drums during nighttime hours.

Place positive barriers to protect drop-off conditions greater than 2 ft. within the clear zone that remain overnight.

Do not reduce the existing number of lanes open to traffic except as shown on the following time schedule:

One Lane Closure (US 290 WBFR, Stokes Rd & FM 2920)

Day	Daytime Closure Hours	Nighttime Closure Hours	Restricted Hours Subject to Lane Assessment Fee
Monday	9:00 AM – 3:00 PM	N/A	5:00 AM – 9:00 AM AND 3:00 PM-9:00 PM
Tuesday	9:00 AM – 3:00 PM	N/A	5:00 AM – 9:00 AM AND 3:00 PM-9:00 PM
Wednesday	9:00 AM – 3:00 PM	N/A	5:00 AM – 9:00 AM AND 3:00 PM-9:00 PM
Thursday	9:00 AM – 3:00 PM	N/A	5:00 AM – 9:00 AM AND 3:00 PM-9:00 PM
Friday	9:00 AM – 3:00 PM	N/A	5:00 AM – 9:00 AM AND 3:00 PM-9:00 PM
Saturday	N/A	N/A	N/A
Sunday	N/A	N/A	N/A

The above times are approved for the traffic control conditions listed. The Area Engineer may approve other closure times if traffic counts warrant. The Area Engineer may reduce the above times for special events.

Law enforcement assistance will be required for this project and is expected to be required for major traffic control changes and lane closures. Coordinate with local law enforcement and arrange for law enforcement as directed or agreed by the Engineer. Before payment will be made, complete the "Daily Report on Law Enforcement Force Account Work" (Form 318), provided by the Department and submit daily invoices that agree with this form for any day during the month in which approved services were provided.

Provide full-time, off-duty, uniformed, certified peace officers, as part of traffic control operations. The peace officers must be able to show proof of certification by the Texas Commission on Law Enforcement Officers Standards. The cost of the officers is paid for on a force account basis.

A minimum of 7 days in advance of any total closure, notify the Houston District Public Information Office of which roadways, ramps, intersections, or lanes will be closed, the dates they will remain closed, and when they will be opened again to traffic.

A minimum of 7 days in advance of any total closure, place a portable changeable message (PCM) sign at the location of each total closure which informs the traveling public of the details of the closure. Alternately, if the Traffic Control Plan provides a positive barrier at the location,

a non-trailer mounted static message board sign behind the positive barrier may be used in place of a PCM.

The Contractor Force Account "Safety Contingency" that has been established for this project is intended to be utilized for work zone enhancements, to improve the effectiveness of the Traffic Control Plan, that could not be foreseen in the project planning and design stage. These enhancements will be mutually agreed upon by the Engineer and the Contractor's Responsible Person based on weekly or more frequent traffic management reviews on the project. The Engineer may choose to use existing bid items if it does not slow the implementation of enhancement.

Item 505: Truck-Mounted Attenuator (TMA) and Trailer Attenuator (TA)

A shadow vehicle with Truck-Mounted Attenuators (TMAs) or Trailer Attenuators (TAs) is required as shown on the appropriate Traffic Control Plan (TCP) sheets. TMAs/TAs must meet the requirements of the Compliant Work Zone Traffic Control Device List.

Level 3 Compliant TMAs/TAs are required for this project.

A total of one (1) shadow vehicle with a TMA/TA is required for the work, except for Pavement Marking Operations. The Contractor is responsible for determining if one or more of these operations will be ongoing at the same time to determine the total number of TMAs/TAs needed on the project.

A total of three (3) shadow vehicles with a TMA/TA are required for Pavement Marking Operations. The Contractor is responsible for determining if one or more of these operations will be ongoing at the same time to determine the total number of TMAs/TAs needed on the project.

No additional days of TMA will be paid if exceeds beyond the number of days in the contract.

Item 506: Temporary Erosion, Sedimentation and Environmental Controls

The Storm Water Pollution Prevention Plan (SWP3) consists of temporary erosion control measures needed and provided for under this Item.

Use appropriate measures to prevent, minimize, and control the spill of hazardous materials in the construction staging area. Remove and dispose of materials in compliance with State and Federal laws.

Before starting construction, review with the Engineer the SWP3 used for temporary erosion control as outlined on the plans. Before construction, place the temporary erosion and sedimentation control features as shown on the SWP3.

Schedule the seeding or sodding work as soon as possible. The project schedule provides for a vegetation management plan.

After completing earthwork operations, restore and reseed the disturbed areas in accordance with the Department's specifications for permanent or temporary erosion control.

Implement temporary and permanent erosion control measures to comply with the National Pollution Discharge Elimination System (NPDES) general permit under the Clean Water Act.

Before starting grading operations and during the project duration, place the temporary or permanent erosion control measures to prevent sediment from leaving the right of way and protect environmental resources.

Immediately address chemical and hydrocarbon spills caused by the Contractor. Keep a spill kit onsite.

The contractor will not impact waters and wetlands in the following locations until USACE permitting has been obtained for the wetlands at the proposed driveway sites: Stokes Rd near STA 2+00 and FM 2920 near STA 14+00.

Until permit is obtained, the Contractor will delineate and prohibit access to these areas using orange construction fencing. This work is considered subsidiary to Item 506.

Item 613: High Mast Illumination Poles

Place the metal beam guard fence before placing the high mast foundation.

Before erecting the high mast poles, notify the Engineer a minimum of 3 working days in advance for scheduling the inspection of each assembled high mast pole and high mast assembly.

Place high mast illumination poles in locations so that the light mounting and support assembly can be lowered and maintained from ground level without interfering with bridges or retaining walls. Notify the Engineer of any such conflicts.

Provide anchor bolts for high mast illumination poles in accordance with the Item, "Anchor Bolts."

Item 614: High Mast Illumination Assemblies

Erect and place in operation high mast illumination poles before removing existing illumination facilities.

The high mast power cable must meet the latest edition of Department Standard sheets, "High Mast Illumination Details" (HMID) and Department Material Specification (DMS) 11021, "High Mast Assembly Kits."

Furnish stainless steel pulley material for the Wire Rope Pulley as shown on the HMID standard.

Item 616: Performance Testing of Lighting Systems

The illumination plans provide for a complete illumination system installed, connected, tested, and ready for operation.

After satisfactory completion of tests, place the new lighting fixtures in operation. Final acceptance will be made after the fixtures operate satisfactorily for a minimum period of 14 days. The 14-day test period is included in the allowed working days.

Assume responsibility for the new lighting fixtures during the test period. Make adjustments or repairs as required and repair defects or damage at no expense to the Department.

Item 618: Conduit
Item 620: Electrical Conductors
Item 628: Electrical Services

If the specifications for electrical items require UL-listed products, this means UL-listed or CSA-listed.

Item 618: Conduit

When backfilling bore pits, ensure that the conduit is not damaged during installation or due to settling backfill material. Compact select backfill in 3 equal lifts to the bottom of the conduit; or if using sand, place it 2 in. above the conduit. Ensure backfill density is equal to that of the existing soil. Prevent material from entering the conduit.

Construct bore pits a minimum of 5 ft. from the edge of the base or pavement. Close the bore pit holes overnight.

Unless otherwise shown on the plans, install underground conduit a minimum of 24 in. deep. Install the conduit in accordance with the latest National Electrical Code (NEC) and applicable Department standard sheets. Place conduit under driveways or roadways a minimum of 24 in. below the pavement surface.

If using casing to place bored conduit, the casing is subsidiary to the conduit.

If placing the conduit under existing pavement to reach the service poles, bore the conduit in place and extend it a minimum distance of 5 ft. beyond the edge of shoulder or the back of curb.

Where PVC, duct cable, and HDPE conduit 1 in. and larger is allowed and installed per Department standards, provide a PVC elbow in place of the galvanized rigid metal elbow required by the Electrical Details standards. Ensure the PVC elbow is of the same schedule rating as the conduit to which it is connected. Use only a flat, high tensile strength polyester fiber pull tape to pull conductors through the PVC conduit system.

Remove conductor and conduit to be abandoned to 1 ft. below the ground level. This work is subsidiary to the various bid items.

Do not use cast iron junction boxes in concrete traffic barriers and single slope traffic barriers. Use polymer concrete junction boxes as shown on standard sheet ED(4)-14. Mount the junction boxes flush (+ 0 in., - 1/2 in.) with the concrete surface of the concrete barrier.

Use materials from pre-qualified producers as shown on the Department's Construction Division (CST) material producers list. Check the latest links on the Department's website for the list. The category is "Roadway Illumination and Electrical Supplies." The polymer concrete barrier box is subsidiary to Item 618, "Conduit."

Item 620: Electrical Conductors

Test each wire of each cable or conductor after installation. Incomplete circuits or damage to the wire or the cable are cause for immediate rejection of the entire cable being tested. Remove and replace the entire cable at no expense to the Department. Also test the replacement cable after installation.

When pulling cables or conductors through the conduit, do not exceed the manufacturer's recommended pulling tensions. Lubricate the cables or conductors with a lubricant recommended by the cable manufacturer.

For both transformer and shoe-base type illumination poles, provide double-pole breakaway fuse holders as shown on the Department's Construction Division (CST) material producers list. Check the latest link on the Department's website for this list. The category is "Roadway Illumination and Electrical Supplies." The fuse holder is shown on the list under Items 610 and 620. Provide 10 Amp time delay fuses.

Ensure that circuits test clear of faults, grounds, and open circuits.

Split bolt connectors are allowed only for splices on the grounding conductors.

For electrical licensing and electrical certification requirements for this project, see Item 7 of the Standard Specifications and any applicable special provisions to Item 7.

Item 624: Ground Boxes

The ground box locations are approximate. Alternate ground box locations may be used as directed, to avoid placing in sidewalks or driveways.

Ground metal ground box covers. Bond the ground box cover and ground conductors to a ground rod located in the ground box and to the system ground.

Ground the existing metal ground box covers as shown on the latest standard sheet ED (4)-14.

During construction and until project completion, provide personnel and equipment necessary to remove ground box lids for inspection. Provide this assistance within 24 hours of notification.

Construct concrete aprons in accordance with the latest standard sheet ED (4)-14. Make the depth of the concrete apron the same as the depth of the ground box, except for Type 1 and Type 2 ground boxes. For Type 1 or Type 2 ground boxes, construct the concrete apron in accordance with details shown on the "Ground Box Details Installations" standard.

Item 628: Electrical Services

Verify and coordinate the electrical service location with the engineering section of the appropriate utility district or company.

Identify the electrical service pole with an address number assigned by the Utility Service Provider. Provide 2-in. numerals visible from the highway. Provide numbers cut out aluminum figures nailed to wood poles or painted figures on steel poles or service cabinets.

Item 644: Small Roadside Sign Assemblies

Sign locations shown on the plans are approximate. Before placing them, obtain approval of and then stake the exact locations for these signs.

Use the Texas Universal Triangular Slip Base with the concrete foundation for small ground mounted signs, unless otherwise shown in the plans.

Remove existing street name signs from existing stop signs and re-install them above the new stop signs. Removing and re-installing existing street name signs is subsidiary to the Item, "Small Roadside Sign Assemblies."

When design details are not shown on the plans, provide signs and arrows conforming to the latest "Standard Highway Sign Designs for Texas" manual.

Assume ownership of the removed existing signposts. Store removed sign panels at the Contractor's field office, to be picked up by the maintenance office. This work is subsidiary to this item.

Locations of the relocated signs are approximate. Before placing them, obtain approval of and then stake the exact locations for these signs.

Replace existing signs that become damaged during relocation at no expense to the Department.

Item 656: Foundations for Traffic Control Devices

Excavating and disposing of surplus materials for lighting standard foundations are subsidiary to the roadway illumination assembly foundation. Dispose of surplus excavated material. Use rigid metal conduit (RMC) for stub-outs in foundation and concrete structures. These stub-outs are subsidiary to the drilled shaft foundations.

These operations will be ongoing at the same time to determine the total number of TMSs/Tas needed on the project.

Item 662: Work Zone Pavement Markings

At the end of each workday, mark roadways that remain open to traffic during construction operations with standard pavement markings, in accordance with the latest "Texas Manual on Uniform Traffic Control Devices."

Using raised markers for removable work zone pavement markings on final concrete surfaces is optional.

For transition lane lines and detour lane lines, use raised pavement markers as shown for solid lines on the latest Barricade and Construction standard sheet for "Work Zone Pavement Marking Details."

Item 662: Work Zone Pavement Markings
Item 666: Retroreflectorized Pavement Markings
Item 668: Prefabricated Pavement Markings and Rumble Strips

Use Type III glass beads for thermoplastic and multipolymer pavement markings.

Use a 0.100 in. (100 mil) thickness for thermoplastic pavement markings, measured to the top of the thermoplastic, not including the exposed glass beads.

Use a 0.022 in. (22 mil) thickness for multipolymer pavement markings, measured to the top of the multipolymer, not including the exposed glass beads.

For roadways with asphalt surfaces to be striped with work zone or permanent thermoplastic markings, the Contractor has the option to apply paint and beads markings for a maximum 30-day period until placing the thermoplastic markings, or until starting the succeeding phase of work on the striped area. Maintain the paint and beads markings, at no expense to the Department, until placing the thermoplastic markings or starting the succeeding phase of work on the striped area. The work zone markings, whether paint and beads or thermoplastic, are paid under the Item, "Work Zone Pavement Markings" and the markings are paid for only once for the given phase of construction.

If using paint and bead markings as described above, purchase the traffic paint from the open market.

If the Type II markings become dirty and require cleaning by washing, brushing, compressed air, or other approved methods before applying the Type I thermoplastic markings, this additional cleaning is subsidiary to the Item, "Retroreflectorized Pavement Markings."

Establish the alignment and layout for work zone striping and permanent striping.

Stripe all roadways before opening them to traffic.

Place pavement markings under these items in accordance with details shown on the plans, the latest "Texas Manual on Uniform Traffic Control Devices," or as directed.

When design details are not shown on the plans, provide pavement markings for arrows, words, and symbols conforming to the latest "Standard Highway Sign Designs for Texas" manual.

Item 677: Eliminating Existing Pavement Markings and Markers

Remove existing pavement markings on concrete or asphalt surfaces by flail milling or as directed.

Item 678: Pavement Surface Preparation for Markings

Do not blast clean asphalt concrete pavement. Clean asphalt concrete pavement as required under the applicable specifications or as directed.

On new concrete pavement or on existing concrete pavement when placing a new stripe on a new location, remove the curing compounds and contamination from the pavement surface by flail milling or as directed. In addition, air-blast the surface with compressed air just before placing the new stripe.

On existing concrete pavement when placing a new stripe on an existing location, after removing the existing stripe under the Item, "Eliminating Existing Pavement Markings and Markers," air-blast the surface with compressed air just before placing the new stripe.

Do not clean concrete pavement by grinding.

Basis of Estimate

Item	Description	Limit and Rate	Unit
150	Blading	1 Hr. / Station	HR
247	Flexible Base • Crushed Stone	 138 Lb. / Cu. Ft.	TON
260	Lime Treatment (Road-Mixed) For materials used as subgrade * • Lime(HYD, COM, or QK)(SLRY) or QK(DRY)	 6 % by weight based on 100 Lb. / Cu. Ft. subgrade	SY TON
310	Prime Coat	0.25 Gal. / Sq. Yd.	GAL
341	Dense-Graded Hot Mix Asphalt Tack Coat • Applied on new HMA • Applied on Existing HMA Applied on Milled HMA	110 Lb. / Sq. Yd.-In. 0.06 Gal. / Sq. Yd. 0.09 Gal. / Sq. Yd. 0.11 Gal. / Sq. Yd	TON GAL

* If used in existing roadway base, rate will be determined on a case by case basis.

CONTROL : 0114-12-017
PROJECT : C 114-12-17
HIGHWAY : US 290
COUNTY : HARRIS

TEXAS DEPARTMENT OF TRANSPORTATION

GOVERNING SPECIFICATIONS AND SPECIAL PROVISIONS

ALL SPECIFICATIONS AND SPECIAL PROVISIONS APPLICABLE TO THIS PROJECT ARE IDENTIFIED AS FOLLOWS:

STANDARD SPECIFICATIONS: ADOPTED BY THE TEXAS DEPARTMENT OF TRANSPORTATION SEPTEMBER 1, 2024. STANDARD SPECIFICATIONS ARE INCORPORATED INTO THE CONTRACT BY REFERENCE.

ITEMS 1 TO 9 INCL., GENERAL REQUIREMENTS AND COVENANTS
ITEM 100 PREPARING RIGHT OF WAY <103><752>
ITEM 105 REMOVING TREATED AND UNTREATED BASE AND ASPHALT PAVEMENT
ITEM 110 EXCAVATION <132>
ITEM 112 SUBGRADE WIDENING <132><204>
ITEM 132 EMBANKMENT <100><110><160><204><210><216><400>
ITEM 150 BLADING
ITEM 162 SODDING FOR EROSION CONTROL <164><166><168>
ITEM 166 FERTILIZER <520>
ITEM 168 VEGETATIVE WATERING
ITEM 247 FLEXIBLE BASE <105><204><210><216><520>
ITEM 260 LIME TREATMENT (ROAD-MIXED) <105><132><204><210><216> <247><300><310><520>
ITEM 292 ASPHALT TREATMENT (PLANT-MIXED) <300><320><520><585>
ITEM 310 PRIME COAT <300><316>
ITEM 341 DENSE-GRADED HOT-MIX ASPHALT <300><301><320><520><585>
ITEM 400 EXCAVATION AND BACKFILL FOR STRUCTURES <110><132><401> <402><403><416><420><421><423>
ITEM 416 DRILLED SHAFT FOUNDATIONS <405><420><421><423><440><448>
ITEM 432 RIPRAP <247><420><421><431><440>
ITEM 464 REINFORCED CONCRETE PIPE <400><402><403><467><476>
ITEM 467 SAFETY END TREATMENT <400><420><421><432><440><442><445> <460><464>
ITEM 500 MOBILIZATION
ITEM 502 BARRICADES, SIGNS, AND TRAFFIC HANDLING <503><505><510>
ITEM 503 PORTABLE CHANGEABLE MESSAGE SIGN
ITEM 505 TRUCK-MOUNTED ATTENUATOR (TMA) AND TRAILER ATTENUATOR (TA)
ITEM 506 TEMPORARY EROSION, SEDIMENTATION, AND ENVIRONMENTAL CONTROLS <161><432><556>
ITEM 550 CHAIN LINK FENCE <421><445>

ITEM 613 HIGH MAST ILLUMINATION POLES <416><421><432><441><442>
<445><449><614><618><624><638>
ITEM 614 HIGH MAST ILLUMINATION ASSEMBLIES <441><442><445><613>
<616><620><628>
ITEM 618 CONDUIT <400><445><476>
ITEM 620 ELECTRICAL CONDUCTORS <610><628>
ITEM 624 GROUND BOXES <420><421><432><440><618><620>
ITEM 628 ELECTRICAL SERVICES <441><445><449><618><620><627><656>
ITEM 644 SMALL ROADSIDE SIGN ASSEMBLIES <421><440><441><442><445>
<636><656>
ITEM 658 DELINEATOR AND OBJECT MARKER ASSEMBLIES <445>
ITEM 662 WORK ZONE PAVEMENT MARKINGS <666><668><672><677>
ITEM 666 RETROREFLECTORIZED PAVEMENT MARKINGS <316><502><662><667>
<677><678>
ITEM 677 ELIMINATING EXISTING PAVEMENT MARKINGS AND MARKERS <300>
<302><315><316>
ITEM 678 PAVEMENT SURFACE PREPARATION FOR MARKINGS <677>

SPECIAL PROVISIONS: SPECIAL PROVISIONS WILL GOVERN AND TAKE
---------- PRECEDENCE OVER THE SPECIFICATIONS ENUMERATED
HEREON WHEREVER IN CONFLICT THEREWITH.

SPECIAL LABOR PROVISIONS FOR STATE PROJECTS (000---005)
WAGE RATES
SPECIAL PROVISION "NONDISCRIMINATION" (000---001)
SPECIAL PROVISION "NOTICE OF CONTRACTOR PERFORMANCE EVALUATIONS"
(000---016)
SPECIAL PROVISION "CERTIFICATE OF INTERESTED PARTIES (FORM 1295)"
(000---017)
SPECIAL PROVISION "SMALL BUSINESS ENTERPRISE IN STATEFUNDED PROJECTS"
(000---019)
SPECIAL PROVISION "SCHEDULE OF LIQUIDATED DAMAGES" (000---031)
SPECIAL PROVISIONS TO ITEM 8 (008---001)(008---005)

SPECIAL SPECIFICATIONS:

GENERAL: THE ABOVE-LISTED SPECIFICATION ITEMS ARE THOSE UNDER WHICH
------- PAYMENT IS TO BE MADE. THESE, TOGETHER WITH SUCH OTHER
PERTINENT ITEMS, IF ANY, AS MAY BE REFERRED TO IN THE ABOVE-
LISTED SPECIFICATION ITEMS, AND INCLUDING THE SPECIAL
PROVISIONS LISTED ABOVE, CONSTITUTE THE COMPLETE SPECIFI-
CATIONS FOR THIS PROJECT.

Control **0114-12-017**

Project **C 114-12-17**

Highway **US 290**

County **HARRIS**

SMALL BUSINESS ENTERPRISE REQUIREMENTS

The following goal for small business enterprises is established:

SBE
0.0%

CHILD SUPPORT STATEMENT

Under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.

CONFLICT OF INTEREST CERTIFICATION

Pursuant to Texas Government Code Section 2261.252(b), the Department is prohibited from entering into contracts in which Department officers and employees have a financial interest.

By signing the Contract, the Contractor certifies that it is not prohibited from entering into a Contract with the Department as a result of a financial interest as defined under Texas Government Code Section 2261.252(b), and that it will exercise reasonable care and diligence to prevent any actions or conditions that could result in a conflict of interest with the Department.

The Contractor also certifies that none of the following individuals, nor any of their family members within the second degree of affinity or consanguinity, owns 1% or more interest or has a financial interest as defined under Texas Government Code Section 2261.252(b) in the Contractor:

- Any member of the Texas Transportation Commission; and
- The Department's Executive Director, General Counsel, Chief of Procurement and Field Support Operations, Director of Procurement, and Director of Contract Services.

Violation of this certification may result in action by the Department.

E-VERIFY CERTIFICATION

Pursuant to Texas Transportation Code §223.051, all TxDOT contracts for construction, maintenance, or improvement of a highway must include a provision requiring Contractors and subcontractors to use the U.S. Department of Homeland Security's E-Verify system to determine employment eligibility. By signing the contract, the Contractor certifies that prior to the award of the Contract:

- the Contractor has registered with and will, to the extent permitted by law, utilize the United States Department of Homeland Security's E-Verify system during the term of the Contract to determine the eligibility of all persons hired to perform duties within Texas during the term of the agreement; and
- the Contractor will require that all subcontractors also register with and, to the extent permitted by law, utilize the United States Department of Homeland Security's E-Verify system during the term of the subcontract to determine the eligibility of all persons hired to perform duties within Texas during the term of the agreement.

Violation of this requirement constitutes a material breach of the Contract, subjects a subcontractor to removal from the Contract, and subjects the Contractor or subcontractors to possible sanctions in accordance with Title 43, Texas Administrative Code, Chapter 10, Subchapter F, "Sanctions and Suspension for Ethical Violations by Entities Doing Business with the Department."

Certification Regarding Disclosure of Public Information

Pursuant to Subchapter J, Chapter 552, Texas Government Code, contractors executing a contract with a governmental body that results in the expenditure of at least $1 million in public funds must:

1) preserve all contracting information* as provided by the records retention requirements applicable to Texas Department of Transportation (TxDOT) for the duration of the contract,
2) on request of TxDOT, promptly provide any contracting information related to the contract that is in the custody or possession of the entity, and
3) on completion of the contract, either:
    A. provide, at no cost to TxDOT, all contracting information related to the contract that is in the custody or possession of the entity, or
    B. preserve the contracting information related to the contract as provided by the records retention requirements applicable to TxDOT

The requirements of Subchapter J, Chapter 552, Government Code, may apply to this contract, and the contractor or vendor agrees that the contract can be terminated if the contractor or vendor knowingly or intentionally fails to comply with a requirement of that subchapter.

By entering into Contract, the Contractor agrees to:

- provide, or make available, to TxDOT and any authorized governmental investigating or auditing agency all records, including electronic and payment records related to the contract, for the same period provided by the records retention schedule applicable to TxDOT, and
- ensure that all subcontracts include a clause requiring the same.

* As defined in Government Code §552.003, "Contracting information" means the following information maintained by a governmental body or sent between a governmental body and a vendor, contractor, potential vendor, or potential contractor:

1) information in a voucher or contract relating to the receipt or expenditure of public funds by a governmental body;
2) solicitation or bid documents relating to a contract with a governmental body;
3) communications sent between a governmental body and a vendor, contractor, potential vendor, or potential contractor during the solicitation, evaluation, or negotiation of a contract;
4) documents, including bid tabulations, showing the criteria by which a governmental body evaluates each vendor, contractor, potential vendor, or potential contractor responding to a solicitation and, if applicable, an explanation of why the vendor or contractor was selected; and
5) communications and other information sent between a governmental body and a vendor or contractor related to the performance of a final contract with the governmental body or work performed on behalf of the governmental body.

CERTIFICATION TO NOT BOYCOTT ISRAEL

Pursuant to Texas Government Code §2271.002, the Department must include a provision requiring a written verification affirming that the Contractor does not boycott Israel, as defined in Government Code §808.001, and will not boycott Israel during the term of the contract. This provision applies to a contract that:

1) is with a Contractor that is not a sole proprietorship,
2) is with a Contractor with 10 or more full-time employees, and
3) has a value of $100,000 or more.

By signing the contract, the Contractor certifies that it does not boycott Israel and will not boycott Israel during the term of this contract. “Boycott” means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

Violation of this certification may result in action by the Department.

CERTIFICATION TO NOT BOYCOTT ENERGY COMPANIES

Pursuant to Texas Government Code §2274.002, the Department must include a provision requiring a written verification affirming that the Contractor does not boycott energy companies, as defined in Government Code §809.001, and will not boycott energy companies during the term of the contract. This provision applies to a contract that:

1) is with a Contractor that is not a sole proprietorship,
2) is with a Contractor with 10 or more full-time employees, and
3) has a value of $100,000 or more.

By signing the contract, the Contractor certifies that it does not boycott energy companies and will not boycott energy companies during the term of this contract. “Boycott” means taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with a company because the company: (1) engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law; or (2) does business with a company described by (1).

Violation of this certification may result in action by the Department.

CERTIFICATION TO NOT DISCRIMINATE AGAINST FIREARM ENTITIES OR FIREARM TRADE ASSOCIATIONS

Pursuant to Texas Government Code §2274.002, the Department must include a provision requiring a written verification affirming that the Contractor:

1) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, as defined in Government Code §2274.001, and
2) will not discriminate against a firearm entity or firearm trade association during the term of the contract.

This provision applies to a contract that:

1) is with a Contractor that is not a sole proprietorship,
2) is with a Contractor with 10 or more full-time employees, and
3) has a value of $100,000 or more.

By signing the contract, the Contractor certifies that it does not discriminate against a firearm entity or firearm trade association as described and will not do so during the term of this contract. "Discriminate against a firearm entity or firearm trade association" means, with respect to the entity or association, to: (1) refuse to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association; (2) refrain from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; or (3) terminate an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association. "Discriminate against a firearm entity or firearm trade association" does not include: (1) the established policies of a merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories; (2) a company's refusal to engage in the trade of any goods or services, decision to refrain from continuing an existing business relationship, or decision to terminate an existing business relationship to comply with federal, state, or local law, policy, or regulations or a directive by a regulatory agency, or for any traditional business reason that is specific to the customer or potential customer and not based solely on an entity 's or association's status as a firearm entity or firearm trade association.

Violation of this certification may result in action by the Department.

PROHIBITION ON CERTAIN TELECOMMUNICATIONS EQUIPMENT OR SERVICES

The Federal Register Notice issued the Final Rule and states that the amendment to 2 CFR 200.216 is effective on August 13, 2020. The new 2 CFR 200.471 regulation provides clarity that the telecommunications and video surveillance costs associated with 2 CFR 200.216 are unallowable for services and equipment from these specific providers. OMB's Federal Register Notice includes the new 2 CFR 200.216 and 2 CFR 200.471 regulations.

https://www.federalregister.gov/documents/2020/08/13/2020-17468/guidance-for-grants-and-agreements

Per the Federal Law referenced above, use of services, systems, or services or systems that contain components produced by any of the following manufacturers is strictly prohibited for use on this project. Therefore, for any telecommunications, CCTV, or video surveillance equipment, services or systems cannot be manufactured by, or have components manufactured by:

- Huawei Technologies Company,
- ZTE Corporation (any subsidiary and affiliate of such entities),
- Hyatera Communications Corporation,
- Hangzhou Hikvision Digital Technology Company,
- Dahua Technology Company (any subsidiary and affiliate of such entities).

Violation of this prohibition will require replacement of the equipment at the contractor's expense.

Special Provision to Item 000
Special Labor Provisions for State Projects

1. GENERAL

This is a "Public Works" Project, as provided under Government Code, Chapter 2258, "Prevailing Wage Rates," and is subject to the provisions of the statute. No provisions in the Contract are intended to conflict with the provisions of the statute.

The Commission has ascertained and indicated in the Special Provisions the regular rate of per diem wages prevailing in each locality for each craft or type of worker. Apply the wage rates contained in the Specifications as minimum wage rates for the Contract.

2. MINIMUM WAGES, HOURS, AND CONDITIONS OF EMPLOYMENT

All workers necessary for the satisfactory completion of the work are within the purview of the Contract.

Whenever and wherever practical, give local citizens preference in the selection of labor.

Do not require any worker to lodge, board, or trade at a particular place, or with a particular person, as a condition of employment.

Do not charge or accept a fee of any from any person who obtains work on the project. Do not require any person who obtains work on the project to pay any fee to any other person or agency obtaining employment for the person on the project.

Do not charge for tools or equipment used in connection with the duties performed, except for loss or damage of property. Do not charge for necessary camp water.

Do not charge for any transportation furnished to any person employed on the project.

The provisions apply where work is performed by piece work and station work. The minimum wage paid will be exclusive of equipment rental on any shipment that the worker or subcontractor may furnish in connection with their work.

Take responsibility for carrying out the requirements of this Specification and ensure that each subcontractor working on the project complies with its provisions.

Any form of subterfuge, coercion, or deduction designated to evade, reduce, or discount the established minimum wage scales will be considered a violation of the Contract.

The Fair Labor Standards Act established one and one-half (1-1/2) pay for overtime in excess of 40 hr. worked in 1 week. Do not consider time consumed by the worker in going to and returning from the place of work as part of the hours of work. Do not require or permit any worker to work more than 40 hr. in 1 week, unless the worker receives compensation at a rate not less than 1-1/2 times the basic rate of pay for all hours worked in excess of 40 hr. in the workweek.

The general rates of per diem wages prevailing in this locality for each class and type of workers whose services are considered necessary to fulfill the Contract are indicated in the Special Provisions, and these rates govern as minimum wage rates on this Contract. A penalty of $60 per calendar day or portion of a calendar day for each worker who is paid less than the stipulated general rates of per diem wages for any work done under the Contract will be deducted. The Department, upon receipt of a complaint by a worker,

will determine within 30 days whether good cause exists to believe that the Contractor or a subcontractor has violated wage rate requirements and notify the parties involved of the findings. Make every effort to resolve the alleged violation within 14 days after notification. The next alternative is submittal to binding arbitration in accordance with the provisions of the Texas General Arbitration Act (Article 224 et seq., "Revised Statutes").

Notwithstanding any other provision of the Contract, covenant and agree that the Contractor and its subcontractors will pay each of their employees and contract labor engaged in any way in work under the Contract, a wage not less than what is generally known as the "federal minimum wage" in accordance with 29 USC § 206 as that statute may be amended from time to time.

Pay any worker employed whose position is not listed in the Contract, a wage not less than the per diem wage rate established in the Contract for a worker whose duties are most nearly comparable.

3. RECORD AND INSPECTIONS

Keep copies of weekly payrolls for review. Require subcontractors to keep copies of weekly payrolls for review. Show the name, occupation, number of hours worked each day, and per diem wage paid each worker together with a complete record of all deductions made from such wages. Keep records for a period of 3 yr. from the date of completion of the Contract.

Where the piece-work method is used, indicate on the payroll for each person involved:

- quantity of piece work performed,
- price paid per piece-work unit, and
- total hours employed.

The Engineer may require the Contractor to file an affidavit for each payroll certifying that payroll is a true and accurate report of the full wages due and paid to each person employed.

Post or make available to employees the prevailing wage rates from the Contract. Require subcontractors to post or make available to employees the prevailing wage rates from the Contract.

The wage rates listed herein are those predetermined by the Secretary of Labor and State Statue and listed in the United States Department of Labor's (USDOL) General Decisions dated 01-05-2024 and are the minimum wages to be paid accordingly for each specified classification. To determine the applicable wage rate zone, a list entitled "TEXAS COUNTIES IDENTIFIED BY WAGE RATE ZONES" is provided in the contract. Any wage rate that is not listed herein and not in the USDOL's general decision, must be requested by the contractor through the completion of an Additional Classification and Wage Rate Request and be submitted for approval. IMPORTANT NOTICE FOR STATE PROJECTS: only the controlling wage rate zone applies to the contract. Effective 01-05-2024.

CLASS. #	CLASSIFICATION DESCRIPTION	ZONE TX02 *(TX20240002)	ZONE TX03 *(TX20240003)	ZONE TX04 *(TX20240004)	ZONE TX05 *(TX20240005)	ZONE TX06 *(TX20240006)	ZONE TX07 *(TX20240007)	ZONE TX08 *(TX20240008)	ZONE TX24 *(TX20240024)	ZONE TX25 *(TX20240025)	ZONE TX27 *(TX20240027)	ZONE TX28 *(TX20240028)	ZONE TX29 *(TX20240029)	ZONE TX30 *(TX20240030)	ZONE TX37 *(TX20240037)	ZONE TX38 *(TX20240038)	ZONE TX42 *(TX20240042)
1428	Agricultural Tractor Operator						$12.69					$12.35			$11.75		
1300	Asphalt Distributor Operator	$14.87	$13.48	$13.88	$15.72	$15.58	$15.55	$15.72	$13.28	$15.32	$15.62	$14.36	$14.25	$14.03	$13.75	$14.06	$14.40
1303	Asphalt Paving Machine Operator	$13.40	$12.25	$12.35	$13.87	$14.05	$14.36	$14.20	$13.26	$13.99	$14.68	$12.92	$13.44	$12.53	$14.00	$14.32	$12.99
1106	Asphalt Raker	$12.28	$10.61	$12.02	$14.21	$11.65	$12.12	$11.64	$11.44	$12.69	$12.05	$11.34	$11.67	$11.40	$12.59	$12.36	$11.78
1112	Batching Plant Operator, Asphalt																
1115	Batching Plant Operator, Concrete																
1214	Blaster																
1615	Boom Truck Operator						$18.36										
1444	Boring Machine Operator																
1305	Broom or Sweeper Operator	$11.21	$10.33	$10.08	$11.99		$11.04	$11.62		$11.74	$11.41	$10.30		$10.23	$10.60	$12.68	$11.05
1144	Communications Cable Installer																
1124	Concrete Finisher, Paving and Structures	$13.55	$12.46	$13.16	$12.85	$12.64	$12.56	$12.77	$12.44	$14.12	$13.04	$13.38	$12.64	$12.80	$12.79	$12.98	$13.32
1318	Concrete Pavement Finishing Machine Operator				$16.05		$15.48			$16.05		$19.31				$13.07	
1315	Concrete Paving, Curing, Float, Texturing Machine Operator											$16.34				$11.71	
1333	Concrete Saw Operator				$14.67					$14.48	$17.33					$13.99	
1399	Concrete/Gunite Pump Operator																
1344	Crane Operator, Hydraulic 80 tons or less				$18.22		$18.36			$18.12	$18.04	$20.21			$18.63	$13.86	
1345	Crane Operator, Hydraulic Over 80 Tons																
1342	Crane Operator, Lattice Boom 80 Tons or Less	$16.82	$14.39	$13.85	$17.27		$15.87			$17.27		$14.67			$16.42	$14.97	$13.87
1343	Crane Operator, Lattice Boom Over 80 Tons				$20.52		$19.38			$20.52		$17.49			$25.13	$15.80	
1306	Crawler Tractor Operator	$13.96	$16.63	$13.62	$14.26		$15.67			$14.07	$13.15	$13.38			$14.60	$13.68	$13.50
1351	Crusher or Screen Plant Operator																
1446	Directional Drilling Locator						$11.67										
1445	Directional Drilling Operator				$20.32		$17.24										
1139	Electrician	$20.96		$19.87	$19.80		$26.35		$20.27	$19.80		$20.92				$27.11	$19.87
1347	Excavator Operator, 50,000 pounds or less	$13.46	$12.56	$13.67	$17.19		$12.88	$14.38	$13.49	$17.19		$13.88			$14.09	$12.71	$14.42
1348	Excavator Operator, Over 50,000 pounds		$15.23	$13.52	$17.04		$17.71			$16.99	$18.80	$16.22				$14.53	$13.52
1150	Flagger	$9.30	$9.10	$8.50	$10.28	$8.81	$9.45	$8.70		$10.06	$9.71	$9.03	$8.81	$9.08	$9.90	$10.33	$8.10
1151	Form Builder/Setter, Structures	$13.52	$12.30	$13.38	$12.91	$12.71	$12.87	$12.38	$12.26	$13.84	$12.98	$13.07	$13.61	$12.82	$14.73	$12.23	$12.25
1160	Form Setter, Paving & Curb	$12.36	$12.16	$13.93	$11.83	$10.71	$12.94			$13.16	$12.54	$11.33	$10.69		$13.33	$12.34	$13.93
1360	Foundation Drill Operator, Crawler Mounted				$17.99					$17.99						$17.43	
1363	Foundation Drill Operator, Truck Mounted		$16.86	$22.05	$21.51		$16.93			$21.07	$20.20	$20.76		$17.54	$21.39	$15.89	$22.05
1369	Front End Loader Operator, 3 CY or Less	$12.28	$13.49	$13.40	$13.85		$13.04	$13.15	$13.29	$13.69	$12.64	$12.89			$13.51	$13.32	$12.17
1372	Front End Loader Operator, Over 3 CY	$12.77	$13.69	$12.33	$14.96		$13.21	$12.86	$13.57	$14.72	$13.75	$12.32			$13.19	$13.17	$13.02
1329	Joint Sealer																
1172	Laborer, Common	$10.30	$9.86	$10.08	$10.51	$10.71	$10.50	$10.24	$10.58	$10.72	$10.45	$10.30	$10.25	$10.03	$10.54	$11.02	$10.15
1175	Laborer, Utility	$11.80	$11.53	$12.70	$12.17	$11.81	$12.27	$12.11	$11.33	$12.32	$11.80	$11.53	$11.23	$11.50	$11.95	$11.73	$12.37
1346	Loader/Backhoe Operator	$14.18	$12.77	$12.97	$15.68		$14.12			$15.18	$13.58	$12.87		$13.21	$14.13	$14.29	$12.90
1187	Mechanic	$20.14	$15.47	$17.47	$17.74	$17.00	$17.10			$17.68	$18.94	$18.58	$17.00	$16.61	$18.46	$16.96	$17.47

CLASS. #	CLASSIFICATION DESCRIPTION	ZONE TX02 *(TX20240002)	ZONE TX03 *(TX20240003)	ZONE TX04 *(TX20240004)	ZONE TX05 *(TX20240005)	ZONE TX06 *(TX20240006)	ZONE TX07 *(TX20240007)	ZONE TX08 *(TX20240008)	ZONE TX24 *(TX20240024)	ZONE TX25 *(TX20240025)	ZONE TX27 *(TX20240027)	ZONE TX28 *(TX20240028)	ZONE TX29 *(TX20240029)	ZONE TX30 *(TX20240030)	ZONE TX37 *(TX20240037)	ZONE TX38 *(TX20240038)	ZONE TX42 *(TX20240042)
1380	Milling Machine Operator	$15.54	$14.64	$12.22	$14.29		$14.18			$14.32	$14.35	$12.86			$14.75	$13.53	$12.80
1390	Motor Grader Operator, Fine Grade	$17.49	$16.52	$16.88	$17.12	$18.37	$18.51	$16.69	$16.13	$17.19	$18.35	$17.07	$17.74	$17.47	$17.08	$15.69	$20.01
1393	Motor Grader Operator, Rough	$16.15	$14.62	$15.83	$16.20	$17.07	$14.63	$18.50		$16.02	$16.44	$15.12	$16.85	$14.47	$17.39	$14.23	$15.53
1413	Off Road Hauler			$10.08	$12.26		$11.88			$12.25		$12.23			$13.00	$14.60	
1196	Painter, Structures					$21.29	$18.34						$21.29			$18.62	
1396	Pavement Marking Machine Operator	$16.42		$13.10	$13.55		$19.17	$12.01		$13.63	$14.60	$13.17		$16.65	$10.54	$11.18	$13.10
1443	Percussion or Rotary Drill Operator																
1202	Piledriver															$14.95	
1205	Pipelayer		$11.87	$14.64	$13.17	$11.17	$12.79		$11.37	$13.24	$12.66	$13.24	$11.17	$11.67		$12.12	$14.64
1384	Reclaimer/Pulverizer Operator	$12.85			$11.90		$12.88			$11.01		$10.46					
1500	Reinforcing Steel Worker	$13.50	$14.07	$17.53	$16.17		$14.00			$16.18	$12.74	$15.83		$17.10		$15.15	$17.72
1402	Roller Operator, Asphalt	$10.95		$11.96	$13.29		$12.78	$11.61		$13.08	$12.36	$11.68			$11.71	$11.95	$11.50
1405	Roller Operator, Other	$10.36		$10.44	$11.82		$10.50	$11.64		$11.51	$10.59	$10.30		$12.04	$12.85	$11.57	$10.66
1411	Scraper Operator	$10.61	$11.07	$10.85	$12.88		$12.27		$11.12	$12.96	$11.88	$12.43		$11.22	$13.95	$13.47	$10.89
1417	Self-Propelled Hammer Operator																
1194	Servicer	$13.98	$12.34	$14.11	$14.74		$14.51	$15.56	$13.44	$14.58	$14.31	$13.83		$12.43	$13.72	$13.97	$14.11
1513	Sign Erector																
1708	Slurry Seal or Micro-Surfacing Machine Operator																
1341	Small Slipform Machine Operator									$15.96							
1515	Spreader Box Operator	$12.60		$13.12	$14.71		$14.04			$14.73	$13.84	$13.68		$13.45	$11.83	$13.58	$14.05
1705	Structural Steel Welder															$12.85	
1509	Structural Steel Worker						$19.29									$14.39	
1339	Subgrade Trimmer																
1143	Telecommunication Technician																
1145	Traffic Signal/Light Pole Worker						$16.00										
1440	Trenching Machine Operator, Heavy						$18.48										
1437	Trenching Machine Operator, Light																
1609	Truck Driver Lowboy-Float	$14.46	$13.63	$13.41	$15.00	$15.93	$15.66			$16.24	$16.39	$14.30	$16.62	$15.63	$14.28	$16.03	$13.41
1612	Truck Driver Transit-Mix				$14.14					$14.14							
1600	Truck Driver, Single Axle	$12.74	$10.82	$10.75	$13.04	$11.61	$11.79	$13.53	$13.16	$12.31	$13.40	$10.30	$11.61		$11.97	$11.46	$10.75
1606	Truck Driver, Single or Tandem Axle Dump Truck	$11.33	$14.53	$11.95	$12.95		$11.68		$14.06	$12.62	$11.45	$12.28		$13.08	$11.68	$11.48	$11.10
1607	Truck Driver, Tandem Axle Tractor withSemi Trailer	$12.49	$12.12	$12.50	$13.42		$12.81	$13.16		$12.86	$16.22	$12.50			$13.80	$12.27	$12.50
1441	Tunneling Machine Operator, Heavy																
1442	Tunneling Machine Operator, Light																
1706	Welder		$14.02		$14.86		$15.97		$13.74	$14.84					$13.78		
1520	Work Zone Barricade Servicer	$10.30	$12.88	$11.46	$11.70	$11.57	$11.85	$10.77		$11.68	$12.20	$11.22	$11.51	$12.96	$10.54	$11.67	$11.76

Notes:

*Represents the USDOL wage decision.

Any worker employed on this project shall be paid at the rate of one and one half (1-1/2) times the regular rate for every hour worked in excess of forty (40) hours per week.

For reference, the titles and descriptions for the classifications listed here are detailed further in the AGC of Texas' *Standard Job Classifications and Descriptions for Highway, Heavy, Utilities, and Industrial Construction in Texas* posted on the AGC's Web site for any contractor.

TEXAS COUNTIES IDENTIFIED BY
WAGE RATE ZONES: 2, 3, 4, 5, 6, 7, 8, 24, 25, 27, 28, 29, 30, 37, 38, 42

County Name	Zone	County Name	Zone	County Name	Zone	County Name	Zone
Anderson	28	Donley	37	Karnes	27	Reagan	37
Andrews	37	Duval	30	Kaufman	25	Real	37
Angelina	28	Eastland	37	Kendall	7	Red River	28
Aransas	29	Ector	2	Kenedy	30	Reeves	8
Archer	25	Edwards	8	Kent	37	Refugio	27
Armstrong	2	El Paso	24	Kerr	27	Roberts	37
Atascosa	7	Ellis	25	Kimble	37	Robertson	7
Austin	38	Erath	28	King	37	Rockwall	25
Bailey	37	Falls	28	Kinney	8	Runnels	37
Bandera	7	Fannin	28	Kleberg	27	Rusk	4
Bastrop	7	Fayette	27	Knox	37	Sabine	28
Baylor	37	Fisher	37	Lamar	28	San Augustine	28
Bee	27	Floyd	37	Lamb	37	San Jacinto	38
Bell	7	Foard	37	Lampasas	7	San Patricio	29
Bexar	7	Fort Bend	38	LaSalle	30	San Saba	37
Blanco	27	Franklin	28	Lavaca	27	Schleicher	37
Borden	37	Freestone	28	Lee	27	Scurry	37
Bosque	28	Frio	27	Leon	28	Shackelford	37
Bowie	4	Gaines	37	Liberty	38	Shelby	28
Brazoria	38	Galveston	38	Limestone	28	Sherman	37
Brazos	7	Garza	37	Lipscomb	37	Smith	4
Brewster	8	Gillespie	27	Live Oak	27	Somervell	28
Briscoe	37	Glasscock	37	Llano	27	Starr	30
Brooks	30	Goliad	29	Loving	37	Stephens	37
Brown	37	Gonzales	27	Lubbock	2	Sterling	37
Burleson	7	Gray	37	Lynn	37	Stonewall	37
Burnet	27	Grayson	25	Madison	28	Sutton	8
Caldwell	7	Gregg	4	Marion	28	Swisher	37
Calhoun	29	Grimes	28	Martin	37	Tarrant	25
Callahan	25	Guadalupe	7	Mason	27	Taylor	2
Cameron	3	Hale	37	Matagorda	27	Terrell	8
Camp	28	Hall	37	Maverick	30	Terry	37
Carson	2	Hamilton	28	McCulloch	37	Throckmorton	37
Cass	28	Hansford	37	McLennan	7	Titus	28
Castro	37	Hardeman	37	McMullen	30	Tom Green	2
Chambers	38	Hardin	38	Medina	7	Travis	7
Cherokee	28	Harris	38	Menard	37	Trinity	28
Childress	37	Harrison	42	Midland	2	Tyler	28
Clay	25	Hartley	37	Milam	28	Upshur	4
Cochran	37	Haskell	37	Mills	37	Upton	37
Coke	37	Hays	7	Mitchell	37	Uvalde	30
Coleman	37	Hemphill	37	Montague	37	Val Verde	8
Collin	25	Henderson	28	Montgomery	38	Van Zandt	28
Collingsworth	37	Hidalgo	3	Moore	37	Victoria	6
Colorado	27	Hill	28	Morris	28	Walker	28
Comal	7	Hockley	37	Motley	37	Waller	38
Comanche	37	Hood	28	Nacogdoches	28	Ward	37
Concho	37	Hopkins	28	Navarro	28	Washington	28
Cooke	37	Houston	28	Newton	28	Webb	3
Coryell	7	Howard	37	Nolan	37	Wharton	27
Cottle	37	Hudspeth	8	Nueces	29	Wheeler	37
Crane	37	Hunt	25	Ochiltree	37	Wichita	5
Crockett	8	Hutchinson	37	Oldham	37	Wilbarger	37
Crosby	2	Irion	2	Orange	38	Willacy	30
Culberson	8	Jack	28	Palo Pinto	28	Williamson	7
Dallam	37	Jackson	27	Panola	28	Wilson	7
Dallas	25	Jasper	28	Parker	25	Winkler	37
Dawson	37	Jeff Davis	8	Parmer	37	Wise	25
Deaf Smith	37	Jefferson	38	Pecos	8	Wood	28
Delta	25	Jim Hogg	30	Polk	28	Yoakum	37
Denton	25	Jim Wells	27	Potter	2	Young	37
DeWitt	27	Johnson	25	Presidio	8	Zapata	30
Dickens	37	Jones	25	Rains	28	Zavala	30
Dimmit	30			Randall	2		

01/05/2024

Special Provision to Item 000
Nondiscrimination

1. DESCRIPTION

All recipients of federal financial assistance are required to comply with various nondiscrimination laws, including Title VI of the Civil Rights Act of 1964, as amended (Title VI). Title VI forbids discrimination against anyone in the United States on the grounds of race, color, or national origin by any agency receiving federal funds.

The Texas Department of Transportation, as a recipient of federal financial assistance, and under Title VI and related statutes, ensures that no person will on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment in accordance with 42 USC 2000d-3), color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs or activities.

2. DEFINITION OF TERMS

Where the term "Contractor" appears in the following six nondiscrimination clauses, the term "Contractor" is understood to include all parties to Contracts or agreements with the Department.

3. NONDISCRIMINATION PROVISIONS

During the performance of this Contract, the Contractor agrees as follows.

3.1. **Compliance with Regulations**. The Contractor must comply with the Regulations pertinent to nondiscrimination in federally assisted programs of the United States Department of Transportation 49 CFR 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Contract.

3.2. **Nondiscrimination**. The Contractor, regarding the work performed during the Contract, must not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor must not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the Contract covers a program set forth in Appendix B of the Regulations.

3.3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment**. In all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, the Contractor must notify each potential subcontractor or supplier of the Contractor's obligations under this Contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

3.4. **Information and Reports**. The Contractor must provide all information and reports required by the Regulations or directives issued pursuant thereto, and must permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the Recipient or the Department to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor must so certify to the Recipient, or the Department as appropriate, and must set forth what efforts it has made to obtain the information.

3.5. **Sanctions for Noncompliance**. In the event of the Contractor's noncompliance with the nondiscrimination provisions of this Contract, the Recipient must impose such Contract sanctions as it or the Department may

determine to be appropriate, including, but not limited to actions defined in Article 7.1., “Ethics,” or Article 5.1., “Authority of Engineer.”

3.6. **Incorporation of Provisions**. The Contractor must include the provisions of Sections 3.1–3.6 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The Contractor must take such action with respect to any subcontract or procurement as the Recipient or the Department may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that, in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

Special Provision 000
Important Notice to Contractors

1. GENERAL

In accordance with Texas Transportation Code §223.012, the Engineer will evaluate Contractor performance based on quality, safety, and timeliness of the project.

2. DEFINISIONS

2.1. **Project Recovery Plan (PRP)**. A formal, enforceable plan developed by the Contractor, in consultation with the District, that documents the cause of noted quality, safety, and timeliness issues and specifies how the Contractor proposes to correct project-specific performance deficiencies.

In accordance with 43 TAC §9.23, the District will request a PRP if the Contractor's performance on a project is below the Department's acceptable standards and will monitor the Contractor's compliance with the established plan.

2.2. **Corrective Action Plan (CAP)**. A formal, enforceable plan developed by the Contractor, and proposed for adoption by the Construction Division or Maintenance Division, that documents the cause of noted quality, safety, and timeliness issues and specifies how the Contractor proposes to correct statewide performance deficiencies.

3. CONTRACTOR EVALUATIONS

In accordance with 43 TAC §9.23, the Engineer will schedule evaluations at the following intervals, at minimum:

- interim evaluations at or within 30 days after the anniversary of the Notice to Proceed, for Contracts extending beyond 1 yr. and
- final evaluation, upon project closeout.

In case of a takeover agreement, neither the Surety nor its performing Contractor will be evaluated.

In addition to regularly scheduled evaluations, the Engineer may schedule an interim evaluation at any time to formally communicate issues with quality, safety, or timeliness. Upon request, work with the Engineer to develop a PRP to document expectations for correcting deficiencies.

Comply with the PRP as directed. Failure to comply with the PRP may result in additional remedial actions available to the Engineer under Item 5, "Control of the Work." Failure to meet a PRP to the Engineer's satisfaction may result in immediate referral to the Performance Review Committee for consideration of further action against the Contractor.

The Engineer will consider and document any events outside the Contractor's control that contributed to the failure to meet performance standards or comply with a PRP, including consideration of sufficient time.

Follow the escalation ladder if there is a disagreement regarding an evaluation or disposition of a PRP. The Contractor may submit additional documentation pertaining to the dispute. The District Engineer's decision on a Contractor's evaluation score and recommendation of action required in a PRP or follow-up for noncompliance is final.

4. DIVISION OVERSIGHT

Upon request of the Construction Division or Maintenance Division, develop and submit for Division approval a proposed CAP to document expectations for correcting deficiencies in the performance of projects statewide.

Comply with the CAP as directed. The CAP may be modified at any time up to completion or resolution after written approval of the premise of change from the Division. Failure to meet an adopted or revised adopted CAP to the Division's satisfaction within 120 days will result in immediate referral to the Performance Review Committee for consideration of further action against the Contractor.

The Division will consider and document any events outside the Contractor's control that contributed to the failure to meet performance standards or comply with a CAP, including consideration of sufficient time and associated costs as appropriate.

5. PERFORMANCE REVIEW COMMITTEE

The Performance Review Committee, in accordance with 43 TAC §9.24, will review at minimum all final evaluations, history of compliance with PRPs, any adopted CAPs including agreed modifications, any information about events outside a Contractor's control contributing to the Contractor's performance, and any documentation submitted by the Contractor and may recommend one or more of the following actions:

- take no action,
- reduce the Contractor's bidding capacity,
- prohibit the Contractor from bidding on one or more projects,
- immediately suspend the Contractor from bidding for a specified period of time, by reducing the Contractor's bidding capacity to zero, or
- prohibit the Contractor from being awarded a Contract on which they are the apparent low bidder.

The Deputy Executive Director will determine any further action against the Contractor.

6. APPEALS PROCESS

In accordance with 43 TAC §9.25, the Contractor may appeal remedial actions determined by the Deputy Executive Director.

Special Provision 000
Certificate of Interested Parties (Form 1295)

Submit Form 1295, "Certificate of Interested Parties," in the following instances:

- at Contract execution for Contracts awarded by the Commission,
- at Contract execution for Contracts awarded by the District Engineer or Chief Engineer with an award amount of $1 million or more,
- at any time an existing Contract awarded by the District Engineer or Chief Engineer increases in value to $1 million or more because of changes in the Contract,
- at any time there is an increase of $1 million or more to an existing Contract (e.g., change orders, extensions, and renewals), and
- at any time there is a change to the information in Form 1295, when the form was filed for an existing Contract.

Form 1295 and instructions for completing and filing the form are available on the Texas Ethics Commission website.

Special Provision to Item 000
Small Business Enterprise in State-Funded Projects

1. DESCRIPTION

The purpose of this Special Provision is to implement the Department's policy of ensuring that SBEs have an opportunity to participate in the performance of Contracts. If the SBE goal is greater than zero, Section 2.1., "Article A—SBE Goal is Greater than Zero," will apply to this Contract; otherwise, Section 2.2., "Article B—No SBE Goal," will apply. The percentage goal for SBE participation in the work to be performed under this Contract will be in accordance with the proposal.

2. DEFINITIONS

A Small Business Enterprise (SBE) is a firm certified as such by the Department. Firms certified as Historically Underutilized Businesses (HUBs) by the Texas Comptroller of Public Accounts and as Disadvantaged Business Enterprises (DBEs) by the Texas Uniform Certification Program automatically qualify as SBEs.

2.1. **Article A—SBE Goal is Greater than Zero**.

2.1.1. **Policy**. The Department is committed to providing contracting opportunities for small businesses. Therefore, it is the Department's policy to develop and maintain a program to facilitate contracting opportunities for small businesses. Consequently, the requirements of the Department's SBE Program apply to this Contract as follows.

The Contractor will make a good faith effort to meet the SBE goal for this Contract.

The Contractor and any subcontractors will not discriminate on the basis of race, color, national origin, age, disability, or sex in the award and performance of this Contract. These nondiscrimination requirements must be incorporated into any subcontract and purchase order.

After a conditional award is made to the low Bidder, the Department will determine the adequacy of a Contractor's efforts to meet the Contract goal, in accordance with Section 2.1.2., "Contractor's Responsibilities." If the requirements in accordance with Section 2.1.2., "Contractor's Responsibilities," are met, the Contract will be forwarded to the Contractor for execution.

The Contractor's performance in meeting the SBE goal during the construction period of the Contract will be monitored by the Department.

2.1.2. **Contractor's Responsibilities**. These requirements must be satisfied by the Contractor. An SBE Contractor may satisfy the SBE requirements by performing at least 25% of the Contract work with their own organization in accordance with Item 8, "Prosecution and Progress."

The Contractor must complete an SBE Commitment Agreement Form for each SBE-certified firm the Contractor intends to use to satisfy the SBE goal. The SBE Commitment Agreement Form must be submitted to the Department's Civil Rights Division (CIV) in Austin, Texas, no later than 5 P.M. on the 10th business day, excluding national holidays, after the conditional award of the Contract. When requested, additional time not to exceed 7 business days, excluding national holidays, may be granted based on documentation submitted by the Contractor.

A Contractor that cannot meet the Contract goal, in whole or in part, must document the good faith efforts taken to meet the SBE goal. The Department will consider as good faith efforts all documented explanations

that are submitted and that describe a Contractor's failure to meet an SBE goal or obtain SBE participation, including:

- advertising in general circulation, trade association, and minority- or women-focused media regarding subcontracting opportunities,
- dividing the Contract work into reasonable portions in conformance with standard industry practices,
- documenting reasons for rejection or meeting with the rejected SBE to discuss the rejection,
- providing qualified SBEs with adequate information pertinent to bonding, insurance, plans, Specifications, scope of work, and the requirements of the Contract,
- negotiating in good faith with qualified SBEs, not rejecting qualified SBEs that are also the lowest responsive Bidder; and
- using the services of available minorities and women; community organizations; Contractor groups; local, state, and federal business assistance offices; and other organizations that provide support services to SBEs.

The good faith effort documentation is due at the time and place in accordance with this Section. CIV will evaluate the Contractor's documentation. If it is determined that the Contractor has failed to meet the good faith effort requirements, the Contractor will be given an opportunity for reconsideration by the Department.

Should the Bidder to which the Contract is conditionally awarded refuse, neglect, or fail to meet the SBE goal or demonstrate to the Department's satisfaction sufficient efforts to obtain SBE participation, the proposal guaranty filed with the bid will become the property of the State, not as a penalty, but as liquidated damages.

The Contractor must not terminate an SBE subcontractor submitted on a commitment agreement for a Contract with an assigned goal without the prior written consent of the Department.

The Contractor must designate an SBE contact person who will administer the Contractor's SBE program and who will be responsible for submitting reports, maintaining records, and documenting good faith efforts to use SBEs.

The Contractor must inform the Department of the representative's name, title, and telephone number within 10 days of beginning work.

2.1.3. **Eligibility of SBEs**. The Department certifies the eligibility of SBEs.

Firms certified as SBEs are listed in the Department's online directory located at https://txdot.txdotcms.com/.

Only firms certified at the time of letting or at the time the commitments are submitted are eligible to be used in the information furnished by the Contractor in accordance with Section 2.1.2., "Contractor's Responsibilities."

Certified HUBs and DBEs are eligible as SBEs.

The Department's SBE Program is governed by 43 TAC, Chapter 9, Subchapter K, "Small Business Enterprise (SBE) Program."

2.1.4. **Determination of SBE Participation**. SBE participation will be counted toward meeting the SBE goal in this Contract in accordance with the following.

A Contractor will receive credit for all payments actually made to an SBE for work performed and costs incurred in accordance with the Contract, including all subcontracted work.

An SBE Contractor or subcontractor may not subcontract more than 75% of a Contract. The SBE must perform no less than 25% of the value of the Contract work with their own organization in accordance with Item 8.

An SBE may lease equipment consistent with standard industry practice. An SBE may lease equipment from the prime Contractor if a rental agreement, separate from the subcontract specifying the terms of the lease arrangement, is approved by the Department before the SBE starting the work in accordance with the following.

- If the equipment is of a specialized nature, the lease may include the operator. If the practice is generally acceptable with the industry, the operator may remain on the lessor's payroll. The operator of the equipment must be subject to the full control of the SBE, for a short term, and involve a specialized piece of heavy equipment readily available at the jobsite.
- For equipment that is not specialized, the SBE must provide the operator and be responsible for all payroll and labor compliance requirements.

2.1.5. **Records and Reports**. The Contractor must submit monthly reports of SBE payments (including payments to HUBs and DBEs) to the Area Engineer's Office after work begins. These reports will be due within 15 days after the end of a calendar month.

These reports will be required until all SBE subcontracting or supply activity is completed. The SBE Progress Report must be used for monthly reporting. Upon completion of the Contract and before receiving the final payment, the Contractor must submit the SBE Final Report to the Area Engineer's Office and a copy to the District Construction Office. These forms may be obtained from CIV and reproduced as necessary. The Department may verify the amounts being reported as paid to SBEs by randomly requesting copies of invoices and cancelled checks paid to SBEs. When the SBE goal requirement is not met, documentation supporting good faith efforts, in accordance with Section 2.1.2., "Contractor's Responsibilities," must be submitted with the SBE Final Report.

SBE subcontractors and suppliers should be identified on the monthly report by SBE certification number, name, and the amount of actual payment made to each during the monthly period. These reports are required regardless of whether SBE activity has occurred in the monthly reporting period.

All such records must be retained for 3 yr. following completion of the Contract work and be available at reasonable times and places for inspection by authorized representatives of the Department.

2.1.6. **Compliance of Contractor**. To ensure compliance with SBE requirements of this Contract, the Department will monitor the Contractor's efforts to involve SBEs during the performance of this Contract. This will be accomplished by a review of monthly reports submitted by the Contractor indicating their progress in achieving the SBE Contract goal and by compliance reviews conducted by the Department.

A Contractor's failure to comply with the requirements of this Special Provision will constitute a material breach of this Contract. In such a case, the Department reserves the right to employ remedies as the Department deems appropriate in the terms of the Contract.

2.2. **Article B—No SBE Goal.**

2.2.1. **Policy**. It is the Department's policy that SBEs will have an opportunity to participate in the performance of Contracts.

2.2.2. **Contractor's Responsibilities**. If there is no SBE goal, the Contractor must offer SBEs an opportunity to participate in the performance of Contracts and subcontracts. If an SBE is used, the requirements in accordance with Section 2.1.4., "Determination of SBE Participation," will apply.

2.2.3. **Prohibit Discrimination**. The Contractor and any subcontractor will not discriminate on the basis of race, color, national origin, religion, age, disability, or sex in the award and performance of Contracts. These nondiscrimination requirements must be incorporated into any subcontract and purchase order.

2.2.4. **Records and Reports**. The Contractor must submit annual reports pertinent to SBEs (including HUBs and DBEs) to the Area Engineer's Office by August 31 or at project completion, whichever comes first.

These reports will be required until all SBE subcontracting or supply activity is completed. The SBE Progress Report must be used for reporting. Upon completion of the Contract and before receiving the final payment, the Contractor must submit the SBE Final Report to the Area Engineer's Office and a copy to the District Construction Office. These forms may be obtained from CIV and reproduced as necessary. The Department may verify the amounts being reported as paid to SBEs by randomly requesting copies of invoices and cancelled checks paid to SBEs.

SBE subcontractors and suppliers should be identified on the report by SBE certification cumber, name, and the amount of actual payment made.

All such records must be retained for 3 yr. following completion of the Contract work and be available at reasonable times and places for inspection by authorized representatives of the Department.

Special Provision 000
Schedule of Liquidated Damages

For Dollar Amount of Original Contract		Dollar Amount of Daily Contract Administration Liquidated Damages per Working Day
From More Than	To and including	
0	1,000,000	760
1,000,000	3,000,000	968
3,000,000	5,000,000	1107
5,000,000	15,000,000	1527
15,000,000	25,000,000	2095
25,000,000	50,000,000	3072
50,000,000	Over 50,000,000	5093

In addition to the amount shown in Table 1, the Liquidated Damages will be increased by the amount shown in Item 8 "Prosecution and Progress," of the General Notes for Road User Cost (RUC), when applicable.

Special Provision to Item 8
Prosecution and Progress

Item 8, "Prosecution and Progress," of the Standard Specifications is amended with respect to the clauses cited below. No other clauses or requirements of this Item are waived or changed.

Article 8.6., "Failure to Complete Work on Time," is supplemented by the following.

6.1. **Lane Closure Assessment Fees**. Monetary assessment, as shown on the plans, will be made against the Contractor for any lane closure or obstruction that overlaps into the peak-hour traffic for each time increment shown on the plans or portion thereof, per lane, regardless of the length of lane closure or obstruction.

6.1.1. **Definition of Terms**. For this Contract, the following definitions apply.

6.1.1.1. **Time Increment**. Any continuous defined increment of time or portion thereof for a period beginning at that point when lanes are closed or obstructed by the Contractor's operations.

6.1.1.2. **Assessment Fee**. The amount shown on the proposal for each defined time increment, representing the average cost of interference and inconvenience to the road user for each lane closed or obstructed during peak-hour traffic. The Engineer may allow a proportional fee assessment for closures that do not involve an entire defined time increment.

6.1.1.3. **Closure or Obstruction**. When the Contractor's operations result in a reduced lane width of the travel way or shoulder less than that shown on the plans.

6.1.1.4. **Peak-Hour Traffic Times**. Schedule of days and times described in the General Notes when lane closures or obstructions are not allowed.

6.1.2. **Fee Calculation and Collection**. The assessment fee will be deducted from the amount due to the Contractor on the monthly construction estimate, and thus retained by the Department. The Engineer will determine the time of overlap of lane closures or obstructions for calculating the assessment fee. The fee is based on road user costs and is assessed not as a penalty, but for added expense incurred by the traveling public.

Special Provision to Item 8
Prosecution and Progress

Item 8, "Prosecution and Progress," of the Standard Specifications is amended with respect to the clauses cited below. No other clauses or requirements of this Item are waived or changed.

Article 8.1., "Prosecution of Work," is voided and replaced by the following.

Begin work within 90 calendar days after the authorization date to begin work. Prosecute the work continuously to completion within the working days specified. Unless otherwise shown on the plans, work may be prosecuted in concurrent phases if no changes are required to the traffic control plan or if a revised traffic control plan is approved. Notify the Engineer at least 24 hr. before beginning work or before beginning any new operation. Do not start new operations to the detriment of work already begun. Minimize interference to traffic.

For Contracts with callout work and work orders, begin work in the right of way within the specified time and continuously prosecute the work until completion.