



# PAVED

Projects Adding Value by Expanding Diversity

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CIVIL RIGHTS DIVISION

## Texas Department of Transportation

### PAVED

#### Transportation Summit

The University of Texas at San Antonio

Downtown Campus - Durango Building

501 César E. Chávez Blvd., San Antonio, TX 78207

February 9, 2018 - 8:00 a.m. - 1:00 p.m.

- 
- 8:00 - 8:45 a.m. Registration | Check-in | Continental Breakfast
  - 8:45 - 9:00 a.m. Welcome and Introductions  
*Mike Coward, P.E., Director of Construction, San Antonio District, TxDOT*
  - 9:00 - 9:30 a.m. Highway Construction Project Opportunities - San Antonio District  
*Felix Lerma, P.E., Transportation Engineer, San Antonio District, TxDOT*  
*Daniel Esquivel, P.E., Transportation Engineer, San Antonio District, TxDOT*  
*Linda Cox, P.E., Transportation Engineer Supervisor, San Antonio District, TxDOT*  
*Suman Shrestha, P.E., Transportation Engineer, San Antonio District, TxDOT*
  - 9:30 - 10:15 a.m. Heavy Highway Panel Discussion  
*Gary Botkin, Vice President of Estimating and Administration, Capital Excavation*  
*Clint Henson, Operations Manager, Jordan Foster Construction*  
*Rita Phillip, Business Diversity and Development Officer, Zachry Construction Corporation*  
*Stella Vargas, DBE Manager, Webber Construction*  
*Tracey Aping, Director, Business Development and Diversity, Williams Brothers Construction Co., Inc.*
  - 10:15 - 10:40 a.m. Contracting with TxDOT  
*Jesse Lineberger, Letting Management Section Director, Construction Division, TxDOT*
  - 10:40 - 11:00 a.m. Financial, Access to Capital and Bonding  
*James K. Swindle, AFSB, Owner/Surety Specialist, Alamo Surety Bonds*
  - 11:00 - 11:20 a.m. Mysteries of the Credit Score  
*Tony Arps, Project Director, U.S. DOT*
  - 11:20 - 12:00 p.m. Contractor Development  
*Alliance Program: Terri Williams, Director, UTSA PTAC*  
*Success Stories:*  
*Jesse Ortiz, Owner, 2J Resources*  
*Janvis Moore, Owner, Janvis Moore, Inc.*
  - 12:00 - 1:00 p.m. Prime and Subcontractor Networking

Breakout sessions on the following topics will be held from 9:30 to 11:00 a.m.



**DBE Certification**  
*Charles Johnson, Executive Director, South Central Texas Regional Certification Agency*  
*Joe Sanchez, Jr., Civil Rights Program Specialist, Civil Rights Division, TxDOT*



**Navigating TxDOT**  
*Carlton Cooper, Civil Rights Program Specialist, Civil Rights Division, TxDOT*



**Pre-Qualifications**  
*Greg Williams, Contract Specialist, Construction Division, TxDOT*



# Industry Partners

Thank you to the following industry partners:

- Alliance Geotechnical Group
- Austin Bridge & Road
- Equify
- Ferrovial Agroman US Corp
- Fluor Corporation
- Granite Construction
- Holmes Murphy
- HNTB
- Iconic Consulting Group
- Kiewit Infrastructure Group
- McCarthy Building Companies
- Lazer Construction Co., Inc.
- Reynolds, Smith & Hills, Inc.
- United Rentals
- Webber
- Williams Brothers Construction Co., Inc.
- WSP USA, Inc.
- Zachry Construction Corporation



# Host Partners and Regional Supporters

Thank you to the following host partners:

**Associated General Contractors of Texas**

Kristen Ogden Smith  
Director of Subcontractor and Employee Relations  
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**Hispanic Contractors Association de San Antonio**

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# Presenters and Participants

Thank you to the following speakers and panelists:

## 2J Resources

Jesse Ortiz  
Owner

## Alamo Surety Bonds

James K. Swindle, AFSB  
Owner/Surety Specialist

## Capital Excavation

Gary Botkin  
Vice President of Estimating and Administration

## Jarvis Moore, Inc.

Jarvis Moore  
Owner

## Jordan Foster Construction

Clint Henson  
Operations Manager

## South Central Texas Regional Certification Agency

Charles Johnson  
Executive Director

## U.S. DOT

Tony Arps  
Project Director

## UTSA Procurement Technical Assistance Center

Terri Williams  
Director

## Williams Brothers Construction Co, Inc.

Tracey Aping  
Director, Business Development And Diversity

## Webber Construction

Stella Vargas  
DBE Manager

## Zachry Construction Corporation

Rita Phillip  
Business Diversity and Development Officer

# TxDOT Points of Contact

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Contact Specialist  
Greg.Williams@txdot.gov

# TxDOT Websites

- Civil Rights Division - <http://www.txdot.gov/inside-txdot/division/civil-rights.html>
- TxDOT DBE Program - <http://www.txdot.gov/business/partnerships/dbe.html>
- PAVED Program - <http://www.txdot.gov/inside-txdot/division/civil-rights/dbe/paved.html>
- San Antonio District - <http://www.txdot.gov/inside-txdot/district/SanAntonio.html>
- Diversity Management System (DMS): <https://txdot.txdotcms.com/Default.asp?>
- eVerify: <http://www.txdot.gov/business/letting-bids/letting/e-verify.html>
- Prequalification: <http://www.txdot.gov/business/contractors/contractor-prequalification.html>



# SAT PROJECTS

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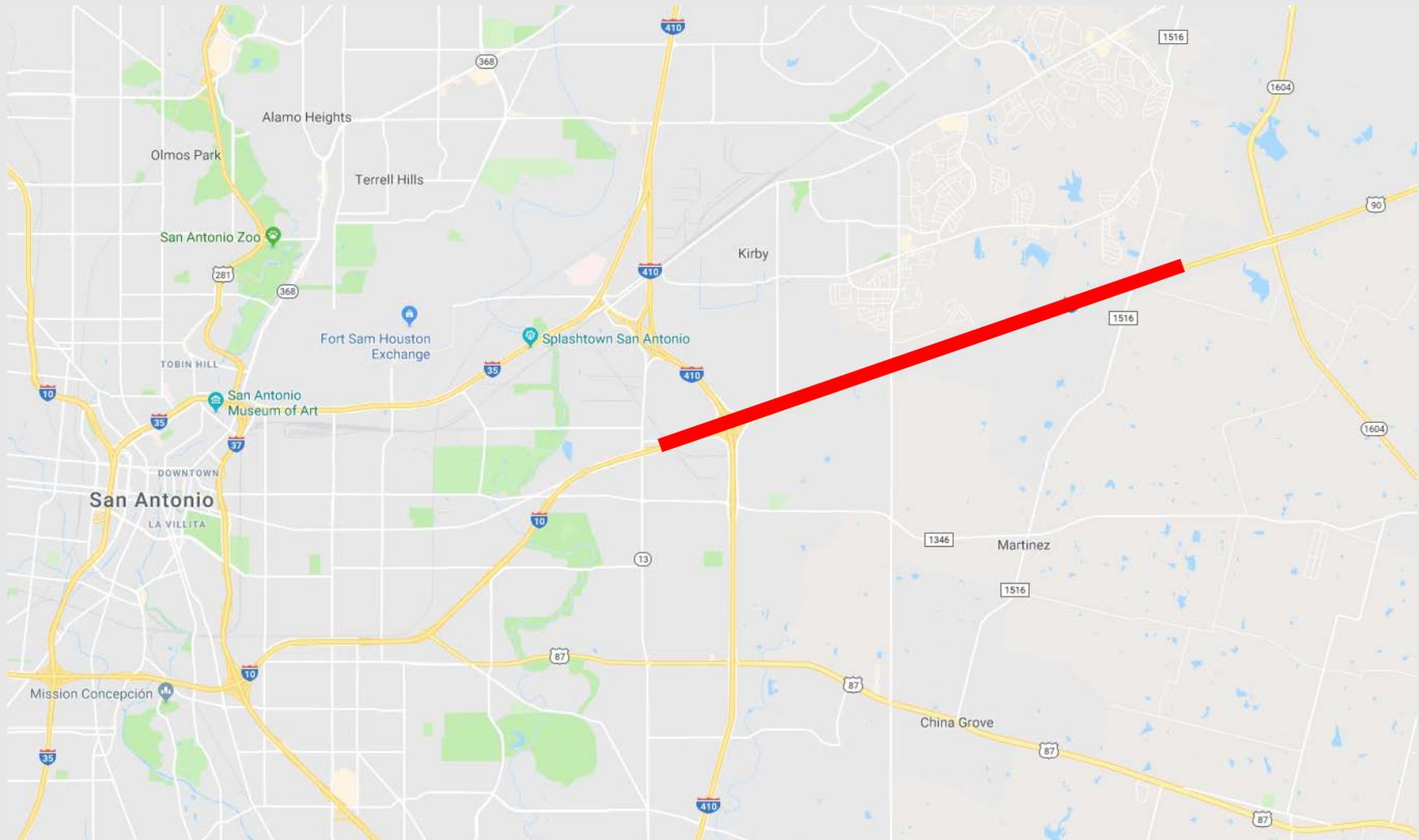


# IH 10: CSJ 0025-02-160 EXPAND FROM 4 LANES TO 6 LANE EXPRESSWAY

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# IH 10 East Mainlane Reconstruction Project Overview

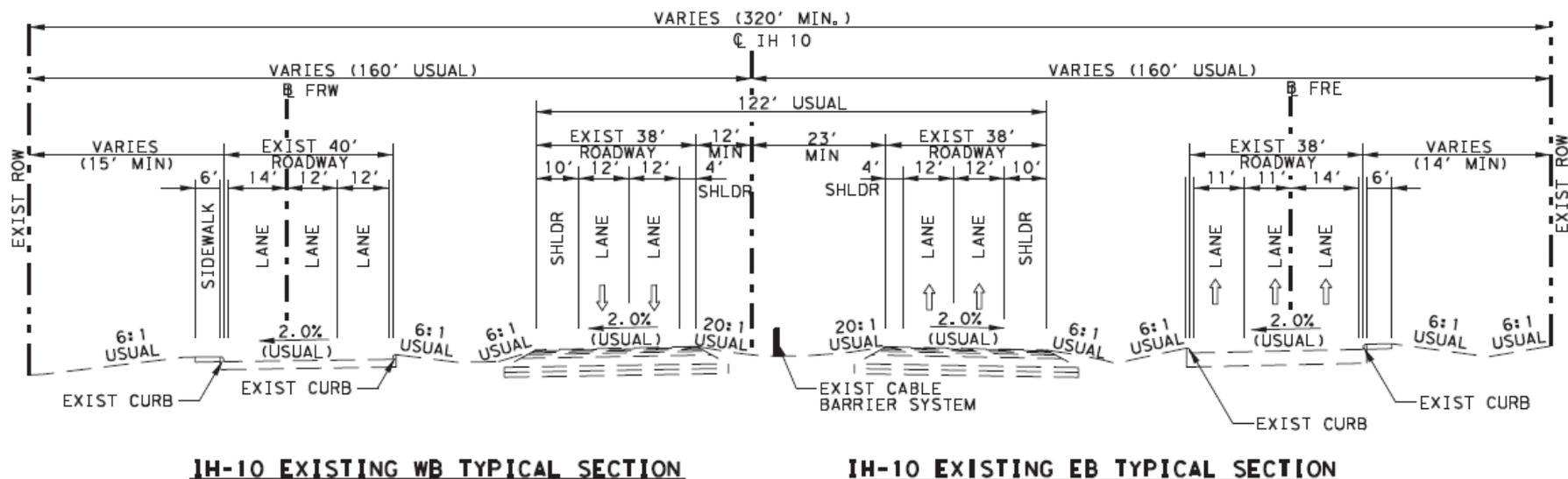


# IH 10 East Mainlane Reconstruction Project Overview

- Full Depth reconstruction of IH 10 East Mainlanes
- Project Limits: from IH 410 to Loop 1604
- Project Scope
  - Expand existing 4 lane expressway to 6 lane
  - Ramp Reconstruction and Intersection Improvements
- Project Goals
  - Reconstruct main lane pavement and manage congestion along IH 10 by adding capacity and planning for future expansion

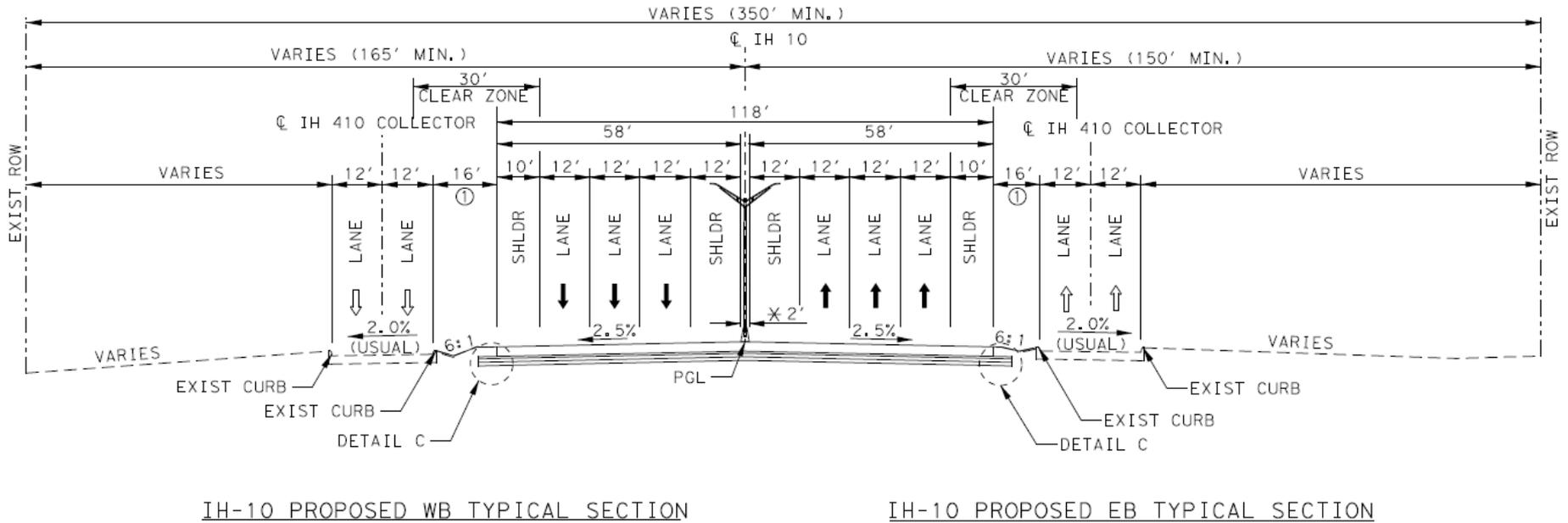
# IH 10 East Mainlane Reconstruction Project Overview

## Existing Typical Section



# IH 10 East Mainlane Reconstruction Project Overview

## Proposed Typical Section



# IH 10 East Mainlane Reconstruction Project Overview

- Design-Bid-Build
- May 2018 letting – Begin Construction Summer 2018
- Anticipated construction timeline of four years, completion Summer 2022
  
- Current Construction Estimate = \$116 million

# IH 10 East Mainlane Reconstruction Project Overview

- Estimated Quantities

- 158,514 cy of excavation
- 492,850 cy of embankment
- 46,263 tons of HMAC
- 437,720 sy of concrete paving
- 60,077 sf of bridge
- 173,717 sf of retaining walls
- 13,680 lf of drainage pipe
- 115 ea of drainage inlets, manholes, junction boxes
- 131,944 lf of concrete barrier

# IH 10 East Mainlane Reconstruction Project Overview

- Other items included in the project:
  - Removal of Concrete Items:
    - Curb, CTB, Retaining Walls, Flume, Paving, Riprap
  - Removal of Structure Items:
    - Inlets, Headwalls, Pipe, Junction Box, Drill shaft, Drainage Flume
  - Guardrail End Treatment: Remove
  - Crash Cushion Attenuator: Install, move, reset and remove
  - Lighting, Signals, ITS, Small and Large Signs

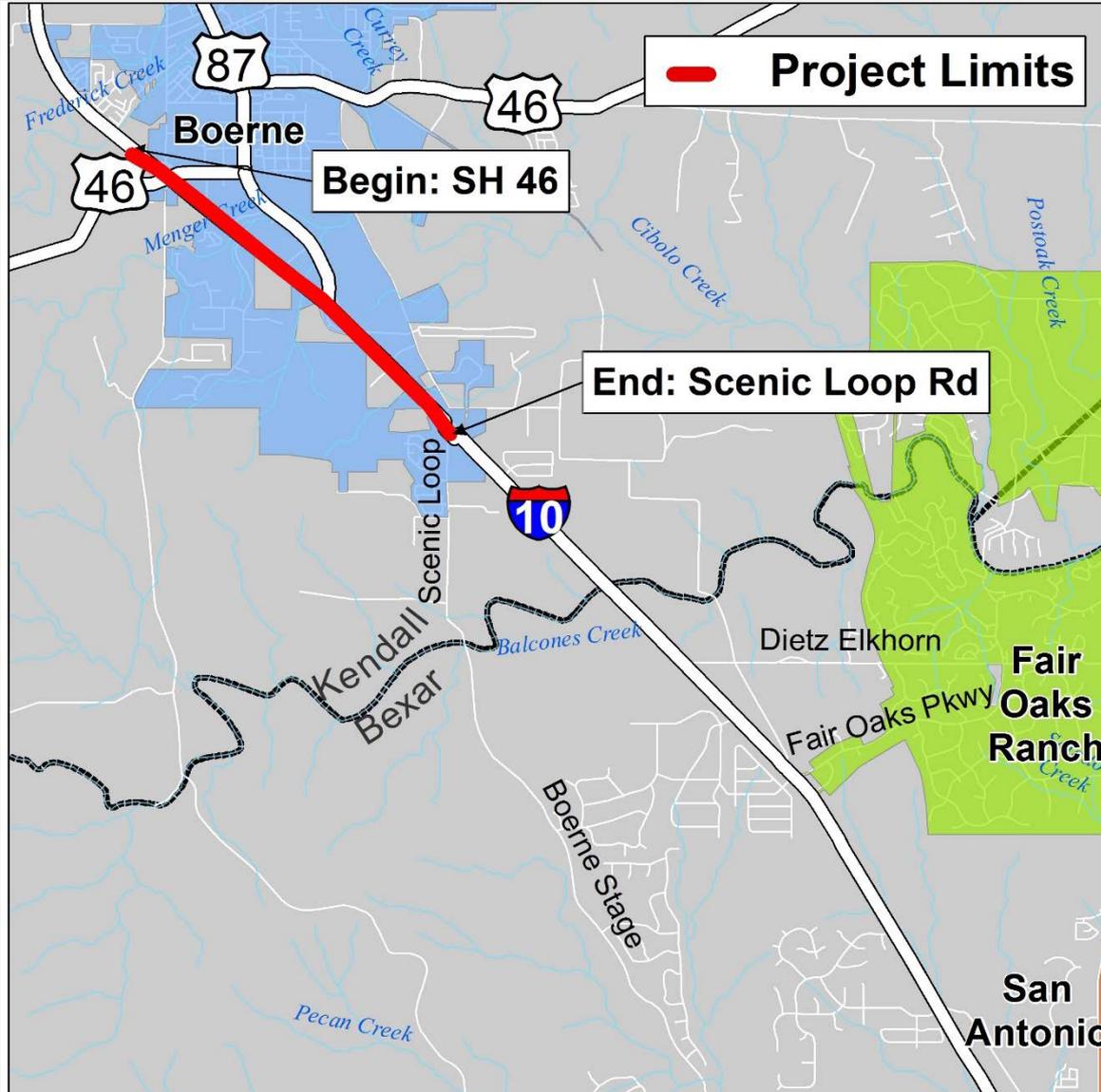


**IH 10: 0072-06-075, ETC  
RECONSTRUCT GRADE  
SEPARATION AT US 87 AND SH  
46, ETC.**

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# IH 10 from SH 46 to Scenic Loop Rd Project Overview

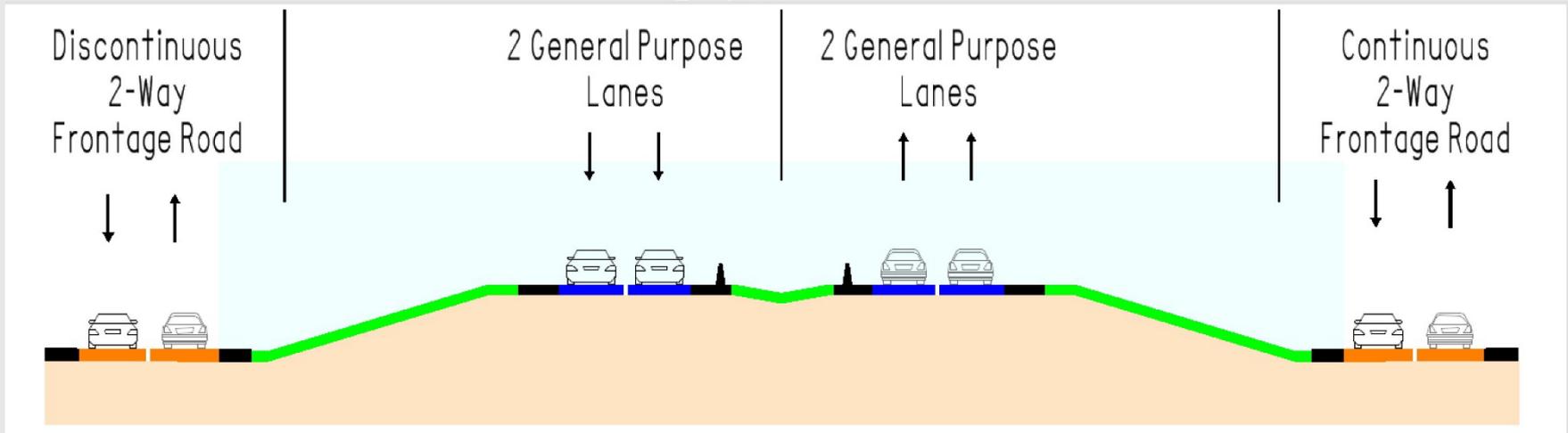


# IH 10 from SH 46 to Scenic Loop Rd Project Overview

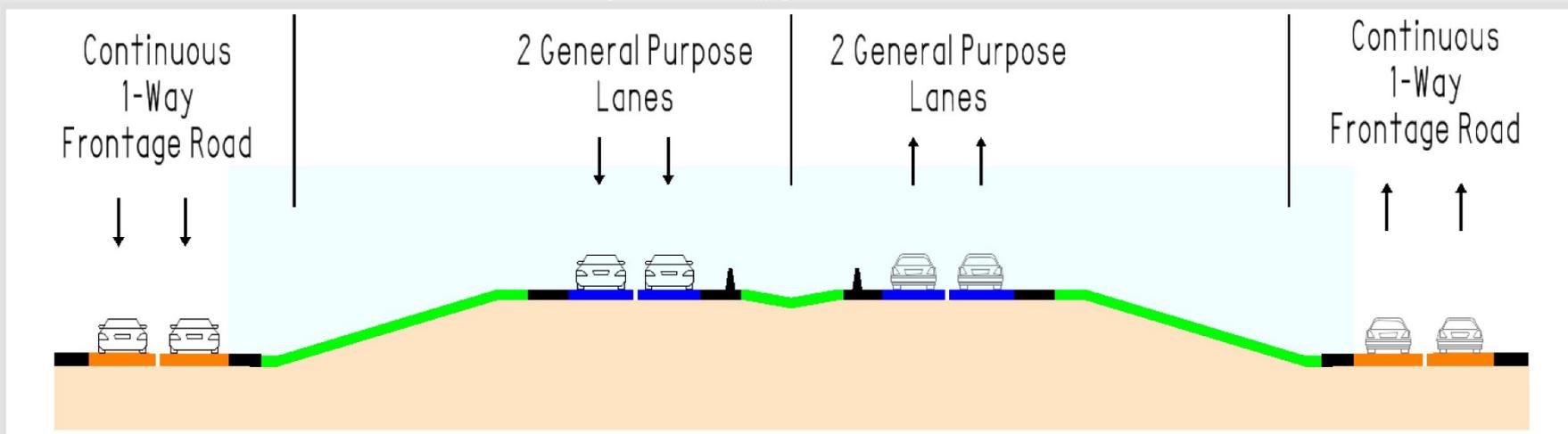
- IH 10
- Project Limits: from SH46 to Scenic Loop Rd
- Project Scope
  - CSJ: 0072-06-076
    - Reconstruct Grade Separation at IH 10 @ SH46
    - Reconfigure Ramps, Widen Frontage Rds and convert to One-Way
    - HMA Overlay IH 10 Mainlines
  - CSJ: 0072-06-075
    - Reconstruct Grade Separation at IH 10 @ US 87
    - Reconfigure Ramps, Widen Frontage Rds and convert to One-Way, Intersection Improvements
    - HMA Overlay IH 10 Mainlines
- Project Goals
  - Manage congestion along IH 10 by improving Ramp and Frontage Rd traffic operations

# IH 10 from SH 46 to Scenic Loop Rd Project Overview

## Existing Typical Section



## Proposed Typical Section



# IH 10 from SH 46 to Scenic Loop Rd Project Overview

- Design-Bid-Build
- March 2018 letting – Begin Construction Spring 2018
- Anticipated construction timeline of three years, completion Spring 2021
- Current Construction Estimate = \$66 million

# IH 10 from SH 46 to Scenic Loop Rd Project Overview

- Estimated Quantities

- 137,0000 cy of excavation
- 249,000 cy of embankment
- 130,000 tons of HMAC
- 2,300 sy of concrete paving
- 101,500 sf of bridge
- 106,000 sf of retaining walls
- 18,500 lf of drainage pipe
- 216 ea of drainage inlets, manholes, junction boxes
- 25,700 lf of concrete barrier
- 38,800 lf concrete curb
- 17,000 sy concrete sidewalk

# IH 10 from SH 46 to Scenic Loop Rd Project Overview

- Other items included in the project:
  - Removal of Existing Concrete Items:
    - Curb, Paving, Riprap, Medians, Sidewalks, Driveways, MBGF
  - Removal of Existing Structure Items:
    - Bridges, Inlets, Headwalls, Drainage Pipe, Junction Box,
  - Guardrail End Treatment: Remove and Install
  - Crash Cushion Attenuator: Remove and Install
  - Lighting, Signals, ITS, Small and Large Signs

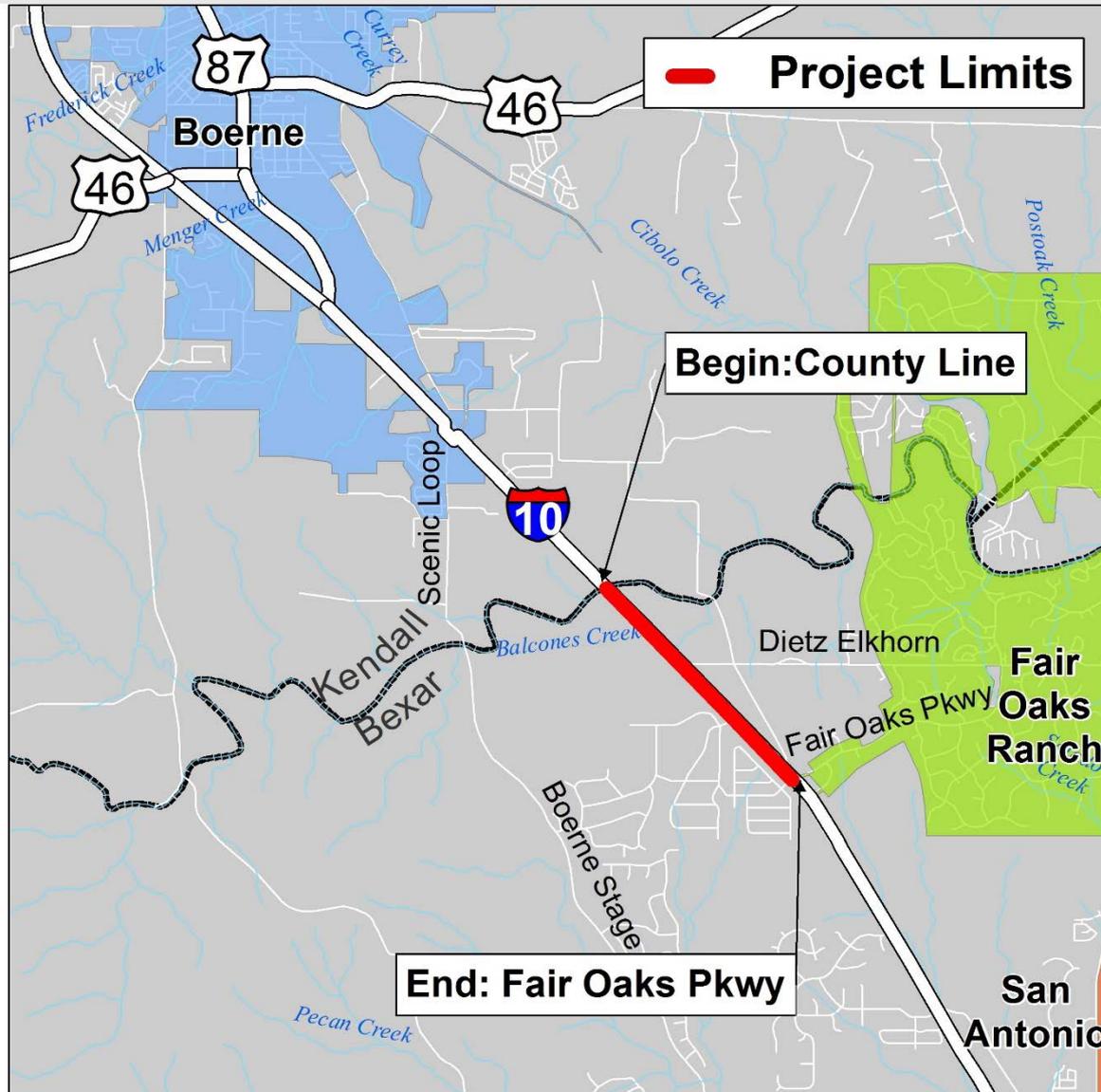


# IH 10: 0072-07-070 CONSTRUCT GRADE SEPARATION AT BALCONES CREEK RD, ETC.

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# IH 10 from Bexar County Line to Fair Oaks Pkwy Project Overview

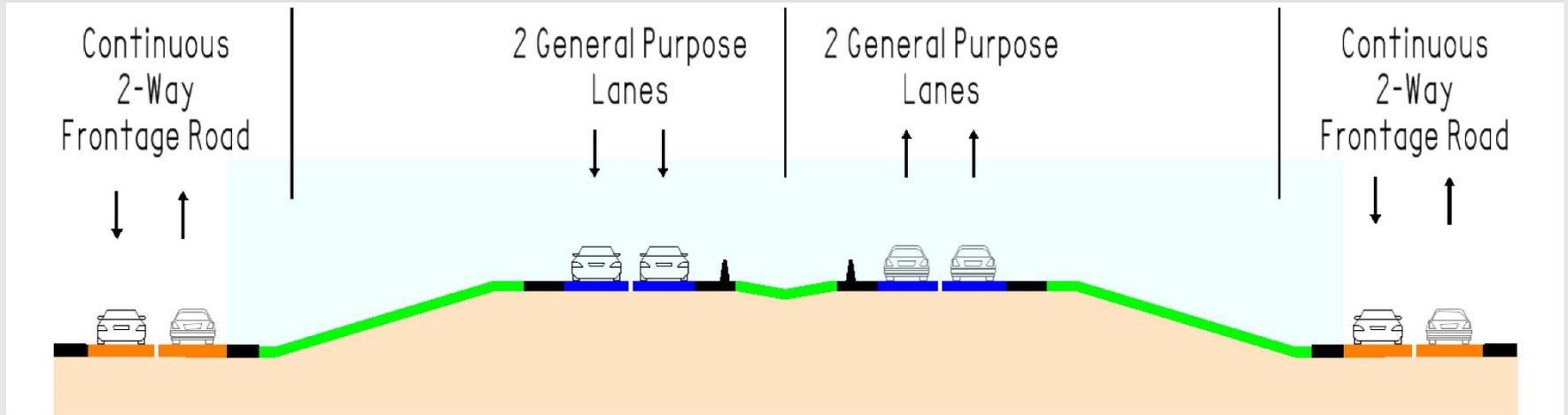


# IH 10 from Bexar County Line to Fair Oaks Pkwy Project Overview

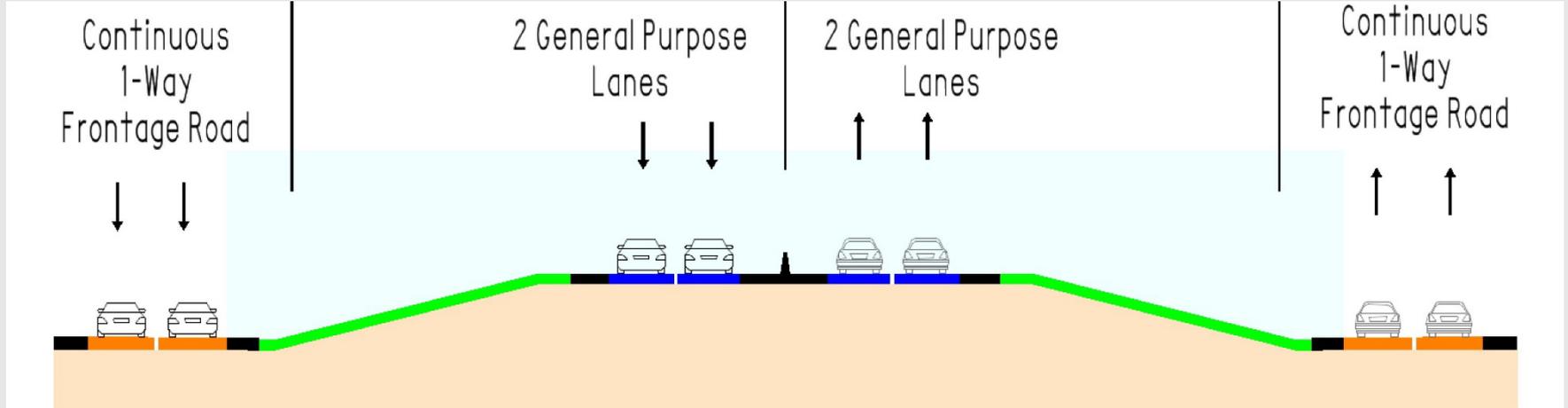
- IH 10
- Project Limits: from Bexar/Kendall Co Line to Fair Oaks Pkwy
- Project Scope
  - CSJ: 0072-07-070
    - Construct Grade Separation at Balcones Creek Road and Fair Oaks Pkwy Turnaround
    - Reconfigure Ramps, Widen Frontage Rds and convert to One-Way, Intersection Improvements
- Project Goals
  - Manage congestion along IH 10 by improving Ramp and Frontage Rd traffic operations

# IH 10 from Bexar County Line to Fair Oaks Pkwy Project Overview

## Existing Typical Section



## Proposed Typical Section



# IH 10 from Bexar County Line to Fair Oaks Pkwy Project Overview

- Design-Bid-Build
- July 2018 letting – Begin Construction Summer 2018
- Anticipated construction timeline of two years, completion Summer 2020
- Current Construction Estimate = \$35 million

# IH 10 from Bexar County Line to Fair Oaks Pkwy Project Overview

- Estimated Quantities

- 55,000 cy of excavation
- 140,000 cy of embankment
- 75,000 tons of HMAC
- 34,300 sy of concrete paving
- 41,400 sf of bridge
- 24,300 sf of retaining walls
- 12,500 lf of drainage pipe
- 130 ea of drainage inlets, manholes, junction boxes
- 8,500 lf of concrete barrier
- 18,000 lf concrete curb
- 9,000 sy concrete sidewalk

# IH 10 from Bexar County Line to Fair Oaks Pkwy Project Overview

- Other items included in the project:
  - Removal of Existing Concrete Items:
    - Curb, Paving, Riprap, Medians, Sidewalks, Driveways, MBGF
  - Removal of Existing Structure Items:
    - Inlets, Headwalls, Drainage Pipe, Junction Box,
  - Guardrail End Treatment: Remove and Install
  - Crash Cushion Attenuator: Remove and Install
  - Lighting, Signals, Small and Large Signs



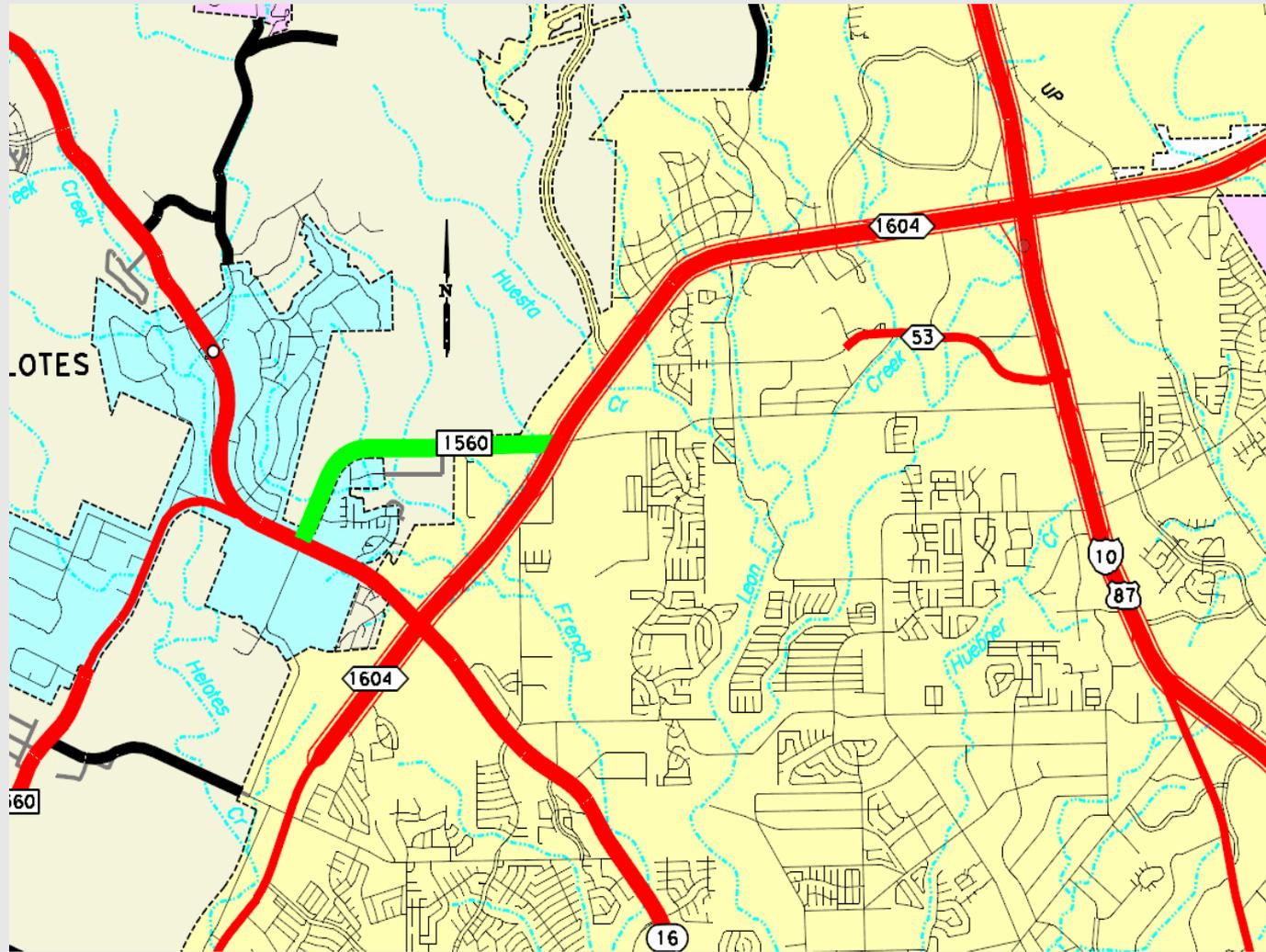
# FM 1560

## EXPAND FROM 2 LANES TO 4 LANES WITH RAISED MEDIAN, BIKE LANES AND SIDEWALK

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# FM 1560 Widening Project Overview

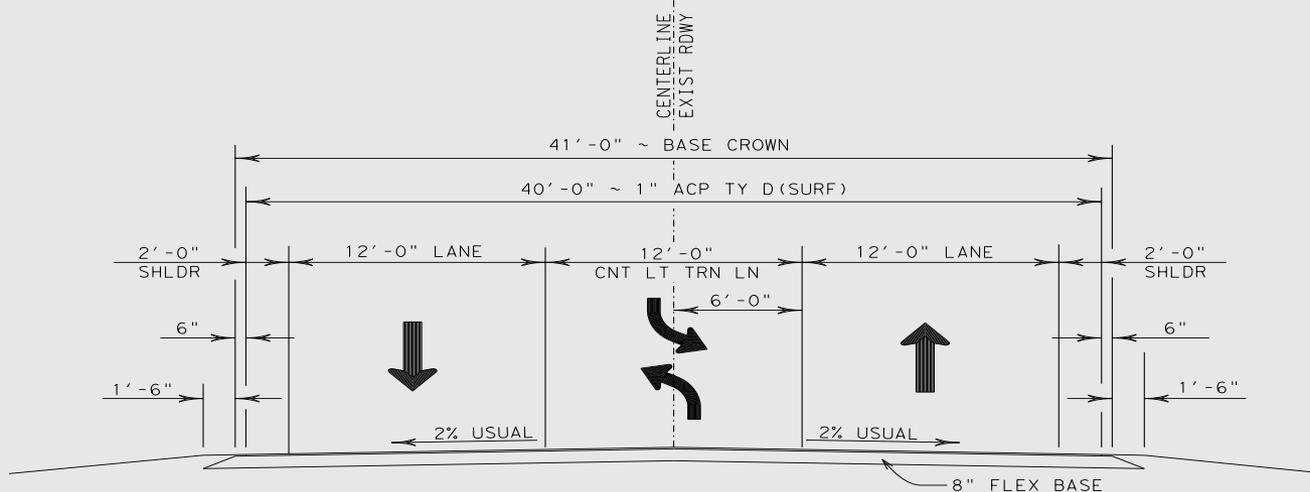


# FM 1560 Widening Project Overview

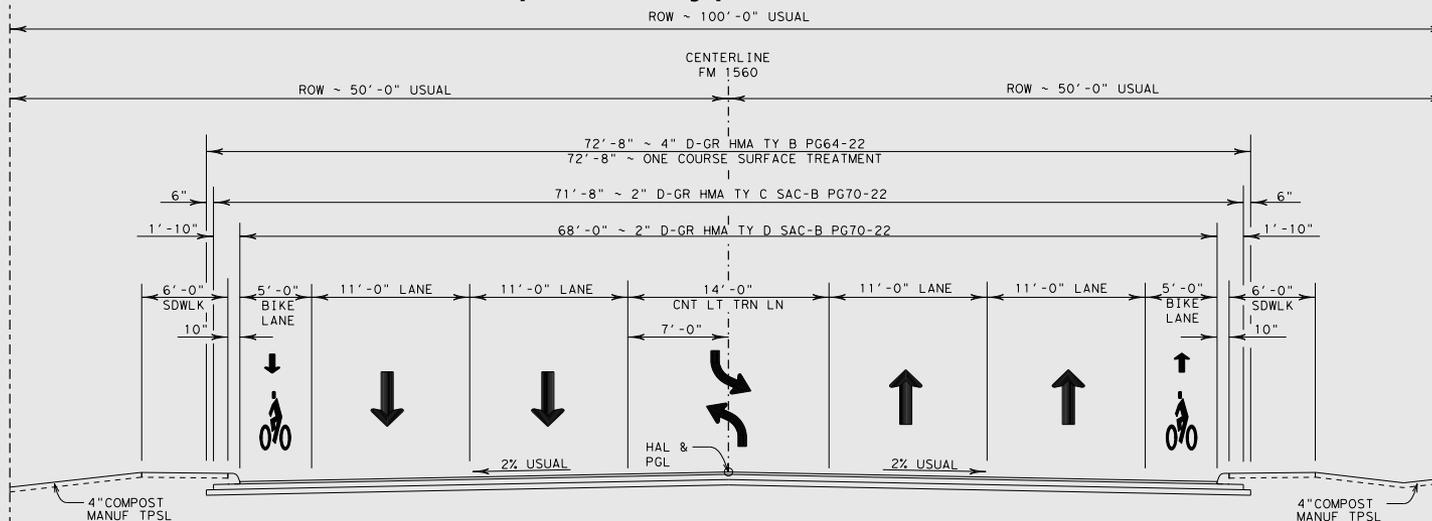
- Widening FM 1560
- Project Limits: from SH 16 to Loop 1604
- Project Scope
  - Expand from 2 to 4 lanes with raised medians, bike lanes and sidewalk
- Project Goals
  - Manage congestion along FM 1560 by adding capacity

# FM 1560 Widening Project Overview

## Existing Typical Section



## Proposed Typical Section



# FM 1560 Project Overview

- Design – In House
- August 2018 letting – Begin Construction Fall 2018
- Anticipated construction timeline of four years, completion Fall 2022
- Current Construction Estimate = \$12 million

# FM 1560 Widening Project Overview

- Estimated Quantities
  - 22,450 cy of excavation
  - 10,849 cy of embankment
  - 37,221 tons of HMAC
  - 1,562 lf of concrete box culverts
  - 14,319 lf of reinforced concrete drainage pipe
  - 141 ea of drainage inlets, manholes, junction boxes
  - 23,914 lf of Ty I Curb
  - 2,976 lf of Ty C and Ty F curbs
  - 12,257 sy of Sidewalk
  - 21,761 sf of Sound Walls (3 Locations)
  - 3,510 lf of Drill Shafts(for Sound Walls)
  - 6 ea of Stormwater Treatment Units

# FM 1560 Widening Project Overview

- Joint Bid Utilities
  - SAWS
    - 3,054 lf Sanitary Sewer Line Adjustment/Relocation
    - 71 ea Sanitary Sewer Manholes
    - 3,964 lf Waterline Adjustment/Relocation
  - CPS
    - 9,144 lf Gas Main Adjustment/Relocation/New
- Other items included in the project:
  - Removal of Concrete Items:
    - Curb, Rail, Flume, Pavers, Riprap, Medians, Sidewalks, Driveways
  - Removal of Structure Items:
    - Headwalls, Pipe, Drainage Flume
  - Guardrail End Treatment: Remove
  - Signals, ITS, Small and Large Signs

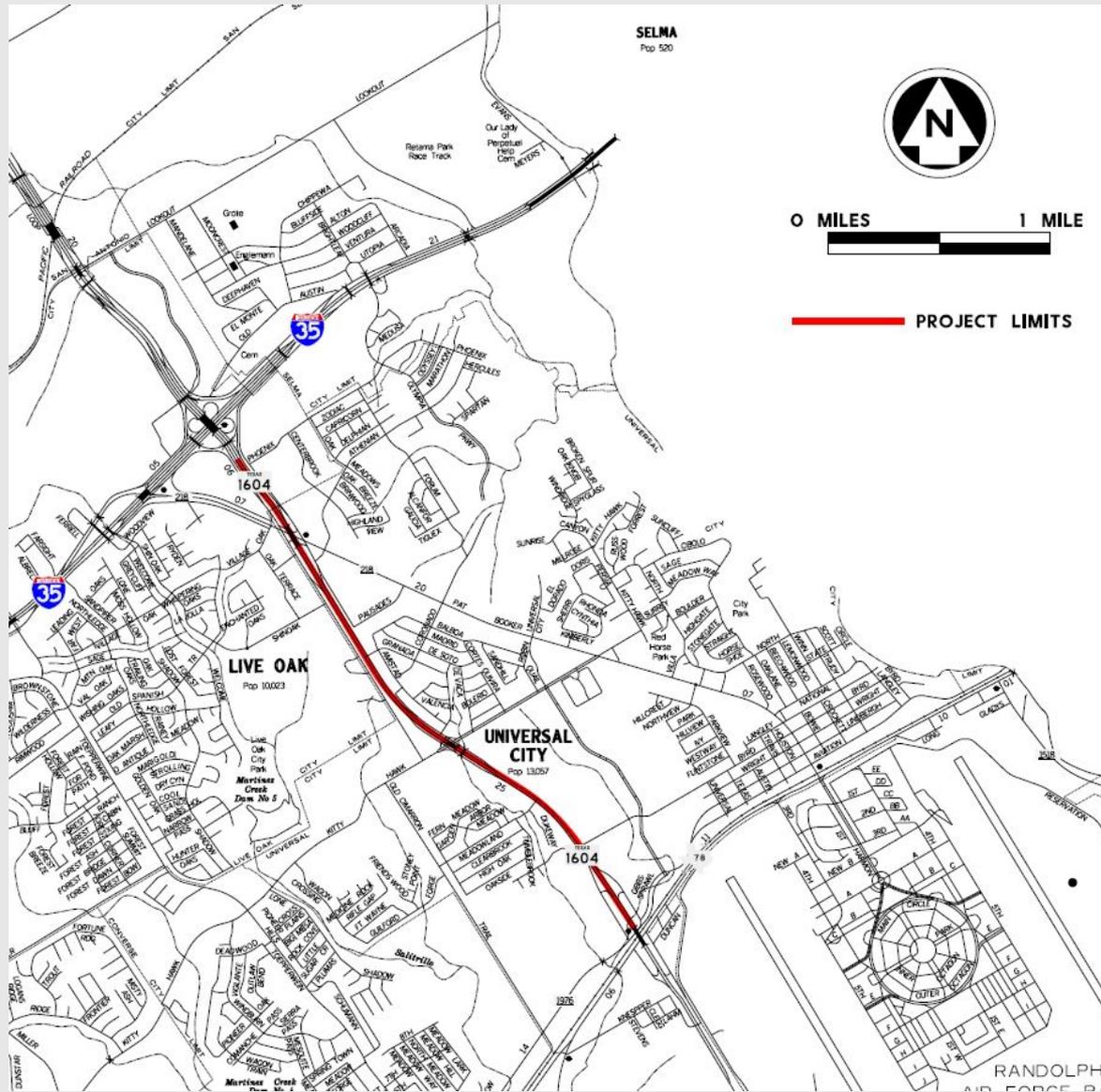


# LP 1604 RECONSTRUCTION PROJECT

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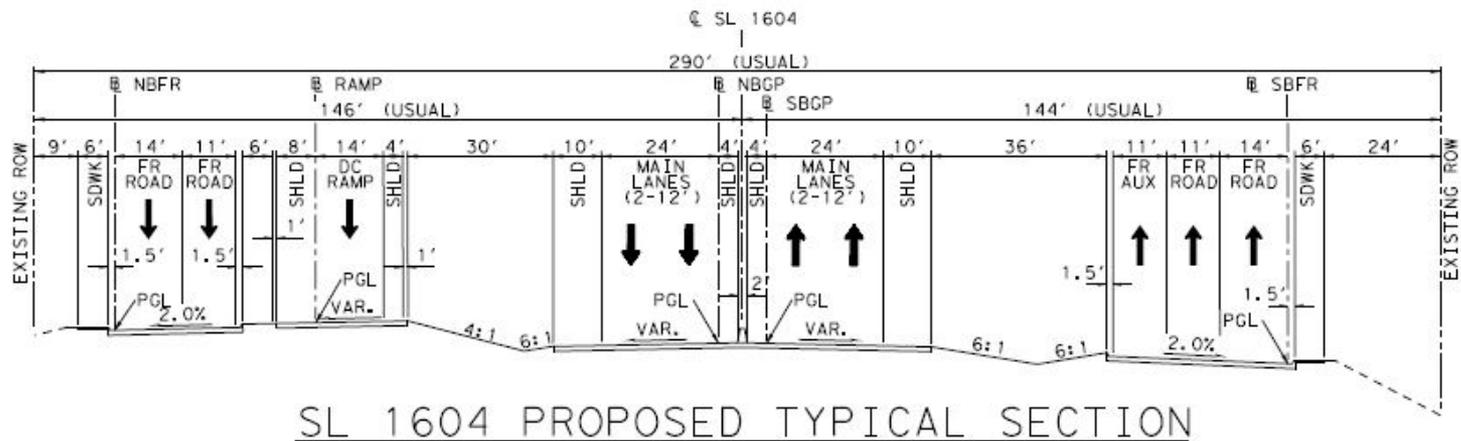
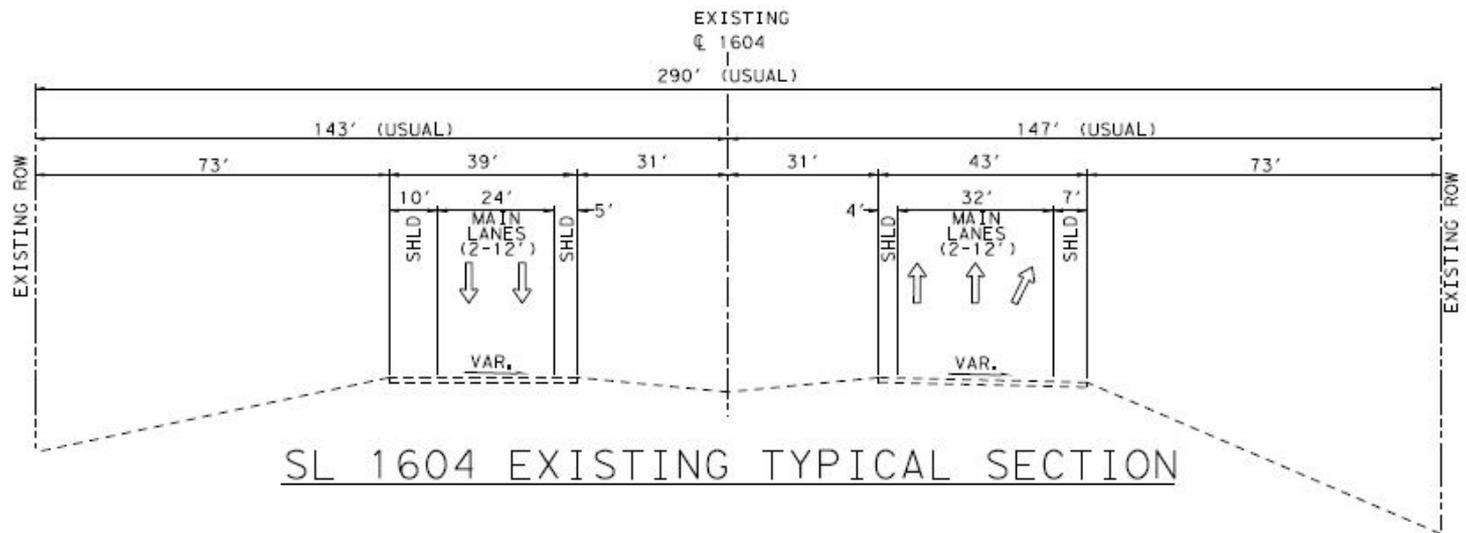
# LP 1604 Reconstruction Project Overview



# LP 1604 Reconstruction Project Overview

- Reconstructing LP 1604 main lanes and adding continuous frontage roads
- Project Limits: from I-35 to FM 78
- Project Scope
  - Reconstructing LP 1604 main lanes and constructing frontage roads
  - Ramp Reversals, Noise walls
- Project Goals
  - Add continuous frontage roads along LP 1604 from I-35 to FM 78
  - Add continuous pedestrian facilities

# LP 1604 Reconstruction Project Overview



# LP 1604 Reconstruction Project Overview

- Design-Bid-Build
- June 2018 letting – Begin Construction Fall 2018
- Anticipated construction timeline of two years, completion Winter 2021
- Current Construction Estimate = \$50 million

# LP 1604 Reconstruction Project Overview

- Estimated Quantities
  - 88,280 cy of excavation
  - 92,498 cy of embankment
  - 128,831 tons of HMAC
  - 75,840 sf of bridge
  - 37,871 sf of retaining walls
  - 50,189 sf of Noise walls
  - 16,820 lf of drainage pipe
  - 159 ea of drainage inlets, manholes, junction boxes
  - 18,513 lf of concrete rail

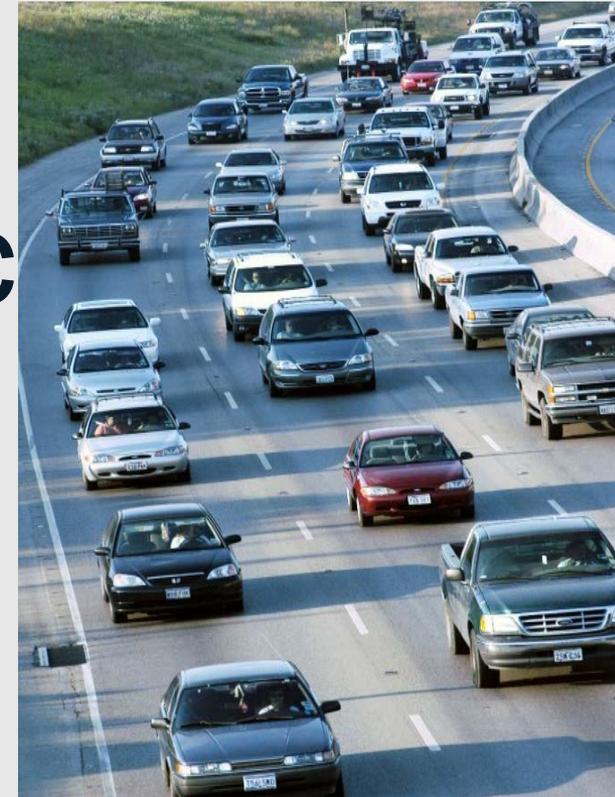
# US 67 Widening Project Overview

- Other items included in the project:
  - Removal of Concrete Items:
    - Curb, Flume, Paving, Riprap, Medians, Sidewalks, Driveways
  - Removal of Structure Items:
    - Bridge, Retaining Walls, Inlets, Headwalls, Pipe, Junction Box
  - Guardrail End Treatment: Install and remove
  - Crash Cushion Attenuator: Install and remove
  - Lighting, Signals, ITS, Small and Large Signs, APA



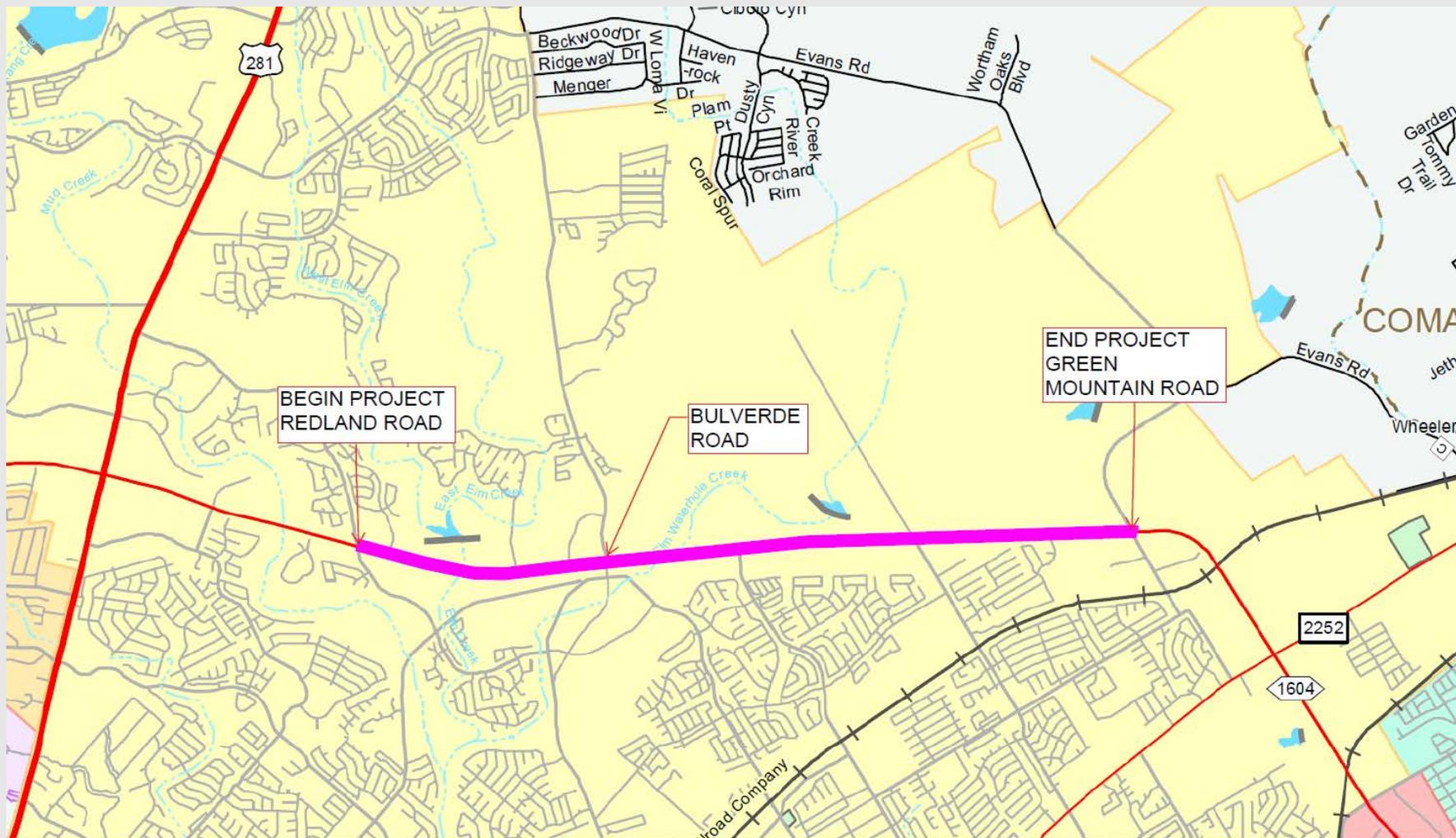
# LP1604: 2452-03-118, ETC RECONFIGURE RAMPS, CONSTRUCT TURNAROUNDS AND OVERLAY

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# SL 1604: Redland Road to Green Mountain Road

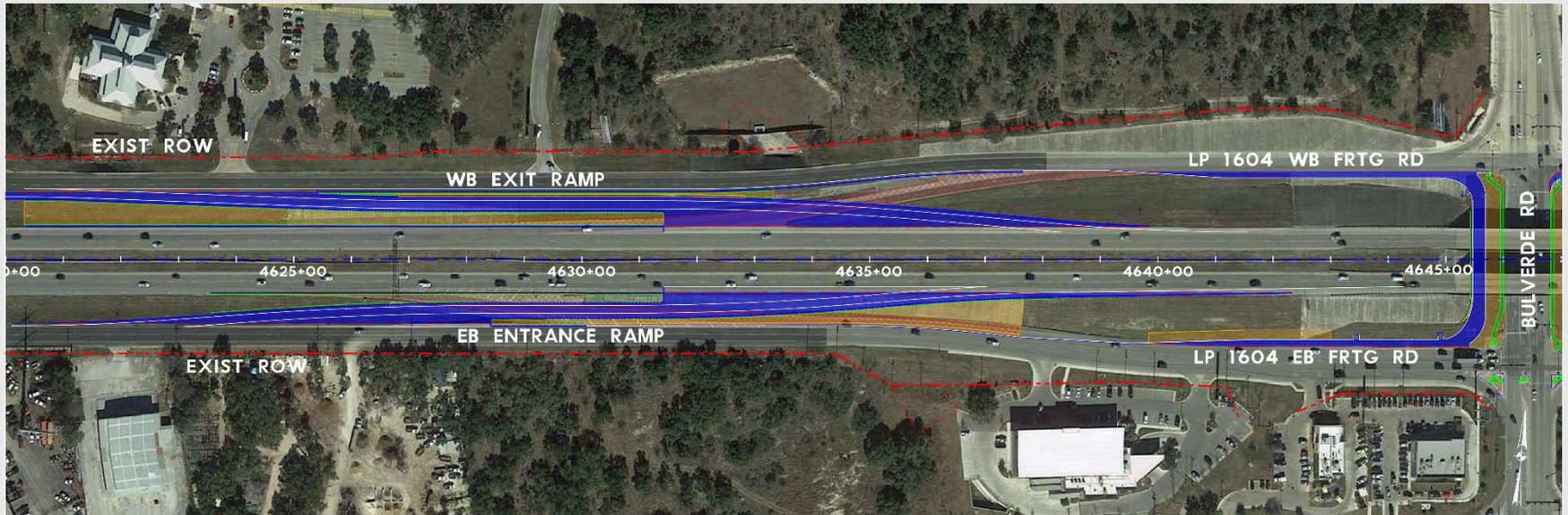
## PROJECT LOCATION MAP



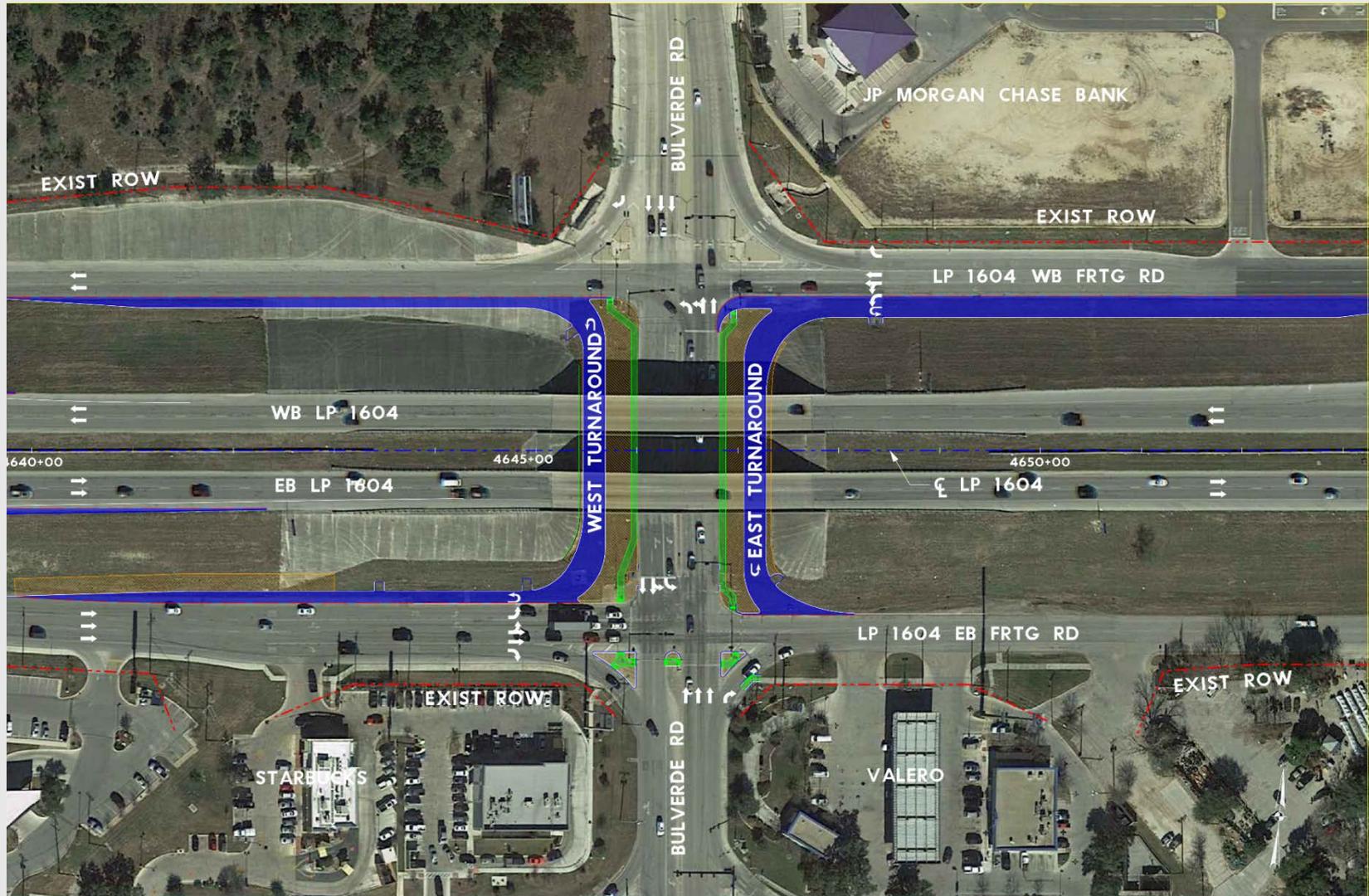
# SL 1604: Redland Road to Green Mountain Road

- Project Limits: from Redland Road to Green Mountain Road
- Project Scope
  - Ramp Reversal in Eastbound and Westbound SL 1604 between Redland and Bulverde Roads
  - Construct East and West Turnarounds at Bulverde Road
  - Mill, Resurface and Base repair of SL 1604 mainlanes from Redland to Green Mountain Road
- Project Goals
  - Improve traffic operations between Redland and Bulverde and improve intersection operations of Bulverde Road intersection
  - Resurface SL 1604 for extended pavement life

# SL 1604: Redland Road to Green Mountain Road



# SL 1604: Redland Road to Green Mountain Road



# SL 1604: Redland Road to Green Mountain Road

- Design-Bid-Build
- May 2018 letting – Begin Construction Summer 2018
- Anticipated construction timeline of 12-16 months, completion Summer 2019
  
- Current Construction Estimate = \$18 million

# SL 1604: Redland Road to Green Mountain Road

- Estimated Quantities
  - Embankment = 30,100 CY
  - Excavation = 18,500 CY
  - HMA Paving = 21,000 Tons
  - Flex Base = 12,600 CY
  - Stabilized Subgrade = 34,000 SY
  - Planning Asphalt Paving = 309,000 SY
  - Riprap = 11,000 SY
  - Concrete Curb = 4,800 LF
  - Concrete Curb (C1) = 7,500 LF

# SL 1604: Redland Road to Green Mountain Road

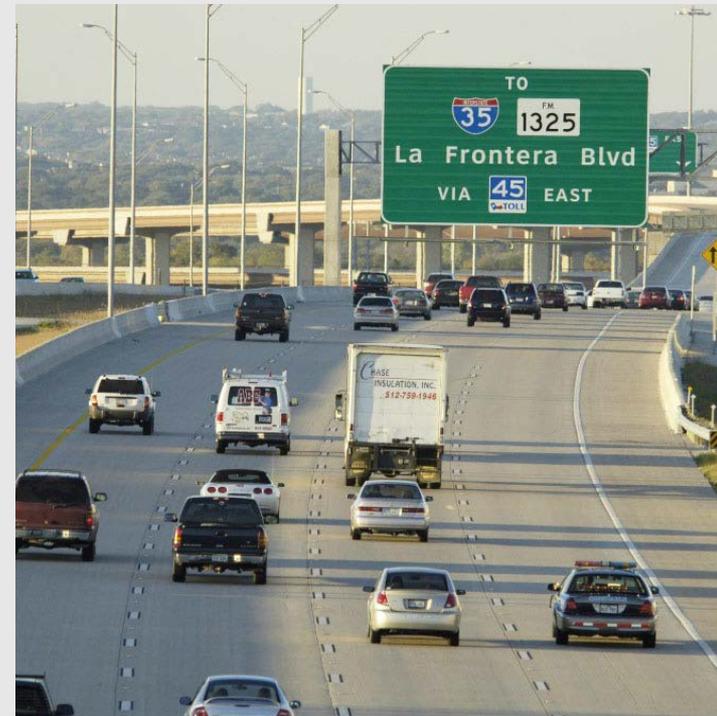
- Other items included in the project:
  - Removal of Concrete Items:
    - Curb, CTB, Flumes, Paving, Riprap, Medians, Sidewalks, Driveways
  - Removal of Structure Items:
    - Inlets, Headwalls, Pipe, Junction Box
  - Guardrail End Treatment: Install and remove
  - Crash Cushion Attenuator: Install, move, reset and remove
  - Lighting, Signals, Small and Large Signs

# Questions??



# CONTRACTING WITH TXDOT 101

Instructions for New Contractors  
Construction Division



# Table of Contents

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# LEADING UP TO CONTRACTING

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- Prequalification
- Proposal Request
- Bid Submittal
- Contract Letting
- Bid Tabulations
- Texas Transportation Commission Meeting



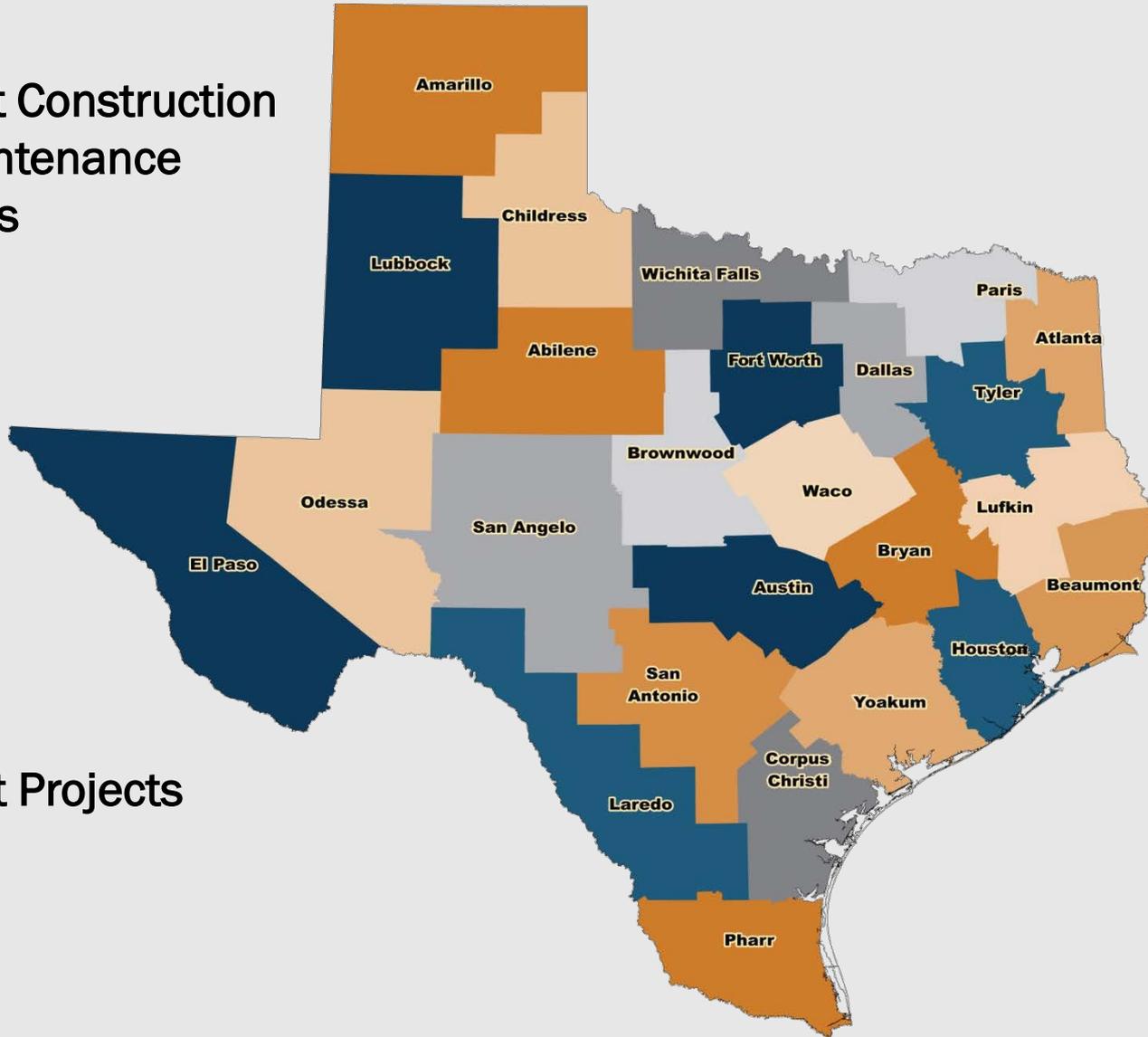
# CONTRACT LETTING

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# Contract Letting

State Let Construction  
and Maintenance  
Contracts



Local Let Projects



# BID TABULATIONS

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# Bid Tabulations

## Bid Tabulations and Bid Totals

- Made available on the TxDOT website
- 2014 Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges (Spec Book)
  - Item 2, Section 11

The screenshot shows the Texas Department of Transportation website. The top navigation bar includes links for 'Business', 'Consultants', 'Contractors', 'Vendors', 'Letting & Bids', 'Opportunities', 'Projects', 'Training', 'Resources', and 'Partnerships'. The 'Letting & Bids' link is circled in red. Below the navigation bar, the 'Letting and Bids' section is displayed. The main content area includes a heading 'Letting and Bids' and a sub-heading 'Home > Business'. The text states: 'Before a project can be bid on by a business, TxDOT must let it, or make it available for bidding. The letting and bidding process with TxDOT allows the Agency to get the most competitive pricing on a project and allows multiple businesses to compete for business with TxDOT.' The page is organized into four columns: 'Pre-Letting', 'Post-Letting', 'Prepare to Bid', and 'Bidding'. The 'Prepare to Bid' column contains a list of links, with 'Bid Tabulations and Bid Totals' highlighted by a red arrow.

**Letting & Bids**

Local Government Projects  
Highway Cost Index  
Contract Letting  
Letting Schedule  
Projects to Be Let  
Plans Online  
Project Letting Addenda  
Pre- and Post-Letting Information  
Schedule of Letting File Updates  
Official Bid Item Index  
Unofficial Bid Item Index  
Average Low Bid Unit Prices  
Contract Bidding  
Bid Item Code Description Abbreviations  
Page Options

**Letting and Bids**  
Home > Business

Before a project can be bid on by a business, TxDOT must let it, or make it available for bidding. The letting and bidding process with TxDOT allows the Agency to get the most competitive pricing on a project and allows multiple businesses to compete for business with TxDOT.

**Pre-Letting**

- Letting Schedule
- Plans Online
- Notice to Contractors
- Local Government Projects
- List Showing Order of Bids
- Delayed or Rescheduled Projects
- Proposals Request
- Bid Addenda Information

**Post-Letting**

- State Let Construction and Maintenance Projects Bidders List
- Local Let Maintenance Projects Bidders List
- Awarded or Rejected State Projects
- Awarded or Rejected Local Projects

**Prepare to Bid**

- Bid Tabulations and Bid Totals
- Estimating Information
- Invitations for Bids and Requests for Offers/Proposals
- Special Bid Items
- Contractor Prequalification
- Bid Proposal Request System -

**Bidding**

- Bid Opportunities Program
- Electronic Bidding System (ICX)
- Official Bid Item Index
- Unofficial Bid Item Index
- Estimator Converter Utility Program and Catalogs
- Checklist for Submitting Bids

<http://www.dot.state.tx.us/business/bt.htm>



# CONTRACT AWARD

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# Contract Award

## Texas Transportation Commission Meeting

- Last Thursday each month
- State Let contracts
- Conditionally Awards
- Rejects some projects
  - Price or other considerations
- State Let contract results:  
<http://www.txdot.gov/insdot/orgchart/cmd/cserve/results/awarded.htm>
- Spec Book
  - Item 3, Section 1
- Awarded at the District level
- Local Let maintenance contract results:  
<http://www.txdot.gov/insdot/orgchart/cmd/cserve/results/awardedl.htm>

**TEXAS DEPARTMENT OF TRANSPORTATION**

Search TxDOT

Driver | Government | **Business** | Inside TxDOT | Careers

Business Consultants | Contractors | Vendors | **Letting & Bids** | Opportunities | Projects | Training | Resources | Partnerships

Business Consultants | Contractors | Vendors | **Letting & Bids** | Opportunities | Projects | Training | Resources | Partnerships

### Letting and Bids

Home > Business

Before a project can be bid on by a business, TxDOT must let it, or make it available for bidding. The letting and bidding process with TxDOT allows the Agency to get the most competitive pricing on a project and allows multiple businesses to compete for business with TxDOT.

<b>Pre-Letting</b>	<b>Post-Letting</b>
<ul style="list-style-type: none"><li>• <a href="#">Letting Schedule</a></li><li>• <a href="#">Plans Online</a></li><li>• <a href="#">Notice to Contractors</a></li><li>• <a href="#">Local Government Projects</a></li><li>• <a href="#">List Showing Order of Bids</a></li><li>• <a href="#">Delayed or Rescheduled Projects</a></li><li>• <a href="#">Proposals Request</a></li><li>• <a href="#">Bid Addenda Information</a></li></ul>	<ul style="list-style-type: none"><li>• <a href="#">State Let Construction and Maintenance Projects Bidders List</a></li><li>• <a href="#">Local Let Maintenance Projects Bidders List</a></li><li>• <a href="#">Awarded or Rejected State Projects</a></li><li>• <a href="#">Awarded or Rejected Local Projects</a></li></ul>
<b>Prepare to Bid</b>	<b>Bidding</b>
<ul style="list-style-type: none"><li>• <a href="#">Bid Tabulations and Bid Totals</a></li><li>• <a href="#">Estimating Information</a></li><li>• <a href="#">Invitations for Bids and Requests for Offers/Proposals</a></li><li>• <a href="#">Special Bid Items</a></li><li>• <a href="#">Contractor Prequalification</a></li><li>• <a href="#">Bid Proposal Request System -</a></li></ul>	<ul style="list-style-type: none"><li>• <a href="#">Bid Opportunities Program</a></li><li>• <a href="#">Electronic Bidding System (iCX)</a></li><li>• <a href="#">Official Bid Item Index</a></li><li>• <a href="#">Unofficial Bid Item Index</a></li><li>• <a href="#">Estimator Converter Utility Program and Catalogs</a></li><li>• <a href="#">Checklist for Submitting Bids</a></li></ul>

# Contract Award

## Delay of Award

- C&M Agreement
- Notice of Financial Clearance
- DBE Approval
- E-Verification
  
- Award
- Award Letter
  - 15 day turnaround
  - Instruction Sheet
- Contract documents
  - Bound contract
  - Conformed contract
  - Surety copy
  - Memo of special requirements
    - Railroad
    - Right of Entry
    - Railroad Insurance
    - Warranty
    - Bond/Manufacturer's Bond

## *Texas Department of Transportation (TXDOT) State Let Construction & Maintenance Contracts Additional Instructions for CONTRACTORS and SURETY Company*

### CONTRACTS AND BONDS

- Contracts must **NOT** be disassembled for any reason.
- CONTRACTOR must execute and return contracts within **15 days** of receiving award letter (ONE bound contract and ONE conformed contract) and BONDS in INK.
- CONTRACTOR must sign and date the Signature Page, Performance Bond and Payment Bond.
- The bond(s) in the contract must be executed (including their signature and date signed) by a corporate surety company authorized to write Fidelity and Surety Bonds for public works in the State of Texas, and for contracts greater than \$100,000 such SURETY must be listed in the current issue of the Federal Register, Dept. of Treasury list and must show adequate bonding capacity for the size of the contract. SURETY must execute Bonds in INK.
- SURETY may date bonds and Powers of Attorney; however, they cannot be dated past the due date of the contracts.
- A Power of Attorney, showing that the SURETY's officer or attorney in fact has the authority to sign the bonding obligations, must be impressed with the corporate seal and attached behind the payment bond in each contract. In addition, the SURETY should attach a Bond claim notice.
- Corporate seal of the SURETY must be embossed on all bonds and also the Powers of Attorney. Water seals and stamp facsimile are not acceptable.

### INSURANCE

- Please verify the required insurance information is on file and current with TXDOT and the contract requirements. New or updated information will need to be submitted by the *insurance agent* by completing the appropriate TxDOT Certificate of Insurance, Form 1560. The form can be accessed at the following link:  
<http://www.txdot.gov/inside-txdot/forms-publications/consultants-contractors/forms/contractors.html>  
Completed forms can be submitted to [CST\\_Insurance@txdot.gov](mailto:CST_Insurance@txdot.gov)

### TEXAS ETHICS COMMISSION COMPLIANCE

- **Effective January 1, 2016**, CONTRACTORS are required to submit Texas Ethics Commission form 1295 for all projects. The form can be accessed at the following link:  
[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)

This form must be signed and notarized (to enable TXDOT to acknowledge it online) and returned, along with all other contract documents, in the mail. An electronic copy can be emailed to [CST\\_Contracts@txdot.gov](mailto:CST_Contracts@txdot.gov) but if doing so, in the subject field please reference CONTRACTOR's Business Name, applicable CSJ and contract #.

### MAIL

Return all contract documents prior to 5:00 PM on the due date shown on the award letter. If the contract due date is on a weekend or holiday, the contract is due the first business day following the weekend or holiday. A duplicate contract will be returned to the CONTRACTOR when fully executed by the State. If the Contractor fails to comply with all of the requirements in Article 3.4., "Execution of Contract," the proposal guaranty will become the property of the State, not as a penalty, but as liquidated damages. The Contractor forfeiting the proposal guaranty will not be considered in future proposals for the same work unless there has been a substantial change in design of the work.

#### **Send contract documents to:**

TEXAS DEPARTMENT OF TRANSPORTATION  
CONSTRUCTION DIVISION CONTRACT PROCESSING  
200 EAST RIVERSIDE DR.  
AUSTIN, TEXAS 78704-1287

### ASSISTANCE

- For questions or assistance call Contract Processing @ 512-416-2540 or email [CST\\_Contracts@txdot.gov](mailto:CST_Contracts@txdot.gov)

## E-Verify

### What is it?

- U.S. law requires companies to employ only individuals who may legally work in the United States – either U.S. citizens, or foreign citizens who have the necessary authorization.
- Internet-based system
  - Compares information from an employee's Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility
- Enforcement as a result of Senate Bill 312
- Effective October 2017 and thereafter
- Register here:

<https://www.uscis.gov/e-verify>

### Requirements:

- TxDOT Awards contracts only to registered Contractors
- Required of Contractors and their Subcontractors
- Must remain registered through the life of the contract
- TxDOT monitors compliance for the life of the contract

### Requirements are met when:

- Upon registration the DHS E-Verify system creates an E-Verify Memorandum of Understanding (MOU)

### For more information:

<http://www.txdot.gov/business/letting-bids/letting/e-verify.html>



# CONTRACT EXECUTION



# Contract Execution

## Requirements:

- Return within 15 days
- Authorized Contractor signature
- Executed Performance and Payment Bonds
  - Power of Attorney
  - Claims Page
- Special requirements
  - Railroad
  - Right of Entry
  - Railroad Insurance
  - Warranty Bond/Manufacturer's Bond
- Ethics Commission 1295 Cert

## Spec Book

- Item 3, Section 4

## Requirements met:

- Bound contract to Contractor
- District notification



# COMPLETING THE WORK

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# Completing the Work

## Contract management

### – District

- Preconstruction Meeting
- Project schedule
- List of Material suppliers
- Administration
- Completion of work

The screenshot shows the Texas Department of Transportation website. At the top, there is a navigation bar with the TxDOT logo and the text 'TEXAS DEPARTMENT OF TRANSPORTATION'. To the right of the logo is a search bar labeled 'Search TxDOT' with a magnifying glass icon. Below the search bar are links for 'Driver | Government | Business | Inside TxDOT | Careers'. The main content area features a banner for 'TxDOT turns 100 -' and a navigation menu with 'Inside TxDOT' highlighted. Below the menu is a 'Districts' section with a list of 25 districts on the left and a map of Texas on the right. The map is color-coded by district and labeled with abbreviations. Below the map is a dropdown menu labeled 'Locate a District by County:' with the text 'Select a County...'.

<http://www.txdot.gov/inside-txdot/district.html>

# Completing the Work

As items are completed

- Inspected by TxDOT
- Paid monthly

Contractor Information System (CIS) Reports

- Monthly estimates
- Published on the website

Refer to the Spec Book for payment of items

The screenshot displays the Texas Department of Transportation website. The top navigation bar includes the TxDOT logo, the text 'TEXAS DEPARTMENT OF TRANSPORTATION', a search bar, and links for 'A - Z Site Index', 'Contact Us', and 'Español'. Below this is a secondary navigation bar with 'Business' highlighted and links for 'Consultants', 'Contractors', 'Vendors', 'Letting & Bids', 'Opportunities', 'Projects', 'Training', 'Resources', and 'Partnerships'. The 'Contractors' link is circled in red. The main content area shows the 'Contractors' page with a breadcrumb trail 'Home > Business'. The page text states: 'TxDOT routinely uses the business community to plan and execute construction and maintenance projects. Contractors engage with TxDOT through the contract letting process. Each contractor must prequalify to work on construction or maintenance projects with TxDOT.' A 'Resources' section lists: 'Prequalification', 'Insurance Requirements', 'Information', 'Notice to Contractors', and 'Contractor Information System (CIS) Reports'. A red arrow points to the 'Contractor Information System (CIS) Reports' link.

<http://www.txdot.gov/business/contractors/contractor-information-system-cis-reports.html>

<http://www.txdot.gov/business/resources/business-contacts.html>

# UNDERSTANDING CONTRACT SURETY BONDS

## **PART 1:** **THE RULES OF THE ROAD**

Presented By: **Jim Swindle, AFSB**  
**Alamo Surety Bonds**



# UNDERSTANDING SURETY BONDS

## *The Rules of The Road*

### What is a Surety Bond?

- Surety Bonds are **performance & financial guarantees, not insurance**
- Surety bonds are **similar to bank loans**
- Surety bonds **provide assurance that the project will be completed and all subs/suppliers will be paid**
- Surety bonds **are required by law on government contracts**

Contracts over \$25K, but less than \$100K = 100% Payment Bond

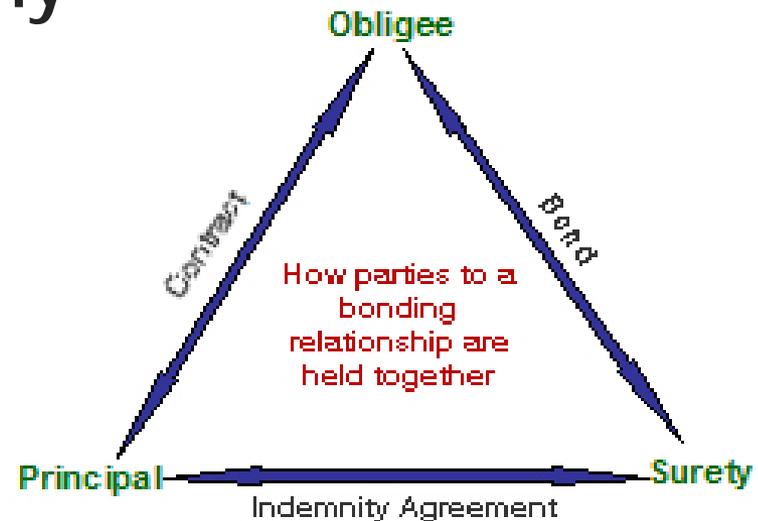
Contracts over \$100,000 = 100% Payment & Performance Bonds

# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### A Bond is a Three-Party Contract

- Contractor
- Surety Company
- Oblige



# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### Types of Surety Bonds

- Bid Bonds
- Performance Bonds
- Payment Bonds



# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### The Bid Bond

A bid bond is required as part of the bid proposal.

It guarantees that if the contractor is awarded the contract, they will provide the required performance and payment bonds.

**Note: The surety company will not approve a bid bond unless the contractor has been pre-qualified for bonding the subject project**

# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### The Performance Bond

Protects the owner from financial loss should the contractor fail to perform the contract in accordance with the terms and conditions.

Surety company is obligated to complete the project no matter the cost and regardless of the face amount of the performance bond.

# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### The Payment Bond

Guarantees that the subcontractors, laborers, and suppliers on the bonded project are paid.



# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### Cost of Bonds

- “Credit-Based” Programs = 3.0% of contract price
- “Complete” Program = 1% to 2.5% (Tiered Rates)
- Direct job cost that is included in the bid price
- Reimbursed as pre-construction cost out of first draw



# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### Selecting a Professional Surety Bond Agent

- Experienced in Surety Business
- Leader/Member of Industry Trade Associations
- Represents Many Different Surety Companies
- **Selects surety** that is the best fit for the contractor
- **Performs initial prequalification** of contractor
- **Acts as liaison** between contractor & surety
- **Negotiates adequate level** of surety capacity
- **Serves as a trusted business advisor**
- **Valuable Resource for referrals** - CPA's, lenders, attorneys

# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### Prequalification Process

- Credit Checks - Business and Personal
- Financial Statement Analysis
- Work In Progress Analysis
- Largest Prior Completed Contracts
- Adequate Bank Line of Credit



# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### Prequalification Criteria - The 3 "C's"

- Capacity - Can the contractor perform the obligations of the contract to be bonded?
- Capital - Does the contractor have the financial strength to fulfill the obligations of their work program?
- Character - Historically, how has the contractor performed? How is the credit history?

# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### Information that the Surety Requires

- Contractor's Questionnaire
- Business Financial Statements (last 3 fiscal years end)
- Work in Progress Schedule (Quarterly)
- Bank Reference Letter
- Personal Financial Statement (Annually)
- Copy of the Contract or Bid Specifications
- Tax Returns
- Resumes of key personnel
- Recommendation letters
- Interim Financial Statements

# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### Quality of Financial Statements

- Up To \$1,000,000 = Internal Financials
- Up To \$1,500,000 = Internal Financials Plus\*
- Over \$1.5 Million = CPA “Disclosure” Compilation or CPA Review
- **CPA Review Is Required for Best Rates and Terms**
- CPA Audits Not Required for bonding, but may be required by TXDOT

\* Financial Statements Using Percentage of Completion Method

# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### CREDIT REPORT



- **Personal Credit Reports**  
All Owners & Spouses
- **FICO Score**  
**650 - 675** or Higher  
No Outstanding Judgments  
No Open Tax Liens  
No Bankruptcies
- **Business Credit Reports**  
Dunn & Bradstreet Paydex Score

# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### The “Alternative” Surety Market

- SBA Bond Guarantee Program
- Funds Control (Escrow Account)
- Collateral - Cash or Letter of Credit
- Bond Back of Major Subs (Over \$100K)
- Higher Bond Premium Rate



# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### **The Key To Success: *Be Proactive***

- Build & Maintain Strong Surety Relationships
- Communicate Openly & Honestly
- Keep Your Financial Info Current
- Stay Reasonably Within Your Capacity
- Grow Equity in a Good Economy
- Use Bonding as a Marketing Tool

# UNDERSTANDING SURETY BONDS

## *The Rules of the Road*

### Benefits of Bonding



- Bid as a Prime Contractor
- More Contract Opportunities
- Larger Contracts
- Reduces or Eliminates Competition
- Creates Repeat Business
- Grow Your Business

# UNDERSTANDING SURETY BONDS

## Part 2: Do's & Dont's

- **Always Use Bid Bonds**

- Cashiers Check Puts Your Own Money At Risk
  - Easier For Surety To Decline or Require Conditions
  - Red Flags the Contractor as “Reckless”

- **Use TXDOT Electronic Bid Bonds**

- Faster Service
  - Saves Overnight Mail & Transportation Costs
  - Eliminates Bid Bond Errors
  - Online Venders Charge Annual Fee - \$350

# UNDERSTANDING SURETY BONDS

## Part 2: Do's & Dont's

### ■ **Avoid Aggressive Bidding**

Assume No Change Orders Allowed

Include Realistic Overhead/Contingency Costs

Surety May Decline if Bid Spread Is **More Than 15%**

Avoid Bidding Lower than 15% of TXDOT Estimate

### ■ **Visit the Job Site**

Do Not Rely on Bid Documents/TXDOT Estimate

Look For Any Changed Site Conditions

Create A Bidding Advantage

# UNDERSTANDING SURETY BONDS

## Part 2: Do's & Dont's

- **Avoid “Last-Minute” Bid Bond Requests**

  - Do Not Wait For Your Exact Bid Number

  - Request Bid Bond Right Away

  - If Every Bid Bond Is A Rush, None Are A Rush

- **Keep Financial Statements Current**

  - Year-End Financials Due By April 30**

  - Otherwise, Can Result In Declination or Additional Conditions, Missed Bids, Lower or Suspended Bond Capacity

# UNDERSTANDING SURETY BONDS

## Part 2: Do's & Dont's

### ■ **Screen Potential General Contractor Customers**

Reputation In Dealing with Subcontractors

Review Contract Docs for Onerous Wording

### ■ **Never Start Work Without Bonds**

Contract Can Be Terminated For Cause

Payments Will Be Withheld Until Bond Provided

An "All's Right" Letter Is Required By The Surety

Can Result In Litigation

# UNDERSTANDING SURETY BONDS

## Part 2: Do's & Dont's

- **Keep Job Cost Records Up To Date**
- **Don't Try To "Do It Alone"**
  - Select A Professional Surety Bond Agent
  - Use A Properly-Trained Bookkeeper
  - Engage a Construction-Oriented CPA
  - Use an Attorney to Review Complex Contract Language

# UNDERSTANDING SURETY BONDS

- **Questions?**



U.S. Department of Transportation  
Office of Small and Disadvantaged Business Utilization



# Solving the Mystery of the Credit Score

**Tony Arps, Project Director  
U.S. DOT Gulf Region SBTRC**

# Importance of Credit Score

- Improving and maintaining credit/credit score is extremely important for small business owners seeking loans or bonding.
- Most people are aware of the core cause of bad credit, but lack knowledge of techniques and small ways of improving credit.
- Many people with excellent scores are not aware of all that impact their score.

**The two major scoring companies in the U.S., FICO and VantageScore, differ a bit in their approaches, but they agree on what counts most.**

**Business Loan – Bonding - Insurance**

---

# . Importance of Credit Score

➤ **Business Loan**

➤ **Bonding**

➤ **Insurance**

➤ **Employment**

---

# Credit Bureaus

- 3 major credit bureaus
    - Experian
    - TransUnion
    - Equifax
  - Credit information is reported to bureaus
  - Not all creditors report to all 3
  - Regulated by Federal Trade Commission
-

# Credit Scoring

- FICO scores range from 300-850
- Score is based on several factors

The credit score may vary among the 3 bureaus.

---

# Variations in the Credit Score

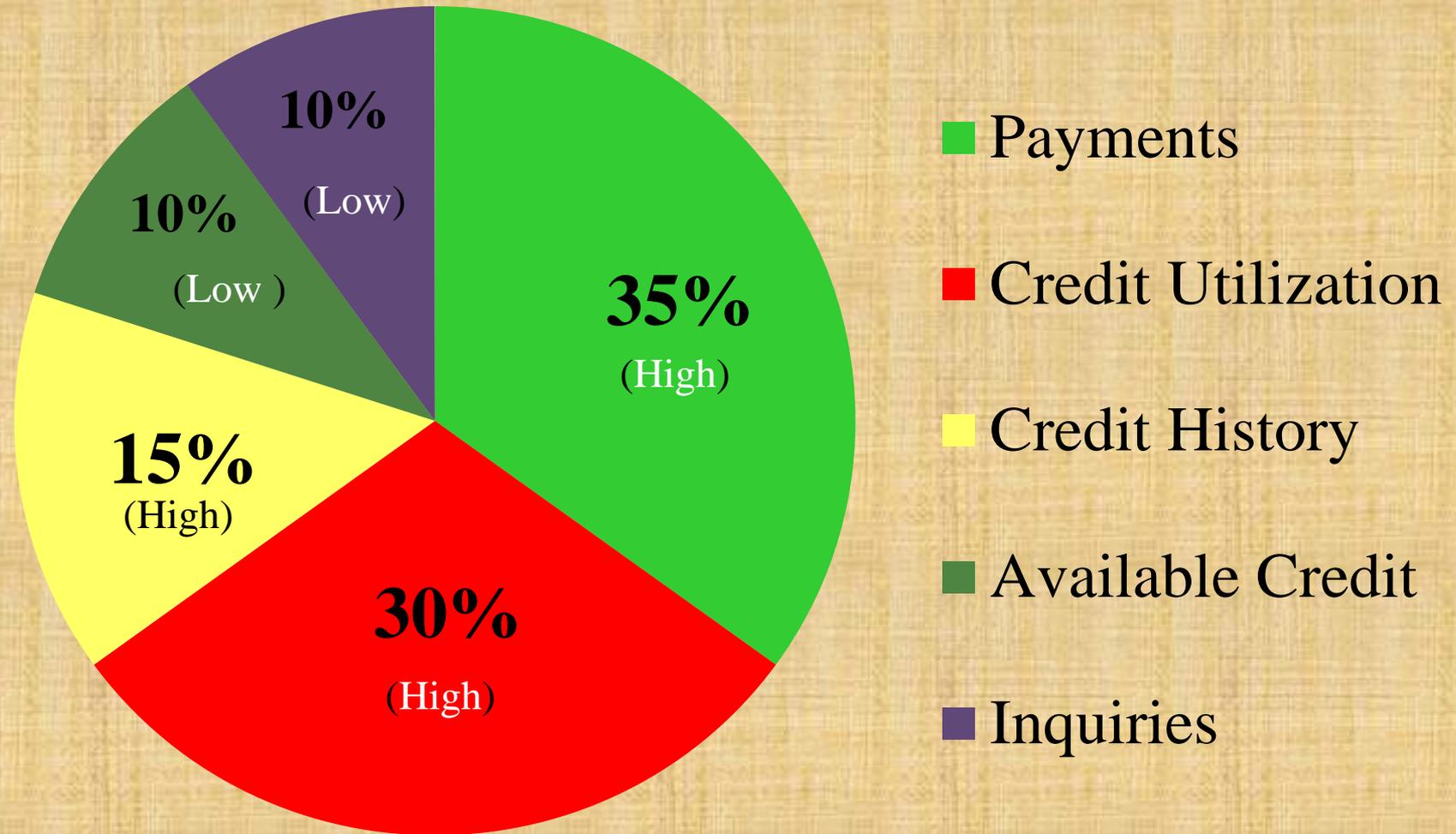
- All bureaus do not have the same information
  - Dates for reporting the information to the bureaus can vary
  - Algorithm for computing the score varies
  - The weight of low impact factors may vary among the bureaus
-

# Variations in the Credit Score

The score may vary among the 3 bureaus because they are looking at the credit information/data differently when computing the credit score, however all 3 are consistent in their use and weighting of high impact credit data.

---

# Factors/Data that Impact the Credit Score



# Credit Utilization

The amount you owe lenders is one of the most important factors that impacts your credit and makes up about 30% of your FICO® Score.

:

Your credit limit \$10,000 Total credit used \$1000

Your credit utilization is determined by:

Your credit used \$1,000/Your credit limit 10,000

**Utilization 10%**

---

# Credit Utilization

Your total credit limit	\$10,000	Used	\$1000
Spouse or Authorized User limit	<u>\$40,000</u>	Used	<u>\$30,000</u>
	\$50,000		\$40,000

You've used \$40,000 of your total credit of \$50,000 which is 80% of your total credit limit.

**Utilization 80%**

**Creditors and Lenders want a utilization of  
no more than 20%**

---

# Collections Impact on Credit Score

The degree to which a **collection** hurts your **credit** score is generally correlated with how high your **credit** score is when the **collection** agency reports the **debt**. The higher your score, the more points you can lose.

- **The amount of the collection debt is essentially irrelevant**
  - **The number of collection debt matters somewhat**
  - **A collection account is a derogatory “event” on your credit, *regardless of whether it is paid or unpaid.***
-

# Public Record Impact on Credit Score

Public records are legal documents that are on file with federal and local governments and that the public typically can access. Adverse public records that could be listed in your credit report include:

**Bankruptcies.** A bankruptcy is a legal proceeding in which a consumer is discharged of all—or in some cases only a portion—of his or her unsecured debt.

**Tax liens.** A tax lien is filed against a consumer if he or she fails to pay taxes.

**Judgments.** If a consumer loses a lawsuit in court, a judgment is the resulting debt that is owed. Credit reporting bureaus/agencies (CRAs) also purchase public record information from public record providers.

---

# How Long Will It Stay?

- Positive information can remain indefinitely
  - Negative information 7 years from when first reported
  - Chapter 7 bankruptcy reported for 10 years
  - Collection accounts 7 years from date of charge-off
-

# Creditor Account Evaluation

Creditors periodically evaluate your credit history and one key thing they look for is to see if you have only been paying the bare minimum each month. Pay more than the minimum amount due each month and you will see a rise in your score even if it is only slightly above the minimum.

---

# Improve Your Score

- Get a co-signer with good credit to add you to their account as an authorized user
  - Pay consistently on time (use AutoPay)
  - Do not transfer balances frequently
  - Keep credit utilization low
  - Settle collection in writing with a negotiated pay to delete agreement
  - Limit number of credit (hard inquiries) applications made
-

# Credit score alerts and Free credit report

Sign up for periodic credit score alert from your bank or card company and always take advantage of getting a copy of your report from all three credit bureaus at [www.annualcreditreport.com](http://www.annualcreditreport.com)

[www.annualcreditreport.com](http://www.annualcreditreport.com). It allows you to be alert to potential fraudulent activity and the report allows you to view any possible mistakes or suspicions of fraud.

---

# Correct Inaccuracies

**First, tell the credit bureau what information you believe is inaccurate.**

The credit bureau must investigate the item(s) in question – usually within 30 days – unless they consider your dispute frivolous. In addition to providing your complete name and address, your certified letter commonly called a dispute letter should:

- Have a copy of your report with the items in question circled
- Clearly identify each item in your report you dispute.
- State the facts and explain why you dispute the information.
- Request deletion or correction.

**Secondly, contact the information provider/creditor (that is, the person, company, or organization that provides information about you to a credit reporting company), in writing (dispute letter), that you dispute an item in your credit report. Explain what information you believe is inaccurate in the dispute letter including the information above that was submitted to the credit bureau.** Include copies (NOT originals) of documents that support your position.

---

# Dispute Letter

John Doe  
2511 Main Street  
Anywhere, USA 75211  
Social Security Number: XXX-XX-XXX  
Date of Birth: 6-21-68

January 16, 2018

TransUnion  
Consumer Dispute Center  
P.O. Box 2000  
Chester, PA 19016

Dear TransUnion

I recently pulled a copy of my credit report on-line and found that you are reporting inaccurate information in my file. I am writing to dispute credit information (attached credit report) in my credit file. I have circled the errors on the attached copy of the report I received.

The account does not belong to me and I have no knowledge of it. I am requesting that the item be removed because it is not mine. I understand that per the Fair Credit Reporting Act, you are required to notify me of your investigation results within 30 days. My contact information is provided below and I have included proof of my social security and current address to avoid any delays in your response time.

I look forward to receiving an updated copy of my credit report reflecting the deletion of this erroneous information.  
Thanking you in advance.

Sincerely,  
John Doe

---

# Agreement to Delete

John Doe  
2511 Main Street  
Anywhere, USA 75211  
Social Security Number: XXX-XX-XXX  
Date of Birth: 6-21-68

Franklin Collection Service  
P.O. Box 3910  
Tupelo, MS 38803-3910  
January 2, 2018

Dear Sir or Madam,  
Re: 148533575

This letter is in response to letter/credit report entry for the account referenced above. I would like to pay off or settle this debt for \$105 in return for your promise in writing to erase/remove all information on this account from my credit file that being reported to Equifax, TransUnion and Experian and all credit reporting bureaus you report to within 10 business days from the receipt of the payment. I'd like to clarify that I am not acknowledging or accepting that I owe this debt. I am aware that your company can report the debt to the credit bureaus as necessary and that you can change the account status and remove the information since you are the information provider.

If you accept the terms of this agreement, the certified amount of \$105 will be sent to your collection agency provided there is complete deletion of any reference to the debt from my file on all the credit bureaus that you have reported to, and the debt is validated. As the full amount will be paid back, there should not be any waiting period to delete this item from the reporting bureaus. Your agency should delete all information regarding the account from my credit files within 10 business days from the receipt of the payment, as mentioned in this agreement.

Please send me a letter agreeing to these terms, signed by your authorized representative, and subject to the laws of my state. Please send the agreement to my address listed above.

Sincerely,  
John Doe

---

# TWOJ RESOURCES, LLC SAN ANTONIO, TEXAS



**MR. JESSE ORTIZ - PROPRIETOR**

# TWOJ REOURCES, LLC OVERVIEW

- **Disadvantaged Business Enterprise (DBE)**
- **Operating since March 2014**
- **Grew from 4 employees to average 15 (2018)**
- **1<sup>st</sup> year contracts: \$300K**
- **4<sup>th</sup> year contracts: \$3.0M**
- **Contract market is primarily with TxDOT**
- **Equal Opportunity Employer**
  - \* **Craftsmen**
  - \* **Minority Employees**
  - \* **Veterans**

**The Making of a Successful Company!**

# **TWOJ REOURCES, LLC SUCCESS**

- **DBE Business Model – general road / street / highway construction of concrete structures (core competency)**

## **RESOURCES & MENTORSHIP**

- **Solid Business Foundation & Startup – TxDOT Business Opportunity Development (TBOD)**
- **UTSA Small Business Development Center (SBDC)**  
**Mr. Eloy Garcia (Project Manager)**
- **UTSA SBDC Procurement Technical Assistance Center (PTAC)**  
**Mr. Paul Herrera (Business Development Specialist)**

# **TWOJ RESOURCES**

## **MAJOR PROJECTS - CONTRACTS**

- **IH-35 Corridor – San Antonio / Bexar County (TxDOT)**
- **IH-10 Corridor – Seguin / Guadalupe County (TxDOT)**
- **TX Business Hwy 123 – Seguin / Guadalupe County (TxDOT)**
- **US Hwy 281- San Antonio / Bexar County (TxDOT)**
- **SL-1 MoPac – Austin / Travis County (TxDOT)**

**Integral Team Member in South Texas  
Infrastructure Improvements**

# **TWOJ REOURCES, LLC PARTNERS**

## **CONSTRUCTION**

- **The Lane Construction Corporation**
- **Webber Construction Company**
- **Curran Contracting (Curran Group)**

## **MATERIALS**

- **Martin Marrietta Materials**
- **Ingram Readymix**

# **TWOJ REOURCES, LLC GROWTH**

## **“The Learning Relationships”**

- **The “Construction Team”**
- **The “Safety Team”**
- **The “Quality Assurance Team”**
- **The “Business Community Team”**
- **The “SBDC - PTAC Team”**

**All Working for the Future of  
A Better Texas!**

**On Behalf of the TwoJ Resources, LLC Team  
We Thank You!**

**Are There any Questions?**