



**ATTENTION: TP&D, DESIGN, CONSTRUCTION,
MAINTENANCE AND TRAFFIC OPERATIONS ENGINEERS
MEMORANDUM**

SPECIAL PROVISION AND/OR SPECIFICATION CHANGE MEMORANDUM 44-06

TO: District Engineers **Date:** November 7, 2006
FROM: Mark A. Marek, P.E.
SUBJECT: Statewide Special Provision 001---005 (04), "Definition of Terms"

The above referenced special provision has been approved for statewide use.

This special provision modifies the definition for subcontractor to exclude a hauling firm hauling from a commercial source. This special provision is required on all projects beginning with the January 2007 letting. The use of this special provision prior to January 2007 letting is at the option of the district.

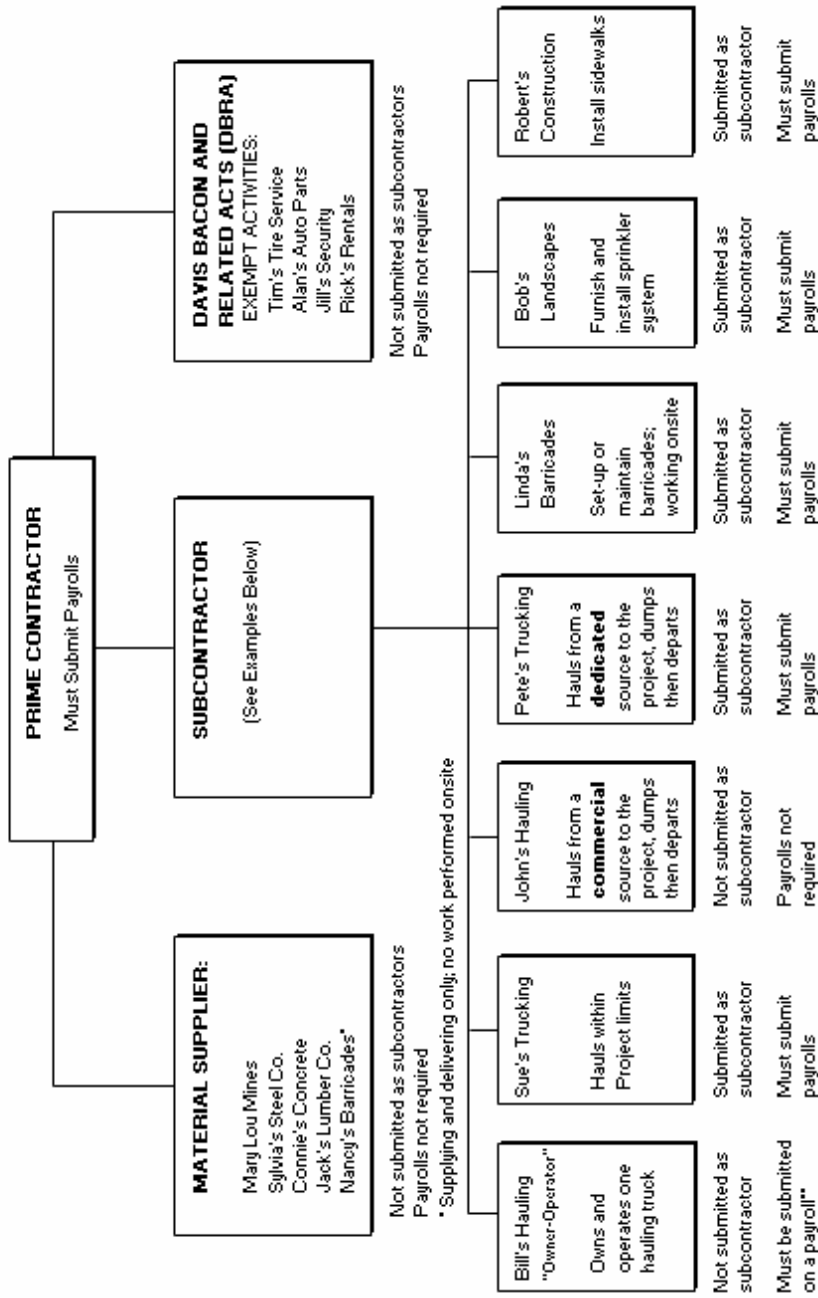
Attached is a chart of "Subcontracting and Payroll Requirements."

Please disseminate this information to your Transportation Planning & Development, Design, Construction, Maintenance, and Traffic Operations Engineers.

Note: Original signed by Mark A. Marek

cc: **Specification Committee Members:**
Messrs. Carlos Lopez, Thomas Bohuslav,
Richard Skopik, Dennis Cooley, Jeffrey Seiders,
Randy Cox, Craig Clark and Zane Webb
Mr. Tom Johnson, AGC
Mr. Al Alonzi, FHWA

SUBCONTRACTING AND PAYROLL REQUIREMENTS



** Name of truck owner-operator appears on contractor or subcontractor's payroll with the designation "Truck Owner-Operator." No other information is required.

Note: "Do not submit any portion of a construction Contract without the Engineer's written approval," except from Texas Department of Transportation 2004 Standard Specification for Construction and Maintenance of Highways, Streets, and Bridges, (Spec. Book), Item 8.8, Subcontracting.

The requirements listed above also apply to any tiered agreements with subcontractors and material suppliers.