

Minutes of the Seventy-Seventh and Special Meeting of the State Highway Commission, held in the State Office Building with the following members present:

Frank V. Lanham, Chairman
Joe Burkett, Member
John H. Bickett, Sr., Member

On motion of Commissioner Burkett, road from Hico to Johnsville by way of Duffan is designated as a state highway, conditioned that same be graveled at the expense of the county and that the State will not take over maintenance of same until that is done.

Motion by Commissioner Burkett, seconded by Commission Bickett, that recommendation be made to the State Board of Control to purchase for this Department 45 one-man graders of Hadfield-Penfield make, from Hubb Diggs of Fort Worth, Texas, at a price of \$1221.00 each, and 35 4-horse, 7-ft. graders of \$1550 weight, to be purchased from Russell Grader Company, Dallas, Texas, at a price of \$215.30 each, f.o.b. Texas Common Point, also, 8 street sweepers, 9-ft. broom, Austin Standard 2-speed, from Austin Western Road Machinery Co., Dallas, Texas, at a price of \$552.50 each, f.o.b. Texas Common Point, making a total to be purchased from Hubb Diggs of \$54,945.00, a total from Russell Grader Co., of \$7,535.50, and from Austin Western Road Machinery Co., of \$4,260.00.

Motion made and carried that Mr. E. S. Atkinson be appointed Division Engineer of Division No. 12 to relieve Mr. W. J. Kelly, effective July 1st.

Motion made and carried that Mr. John Standifer be appointed to fill the place of Maintenance Superintendent in Division No. 9 made vacant by the resignation of Mr. T. L. Childs on June 15th.

Motion by Mr. Bickett, seconded by Mr. Burkett, that Highway No. 19 be routed from Huntville to Riverside via Cline Prairie or Smithers Store. Motion carried.

Motion by Mr. Lanham, seconded by Mr. Burkett, that Fort Bend County be allotted \$200,000.00 on Highway No. 3, available 1926, Fort Bend County to build the grading and drainage structures and the State to not be out any funds in that respect, but furnish to the amount of not exceeding 2/3 on the topping and surfacing. Motion passed.

Motion made and seconded that change in designation be made, routing road from Prairie Dell to where Williamson County road has stopped on the north end. Designation made subject to the financing and building of the road.

June 22, 1925.

Motion made and carried that the following agreement between the State Highway Commission of Texas and F. L. Denison be entered into:

STATE OF TEXAS

COUNTY OF TRAVIS

THIS AGREEMENT made this 13th day of June 1925 between the STATE HIGHWAY COMMISSION OF TEXAS, party of the first part, and hereinafter referred to as the COMMISSION, and F. L. DENISON of Bell County, Texas, party of the second part, and hereinafter referred to as the CONTRACTOR, witnesseth:

WHEREAS, the Commission is confronted with the problem of developing a type or types of country pavements, drainage, openings, concrete trestles and in fact divers kinds of modern pavements and bridges as well as low cost methods for doing work of this class, experimental in its character, in an effort to establish proper standards of road building and maintenance for the remainder of the state that will be low enough in first cost to permit of lateral road construction and that can be maintained indefinitely at a low yearly expenditure and the aforesaid Commission has ordered that certain experimental roads be constructed in order to solve this problem. As this problem is varied in its extent and includes the development of pavement structures, drainage openings and special equipment and as the work to be done and the equipment required is at the present time indefinite as to the manner of its construction, the Commission have elected to do this work under the direction and control of their Consulting Engineer on a cost plus basis, and reposing special confidence in the Contractor the parties hereto have agreed with each other as follows:

SCOPE OF WORK

The Contractor will complete in a diligent and workmanlike manner the experimental road this is to be built between and within the city limits of Temple and the Falls County line and which follows a generally easterly direction along what is known as the League Line Road to a point east of Marekville and then in a northerly direction near Ocker to a point on the Falls County line, and from said point easterly of Marekville southeasterly to point near Cyclone, said line being more particularly described on the attached blue print marked "Exhibit A" to which reference is made, in accordance with the SPECIFICATIONS hereto annexed and marked "EXHIBIT B". He or his representatives will be guided in all matters pertaining to the construction of this road by the directions of the Consulting Engineer of the Highway Commission and his books will be open to inspection to representatives of of the Commission so that complete cost data may be compiled by the Commission as to the cost of the work.

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MANNER OF HANDLING WORK

The Contractor may either sublet all or any portion of the work or may do it by day labor as the Engineer may elect and subject to his approval.

EQUIPMENT

In the event the Consulting Engineer shall direct that any portion of the work be done by day labor and that certain equipment is necessary, the Contractor shall either furnish such equipment for the current rate of rental or may purchase same under the direction of the Consulting Engineer and at prices therefor subject to his approval for the account of the State, in the event the Commission elects not to furnish same to the Contractor.

PAYMENT

On or about the 1st and on or about the 15th days of each month the Contractor will submit certified copies of pay rolls, bills for supplies and equipment furnished or purchased by him for use upon the work, receipts for payments made to sub-contractors, bills for compensation insurance, for indemnity insurance, public liability and all other insurance and bills for other necessary expenses authorized by the Consulting Engineer, and the Commission shall pay the Contractor the amount paid out by him therefor plus ten per cent thereon for his supervision and direction of the work.

LIABILITY OF CONTRACTOR

In consideration of the fact that the Commission has urged the Contractor to enter into this contract and as an inducement to him to execute it, it is especially stipulated and agreed, as a material consideration herein, that the Contractor shall not in any event be liable, in any manner or to any extent whatever, either to the Commission or to the State of Texas for any act that he may do or fail to do pertaining or in any manner incident to the work provided for herein, unless the same be either the direct result of bad faith or the direct result of the want of ordinary care on his part, anything contained in the General or Special Conditions of the Standard Specifications of the Texas Highway Department or any construction that may be placed upon the Specifications annexed hereto to the contrary notwithstanding.

IN WITNESS WHEREOF the parties hereto have the day and year first above mentioned affixed their hands and seals in duplicate original.

WITNESSES

STATE HIGHWAY COMMISSION OF TEXAS

BY _____ Chairman

EMPLOYER - PARTY OF THE FIRST PART

CONTRACTOR - PARTY OF THE SECOND PART

SPECIAL SPECIFICATION - DEMONSTRATION EXPERIMENTAL ROAD
TEMPLE TO FALLS COUNTY LINE

EARTHWORK

The Contractor, after the right of way has been cleared and grubbed in accordance with the Texas Department Specifications, shall construct the necessary embankments and drainage ditches to complete in a thorough and workmanlike manner the necessary earthworks to form the roadbed on which

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is to be built a series of experimental pavements.

In general, the drainage ditches will be staked out first and the material excavated therefrom shall be placed in the embankment that is to form the roadbed. The roadbed shall be built in six inch layers and the teams constructing same shall be driven over the roadbed to the greatest possible extent in order to thoroughly compact the earth forming the embankment. In all other provisions the Standard Specifications of the Texas Highway Department shall govern.

In constructing borrow pits great care must be exercised to see that the grade of the borrow pits conforms to the grade of the drainage ditches. The slopes of all borrow pits must be neatly shaped. Ragged work, either in borrow pits or embankments, will not be accepted.

A PAVEMENTS

In so far as they may apply the Specifications governing the construction of the Temple-Belton Demonstration road are hereby made a part of these Specifications ; but the work specified and described in these Specifications may be changed as directed by the Engineer as it is desired to test out the many variations of the Invisible Track Highway in order to determine the value of the different sections.

The type of pavement to be constructed will be designated by the Consulting Engineer of the Texas Highway Commission as well as its extent and location and it may be constructed either by day labor or may be sublet as the Consulting Engineer may direct.

STRUCTURES

The type of the bridges, trestles, culverts, signs and fences will be selected by the Consulting Engineer of the State Highway Department, various precast, semi-monolithic and monolithic types will be constructed in accordance with plans developed by the Consulting Engineer of the Texas Highway Commission. In so far as they will apply to the special situations created the Standard Specifications of the Texas Highway Commission shall govern. Where they do not apply the instructions of the Consulting Engineer shall govern.

" E X H I B I T B "