EXHIBIT 16: PERFORMANCE REQUIREMENTS

I. TABLE 1-1: DEFECT HAZARD NONCOMPLIANCE EVENTS

Event No.	Event	Breach of Failure to Meet the Following Minimum Performance Requirements:	Number of Noncompliance Points		Cure Period	Interval of Recurrence
			Mainlanes	All Other Lanes		
1-1.01	Incident response	Respond to and initiate traffic control to secure sites of Incidents, Emergencies, accidents, and other events that result in a condition that is unsafe and/or may present a life threatening condition, such as at a minimum, fuel spills, debris, pavement failure (e.g. pot holes, etc.), flooding, guardrail failures, attenuator faults, and other events.	15	10	30 Min	30 Min
		Provide all necessary equipment, staff and resources to clean up and open the travel lanes at the sites of Incidents, Emergencies, accidents and other events such as, at a minimum, fuel spills, debris, pavement failure (e.g. pot holes, etc.), flooding, guardrail failures, attenuator faults, and other events after release by the Emergency Services agency in order to correct the event and provide a safe passage for the traveling public.	15	10	2 Hours	Hourly
1-1.02	Roadway operations (broken down or stranded vehicles)	Notify law enforcement of broken down or stranded vehicles in travel lanes and initiate traffic control to secure the site until travel lanes are cleared. Assist in the removal of vehicles from the travel lanes.	10	5	30 Min	Hourly

Event No.	Event	Breach of Failure to Meet the Following Minimum Performance Requirements:	Number of Noncompliance Points		Cure Period	Interval of Recurrence
			Mainlanes	All Other Lanes		
1-1.03	**Roadway surface debris - normal**	Remove and dispose of debris from travel lanes that would potentially cause a safety hazard to the traveling public, including at a minimum, objects, dead animals and tires.	15	10	30 Min	30 Min
1-1.04	**Roadway surface debris - large**	Debris too large to be removed within the above timeframe will require that the roadway be closed and then such debris shall be removed from the travel lanes. This closure shall comply with TxDOT standards.	15	10	2 Hours	Hourly
1-1.05	**Flexible pavement pot holes or rigid pavement spalls**	Manage the Project's pavement and respond with the necessary equipment and personnel to provide a temporary mitigation to any potholes or spalls that would potentially cause a safety hazard to the traveling public.	15	10	1 Hour	Hourly
1-1.06	**Flooding of travel lane**	The travel lane is free from water to the extent that such water would represent a hazard by virtue of a lane having standing water that exceeds the criteria listed in Section 12 of the Technical Provisions that would potentially cause a safety hazard to the traveling public.	15	10	30 Min	Hourly
1-1.07	**Guardrail**	Maintain the Project's guardrail sections and respond with the necessary equipment and personnel to provide a temporary mitigation to any damaged guardrail that would potentially cause a safety hazard to the traveling public.	10	5	2 Hours	Hourly
1-1.08	**Attenuators**	Maintain the Project's attenuator systems and respond with the necessary equipment and personnel to provide a temporary mitigation to any damaged attenuator that would potentially cause a safety hazard to the traveling public.	10	5	2 Hours	Hourly

Event No.	Event	Breach of Failure to Meet the Following Minimum Performance Requirements:	Number of Noncompliance Points		Cure Period	Interval of Recurrence
			Mainlanes	All Other Lanes		
1-1.09	**Signs (single or multi-post)**	Maintain the Project's single and multi-post signs systems and respond with the necessary equipment and personnel to provide a temporary mitigation to any damaged or down signs that would potentially cause a safety hazard to the traveling public.	10	5	2 Hours	Hourly
1-1.11	**Highway light poles**	Maintain the Project's highway lighting system and respond with the necessary equipment and personnel to provide a temporary mitigation to any damaged or down light poles that would potentially cause a safety hazard to the traveling public.	10	5	1 Hour	Hourly
1-1.12	**Barrier wall**	Maintain the Project's barrier wall sections and respond with the necessary equipment and personnel to provide a temporary mitigation to any damaged barrier wall section that would potentially cause a safety hazard to the traveling public.	10	5	1 Hour	Hourly
1-1.13	**Bridge/ structure impact**	Maintain the Project's bridges/structures and respond with the necessary equipment and personnel to provide a temporary mitigation to any damaged bridge/structure that would potentially cause a safety hazard to the traveling public.	20	15	1 Hour	Hourly
1-1.14	**Pavement failures**	Instances of failures do not exceed the failure criteria set forth in the Authority's Pavement Management Rating System, including base failures, punch-outs and jointed concrete pavement failures.	20	15	24 Hours	24 Hours
Notes: Maintenance Contractor shall not be responsible for Non-Maintained Elements.						

II. TABLE 1-2: NONCOMPLIANCE EVENTS

Item No.	Item	Required Task	Breach of or Failure to Meet the Following Minimum Performance Requirements	Number of Noncompliance Points	Cure Period	Interval of Recurrence
ASSET CONDITION SCORE						
1-2.01	**Asset Condition Score**	Maintain the Project to the established overall Baseline Condition Score in any quarterly Audit Inspection, as described in Tables 2 and 3 of Exhibit 2 of the COMA.	If 0.1% points to 2.0% points below the established overall Baseline Condition Score, then:	4	60 Days	30 Days
			If more than 2.0% points to 4% points below the established overall Baseline Condition Score, then:	6	60 Days	15 Days
			If more than 4.0% points below the established overall Baseline Condition Score, then:	8	30 Days	7 Days
		Maintain the Project to the established Baseline Condition Score for any component groupings: concrete pavement, asphalt pavement, traffic operations, roadside, and bridges in any quarterly audit as described in Tables 2 and 3, of Exhibit 2 of the COMA.	If 0.1% to 2.0% points below the established Component grouping Baseline Condition Score, then:	4	60 Days	30 Days
			If more than 2.0% points to 4.0% points below the established Component grouping Baseline Condition Score, then:	6	30 Days	7 Days
			If more than 4.0% points below the established Component grouping Baseline Condition Score, then:	8	30 Days	7 Days
		Maintain the Project to the established Baseline Condition Score for any individual Maintenance Element in any quarterly audit as described in Tables 2 and 3, Exhibit 2 of	If 0.1% points to 2% points below any individual Maintenance Element Baseline Condition Score, then:	4	60 Days	30 Days

		the COMA.	If more than 2.0% points to 4.0% points below the established Component grouping Baseline Condition Score, then:	6	30 Days	7 Days
			If more than 4.0% points below the established Component grouping Baseline Condition Score, then:	8	30 Days	7 Days
MAINTENANCE ELEMENT CATEGORY – ROADWAY						
1-2.02	**Pavement - damaged**	Inspection of the pavement after major damage such as fire, fuel spill or other incident/event.	Conduct a visual inspection of the affected area.	2	24 Hours	24 Hours
			Provide written recommendation for remedial work to TxDOT within 10 days after the inspection of the affected area.	2	10 Days	24 Hours
			Complete repairs set forth in the written recommendation for the remedial work.	2	30 Days	7 Days
1-2.03	**Pavement – condition score**	All roadways to have a smooth surface course (including bridge decks, covers, gratings, frames and boxes) with adequate skid resistance and free from Defects. Measurements shall be conducted using procedures, techniques, and measuring equipment consistent with the Authority's Pavement Management Rating System. Measurements and inspections necessary to derive Pavement Condition Score.	Pavement condition score for 80% of Auditable Sections cannot fall below: a) Mainlanes and ramps : Condition Rating Score (CRS) = 7.5 b) Frontage roads – CRS = 6.8	6	30 Days	7 Days
			Pavement condition score for each Auditable Section cannot fall below: a) Mainlanes and ramps – CRS = 6.8 b) Frontage roads – CRS = 6.6	6	30 Days	7 Days

1-2.04	**Pavement - ruts**	All pavement sections to be measured using an automated device in compliance with TxDOT standards.	Ruts – Mainlanes, shoulders, frontage roads & ramps: a) Mainlanes, shoulders and ramps – No more than 3% of wheel path length in each Auditable Section has ruts greater than ¼" in depth b) Frontage roads – No more than 10% of wheel path length in each Auditable Section has ruts greater than ¼" in depth c) No location has a rut greater than 0.5” in depth using the 10ft straight edge used to measure rut depth for localized areas.	6	30 Days	7 Days
1-2.05	**Pavement - ride quality**	All pavement sections to be measured using the International Roughness Index (IRI) according to TxDOT standard Tex-1001-S, Operating Inertial Profilers and Evaluating Pavement Profiles for mainlanes, frontage roads and ramps (TxDOT Standard Specification Item 585 - Surface Test Type B) and 10-ft straightedge for ramps and cross streets (TxDOT Standard Specification Item 585 - Surface Test Type A).	Ride Quality - For 80% of all Auditable Sections measured, IRI throughout 98% of each Auditable Section is less than or equal to: a) Mainlanes – 95" per mile** b) Frontage roads – 120" per mile** c) Ramps and cross streets - 3/16” in. variance between any two contacts on a 10-ft straight edge	6	30 Days	7 Days
			Ride Quality - For each Auditable Section measured, IRI measured throughout 98% of Auditable Section of less than or equal to: a) Mainlanes – 120" per mile** b) Frontage roads – 150" per mile** c) Mainlanes, 0.1 mile average – 150” per mile d) Frontage roads, 0.1 mile average – 180” per mile e) Ramps and cross streets - 1/8” in. variance between any two contacts on a 10-ft straight edge f) No individual discontinuities greater than 0.75”	6	30 Days	7 Days

		**To allow for measurement bias, an adjustment of -10 (minus ten) is made to IRI measurements for concrete pavements before assessing threshold compliance. Renewal Work and new construction subject to construction quality standards.	Ride Quality - For each Auditable Section measured, IRI measured throughout 98% of each lane containing a a) bridge deck in any Auditable Section, 0.1 mile average – 200" per mile	6	30 Days	7 Days
1-2.06	**Pavement – failures**	Maintain the pavement sections and correct any instances of failures.	Pavement is maintained to ensure it is functioning as intended, has no standing water that remains on the pavement eight hours after a rain event, and in the case of a pavement failure, repairs/mitigation are performed on pavement failures that exceed the failure criteria set forth in the Authority's Pavement Management Rating System, including potholes, base failures, punch-outs and jointed concrete pavement failures.	8	28 Days	10 Days
1-2.07	**Pavement – edge drop-offs**	Maintain the pavement section for edge drop-offs	Physical measurement of edge drop-off level compared to adjacent surface does not exceed an edge drop-off greater than 2".	8	10 Days	24 Hours
1-2.08	**Pavement – skid resistance**	All pavement sections to be measured using ASTM E274/E274M-11 Standard Test Method for skid resistance testing of paved surfaces at 50 MPH using a full scale	Mainlanes, shoulders and ramps – For all 0.5 mile sections with an average Skid Number below 30, investigate the potential risk of skidding accidents and take appropriate remedial action, .	8	7 Days	24 Hours
			Frontage roads – For all 0.5 mile sections with an average Skid Number below 30, investigate the potential risk of skidding accidents and take appropriate remedial action.	6	7 Days	24 Hours

		smooth tire meeting the requirements of ASTM E524-08.	When the Skid Number is below 25 and/or when required by the Wet Weather Accident Reduction Program, the Authority Maintenance Contractor shall perform a site investigation and perform required corrective action.	8	7 Days	24 Hours
			Take remedial action in instances where road Users warned of potential skidding hazard.	8	7 Days	24 Hours
1-2.09	**Crossovers and other paved areas**	Maintain all crossovers and other paved areas free of Defects	a) No Potholes of low severity or higher b) Base failures of low severity or higher	6	28 Days	10 Days
1-2.10	**Joints in concrete**	Maintain all joints in concrete paving so they are sealed and watertight.	All unsealed joints greater than ¼" are sealed.	6	30 Days	7 Days
		Longitudinal joint separation.	Measurement of joint width is no more than 1" and faulting no more than ¼".	6	30 Days	7 Days
1-2.11	**Curbs**	Maintain all curbs free of Defects.	Curbs do not have any length out of alignment greater than 1".	6	30 Days	7 Days
MAINTENANCE ELEMENT CATEGORY – DRAINAGE						
1-2.12	**Pipes and channels**	Maintain each Maintenance Element of the drainage system.	Each Maintenance Element of the drainage system is maintained in its proper function by cleaning, clearing and/or emptying as appropriate from the point at which water drains from the travel way to the outfall or drainage way. Pipes and channels shall not have more than 10% of cross section area obstructed.	4	30 Days	7 Days
1-2.13	**Drainage treatment devices**	Maintain all drainage treatment and balancing systems, flow and spillage control devices.	Drainage treatment and balancing systems, flow and spillage control devices function correctly and their location and means of operation are recorded adequately to permit their correct operation in Emergency. Ensure they are functioning correctly with means of operation displayed.	4	10 Days	5 Days

1-2.14	**Discharge systems**	Maintain surface water discharge systems.	Surface water discharge systems perform their proper function and discharge to groundwater and waterways complies with the relevant Laws and Governmental Approvals.	4	30 Days	7 Days
MAINTENANCE ELEMENT CATEGORY – STRUCTURES						
1-2.15	**Structures - having an opening measured along the center of the roadway of more than 20 feet**	Maintain all structures in accordance with the requirements of Federal National Bridge Inspection Standards (NBIS) of the Code of Federal Regulations, 23 Highways – Part 650, the TxDOT Bridge Inspection Manual, and the Federal Highway Administration's Bridge Inspector's Reference Manual. This inspection to be performed biennially by TxDOT and reports of	Maintain and update all records as required in the TxDOT Bridge Inspection Manual	4	10 Days	5 Days
			No occurrences of condition rating below seven for any deck, superstructure or substructure	8	30 Days	10 Days
1-2.16	**Other structural component; all non-structural items**		All expansion joints and deck drainage systems are free of dirt debris and vegetation, defects, loose nuts and bolts, defects in gaskets	4	30 Days	10 Days
			Parapets are free of loose nuts or bolts, blockages of hollow section drain holes, accident damage, graffiti and vegetation.	4	30 Days	10 Days

		the inspections to be provided to the Maintenance Contractor.	Bearings and bearing shelves are clean.	4	30 Days	10 Days
1-2.17	**Substructures and super-structures**	Maintain all structures in accordance with the requirements of federal National Bridge Inspection Standards (NBIS) of the Code of Federal Regulations, 23 Highways – Part 650, the TxDOT Bridge Inspection Manual, and the Federal Highway Administration's Bridge Inspector's Reference Manual.	Substructures and superstructures are free of: graffiti, undesirable vegetation, debris and bird droppings, blocked drains, weep pipes, manholes and chambers, blocked drainage holes in structural components, defects in joint sealants, defects in pedestrian protection measures, scour damage, corrosion of rebar, paint system failures, and impact damage	4	30 Days	10 Days
1-2.18	**Non-bridge class culverts**	Maintain all non-bridge-class culverts.	No vegetation or debris, and no more than 20% silt	4	30 Days	10 Days
			No defects in sealant to movement joints	6	15 Days	10 Days
			No scour damage	8	30 Days	10 Days
1-2.19	**Gantries**	Maintain sign / signal gantries	a) No loose nuts and bolts b) No defects in surface protection systems including painted or galvanized surfaces	6	30 Days	10 Days

	Item	Required Task			Cure Period	Interval of Recurrence
1-2.20	**Load ratings**	Perform load rating calculations in accordance with the TxDOT Bridge Inspection Manual. Load restriction requirements as per the TxDOT Bridge Inspection Manual.	All structures maintain the design load capacity.	6	30 Days	10 Days
1-2.21	**Access points**	Maintain all structures access points	All hatches and points of access have fully operational and lockable entryways and no hatch or point of access is left open or unlocked.	4	30 Days	10 Days
1-2.22	**Mechanically stabilized earth and retaining walls**	Perform inspection and assessment using Good Industry Practices of all mechanically stabilized earth and retaining walls	Mechanically stabilized earth and retaining walls are 95% free of blocked weep holes, undesirable vegetation, defects in joint sealants, defects in pedestrian protection, scour damage, corrosion of reinforcing bars, paint system failure, concrete spalls and impact damage	4	30 Days	10 Days
			Parapets are free of loose nuts and bolts, blockage of drain holes, undesirable vegetation, impact damage and concrete spalls	4	30 Days	10 Days
MAINTENANCE ELEMENT CATEGORY – PAVEMENT MARKINGS, OBJECT MARKERS, BARRIER MARKERS AND DELINEATORS						
1-2.23	**Pavement markings**	Maintain pavement markings and perform annual Mobile Retroreflectivity Data Collection (MRDC) in accordance with TxDOT's Special Specification 8094 Mobile Retroreflectivity Data Collection for Pavement Markings.	Pavement markings shall be clean and visible during the day and at night, whole and complete and of the correct color, type, width and length and are placed to meet the TMUTCD and TxDOT's pavement marking standard sheets. Pavement markings: a) Meet the minimum retroreflectivity 175 mcd/sqm/lx for white b) Meet the minimum retroreflectivity 125 mcd/sqm/lx for yellow c) Do not account more than 5% loss of area of material at any point	4	60 Days	30 Days

	Item	Required Task			Cure Period	Interval of Recurrence
			d) Do not account for spread more than 10% of specified dimensions. e) Perform their intended function and comply with relevant regulations			
1-2.24	**Raised pavement markers**	Maintain raised reflective pavement markers.	Pavement markers shall be clean and clearly visible, of the correct color and type, reflective or retroreflective as TxDOT standard, correctly located, aligned and at the correct level, firmly fixed and in a condition that will ensure that they remain at the correct level. Additionally : a) No more than 10 consecutive markers are ineffective (Ineffective includes missing, damaged, settled or sunk); b) A minimum of four markers are visible at 80' spacing when viewed under low beam headlights; and c) They are uniform (replacement rpms having equivalent physical and performance characteristics to adjacent markers)	4	30 days	15 Days
1-2.25	**Delineators and markers**	Maintain object markers, mail box markers and delineators.	95% of the delineators and markers are free from Defects, are clean and visible, are of the correct color and type, and are legible, reflective, straight and vertical.	2	30 days	15 Days
MAINTENANCE ELEMENT CATEGORY – GUARDRAILS, SAFETY BARRIERS AND IMPACT ATTENUATORS						
1-2.26	**Guardrail/ safety barriers, concrete barriers (temporary or permanent)**	Maintain the Project's guardrail, safety barriers, and concrete barriers sections and repair any damaged guardrail/safety barriers and concrete barrier .	All guardrails, safety barriers, concrete barriers (temporary or permanent) are free of Defects that would potentially cause a safety hazard to the traveling public. They are appropriately placed and correctly installed at the correct height and distance from roadway or obstacles. Installation and repairs are carried out in accordance with the requirements of NCHRP 350 standards.	4	7 Days	24 Hours

1-2.27	**Attenuator**	Maintain the Project's attenuators.	All impact attenuators are appropriately placed, correctly installed and free of damage.	4	7 Days	24 Hours
MAINTENANCE ELEMENT CATEGORY – TRAFFIC SIGNS						
1-2.28	**Traffic signs**	Maintain signs at acceptable level of safety for the traveling public.	a) Retroreflectivity coefficient is not below the requirements of TxDOT's TMUTCD. b) Face damage does not exceed 5% of surface area. c) Placement of signs is in accordance with TxDOT's Sign Crew Field Book and shall not be twisted or leaning. d) Sign Information is of the correct size, location, type and wording to meet its intended purpose and any statutory requirements. e) "Stop," "Yield," "Do Not Enter," "One Way" and "Wrong Way" signs are undamaged. f) Signs are clean, correctly located, clearly visible, legible, reflective, at the correct height and free from structural and electrical Defects. g) Identification markers are provided, correctly located, visible, clean and legible. h) Sign mounting posts are vertical, structurally sound and rust free. i) All break-away sign mounts are clear of silt or other debris that could impede break-away features and shall have correct stub heights. j) Obsolete and redundant signs, per TMUTCD implementation requirements, are removed or replaced as appropriate. k) Visibility distances meet the stated requirements. l) All structures and elements of the signing system are kept clean and free from debris and have clear access provided.	4 (For each sign not meeting one or more criteria)	30 Days	5 Days

			m) All replacement and repair materials and equipment are in accordance with the requirements of the TMUTCD.			
		Perform a bi-annual inspection of all signs on the Project and submit inspection reports to TxDOT.	Complete a daytime and nighttime inspection of all the signs on the Project on a bi-annual basis.	2	30 Days	7 Days
			Complete repairs identified in the inspection report.	4	30 Days	5 Days
1-2.28	**Large Guide Signs**	Maintain signs at acceptable level of safety for the traveling public.	a) Retroreflectivity coefficient is not below the requirements of TxDOT's TMUTCD. b) Face damage does not exceed 5% of surface area. c) Placement of signs is in accordance with TxDOT's Sign Crew Field Book. d) Sign Information is of the correct size, location, type and wording to meet its intended purpose and any statutory requirements. e) Identification markers are provided, correctly located, visible, clean and legible. f) Sign mounting posts are vertical, structurally sound and rust free. g) Visibility distances meet the stated requirements. h) All structures and elements of the signing system are kept clean and free from debris and have clear access provided. i) All replacement and repair materials and equipment are in accordance with the requirements of the TMUTCD.	6 (For each sign not meeting one or more criteria)	6 Months	30 Days
			Signs are clean, correctly located, clearly visible, legible, reflective, at the correct height and free from structural and electrical Defects.	4	30 Days	5 Days

Item No.	Item	Required Task	Breach of or Failure to Meet the Following Minimum Performance Requirements	Number of Noncompliance Points	Cure Period	Interval of Recurrence
MAINTENANCE ELEMENT CATEGORY – TRAFFIC SIGNALS (Not Used)						
MAINTENANCE ELEMENT CATEGORY – HIGHWAY LIGHTING						
1-2.29	**Highway lighting[1]**	Maintain the highway lighting system.	Replace any light poles damaged or knocked down by traffic accidents or Incidents.	2	14 Days	24 Hours
		Perform a monthly inspection to monitor and maintain highway lighting.	a) Roadway lights - A minimum of ninety percent (90%) of the lights in the highway lighting system are operational and no more than two consecutive lights are out. b) Sign lighting – no sign has more than one bulb not working. c) Complete repairs identified in the monthly inspection d) All lighting is free from Defects and provides uniform lighting quality. e) Lanterns are clean and correctly positioned. f) Lighting units are free from accidental damage or vandalism. g) Columns are upright, correctly founded, and structurally sound.	2	10 Days	24 Hours
		Maintain the electricity supply, feeder pillars, cabinets, switches and fittings.	Electricity supply, feeder pillars, cabinets, switches and fittings are electrically, mechanically and structurally sound and functioning.	2	10 Days	24 Hours
MAINTENANCE ELEMENT CATEGORY – FENCE, WALLS, AND SOUND ABATEMENT						
1-2.30	**Fence, walls and sound abatement**	Maintain fence, walls and sound abatement at an acceptable level of safety for the traveling public.	All fence, walls and sound abatement act as designed and serve the purpose for which they were intended.	6	30 Days	15 Days

1-2.31	**Access gates**	Maintain all access gates locked during periods of no work activity.	All construction access gates are locked at the end of each construction work day. No gates remain open or unlocked.	4	2 Hours	1 Hour
MAINTENANCE ELEMENT CATEGORY – ROADSIDE MAINTENANCE						
1-2.32	**Mowing**	Maintain roadside mowing at an acceptable level of maintenance.	a) 95% of all grassing in the urban areas has a height of between 5 in. and 18 in. Mowing begins before vegetation reaches the maximum height. b) Spot mowing at intersections, ramps or other areas maintains visibility of appurtenances and sight distance. c) Grass or vegetation does not encroach into or on paved shoulders, travel lanes, sidewalks, islands, riprap, traffic barrier or curbs. d) A full width mowing cycle is completed after the first frost. e) Wildflowers are preserved utilizing the guidelines in the mowing specifications and TxDOT Roadside Vegetation Manual.	2	24 Hours	24 Hours
1-2.33	**Herbicide program**	Maintain the Project at an acceptable level of service	A herbicide program is undertaken in accordance with the TxDOT Herbicide Manual to control noxious weeds and to eliminate grass in pavement or concrete	2	14 Days	7 Days
1-2.34	**Environmental Compliance**	Monitor wetland and other Environmental Approvals obtained during construction.	Comply with all requirements of Environmental Approvals obtained during construction, including monitoring and reporting requirements.	4	24 Hours	24 Hours
		Monitor the Erosion Control and Storm Water Pollution Prevention Plan	Provide and maintain all erosion control features in accordance with the Design Documents and TxDOT standards.	4	24 Hours	24 Hours

Item No.	Item	Required Task	Breach of or Failure to Meet the Following Minimum Performance Requirements	Number of Noncompliance Points	Cure Period	Interval of Recurrence
1-2.35	**Protected species**	Monitor the Project to ensure that named species and habitats are protected.	Compliance with the required task	4	30 Days	30 Days
MAINTENANCE ELEMENT CATEGORY – SWEEPING AND CLEANING						
1-2.36	**Litter removal**	Keep the Project ROW in a neat condition, remove litter regularly. Pick up large litter items before mowing operations. Dispose of all litter and debris collected at an approved solid waste site	No more than 20 pieces of litter per roadside mile shall be visible when traveling at highway speed	2	5 Days	3 Days
1-2.37	**Road & bridge sweeping**	Maintain the roadway to prevent the buildup of dirt, ice rock, debris, etc. on roadways and bridges.	a) Prevent dirt, ice, rock, debris, etc. on roadways and bridges from accumulating greater than 24" wide or 1/2" deep. b) Keep all channels, hard shoulders, gore areas, ramps, intersections, islands and frontage roads swept clean. c) Clear and remove debris from traffic lanes, hard shoulders, verges and central reservations, footways and cycle ways. Remove all sweepings without stockpiling in the right of way and dispose of at approved tip.	4	5 Days	3 Days
MAINTENANCE ELEMENT CATEGORY – PEDESTRIAN FEATURES						
1-2.38	**Concrete sidewalk and pedestrian curb ramps**	Maintain sidewalk, pedestrian curb ramps at acceptable level of safety for the traveling public.	All pedestrian elements act as designed, serve the purpose for which they were intended, and meet the performance requirements set forth in the TxDOT Design Standards and Americans with Disabilities Act (ADA) requirements.	2	30 Days	24 Hours

Item No.	Item	Required Task	Breach of or Failure to Meet the Following Minimum Performance Requirements	Number of Noncompliance Points	Cure Period	Interval of Recurrence
MAINTENANCE ELEMENT CATEGORY – EARTHWORK AND CUTTINGS						
1-2.39	**Slope Failure**	Repair all slope failures.	All structural or natural failures of the embankment and cut slopes of the Project are repaired	6	60 Days	10 Days
MAINTENANCE ELEMENT CATEGORY – AMENITY						
1-2.40	**Graffiti**	Maintain assets free of graffiti.	Graffiti is removed in a manner and using materials that restore the surface to like appearance of adjoining surfaces.	2	24 Hours	24 Hours
1-2.41	**Animals**	Monitor the Project for animals.	All dead or injured animals are removed from the pavement.	6	2 Hours	1Hour
			All dead or injured animals are removed from the Project ROW.	6	24 Hours	24 Hours
1-2.42	**Abandoned vehicles and/or equipment**	Notify law enforcement for the removal of vehicles and/or equipment from within the Project	Notify law enforcement of any abandoned vehicles and/or equipment for the removal from the Project ROW.	4	24 Hours	24 Hours
SNOW AND ICE						
1-2.43	**Snow and ice**	Use reasonable efforts to maintain travel way free from snow and ice. .	Response time to complete manning and loading of spreading vehicles. a) For forecasted snow and ice events, spreading vehicles are manned and loaded prior to a designated activation time. b) For unexpected snow and ice events, spreading vehicles are manned and loaded within 1 Hour	6	1 Hour	30 Min

			Response time for snow and ice clearance vehicles to depart from base. a) For forecasted snow and ice events, manned and loaded vehicles are dispatched on or before occurrence of the event. b) For unexpected snow and ice events, manned and loaded vehicles are dispatched within 1 Hour after inception of the event.	6	1 Hour	30 Min
1-2.44	**Weather forecasting**	Weather forecast information is obtained and assessed and appropriate precautionary treatment is carried out to minimize ice forming on the travel way.	Comply with Maintenance Management Plan (MMP) to prevent ice forming on the travel way.	6	1 Hour	30 Min
1-2.45	**Operational plans**	Implement snow and ice clearance operating plans to maintain traffic flows during and after snowfall and restore the travel way to a clear condition as soon as possible.	Comply with MMP for snow and ice clearance plans to maintain traffic flows during and after snowfall and restore the travel way to a clear condition as soon as possible.	2	1 Hour	1 Hour
INCIDENT RESPONSE						
1-2.46	**Incident response**	Monitor the Project and respond to Incidents in accordance with the MMP.	Comply with the MMP for the following: a) Response times met for 98% of Incidents measured on a 1 year rolling basis. b) Complaints from Emergency Services promptly resolved to TxDOT's satisfaction.	10	0	0
1-2.47	**Incidents involving Hazardous Materials**	Monitor the Project and respond to Incidents involving Hazardous Materials.	Comply with the requirements of the MMP and the Hazardous Materials Management Plan.	8	1 Hour	1 Hour

Item No.	Item	Required Task	Breach of or Failure to Meet the Following Minimum Performance Requirements	Number of Noncompliance Points	Cure Period	Interval of Recurrence
Note: 1. Maintenance Contractor shall not be responsible for the Non-Maintained Elements.						

III. TABLE 1-3: PLANNING AND REPORTING BASED NONCOMPLIANCE EVENTS

Item No.	Item	Breach of or Failure to Meet the Following Minimum Performance Requirements:	Number of Noncompliance Points	Cure Period	Interval of Recurrence
1-3.01	Reporting	Submit all reports relating to the Maintenance Services, including the annual reports, in the required format, with the content and within the time period required under the COMA Documents.	2	10 Days	5 Days
1-3.02	Reporting	Report to TxDOT on a daily basis any Lane Closures or reduced widths which give rise to Lane Rental Fees.	4	2 Days	1 Day
1-3.03	Reporting	Keep record of and report to TxDOT a Noncompliance Event as and when required under Section 19.2.1.1 and 19.2.1.3 of the Agreement.	10	10 Days	5 Days
1-3.04	Reporting	Provide information updates to the Maintenance Management Plan in accordance with Section 0120 of Exhibit 2 of the COMA.	2	10 Days	5 Days
1-3.05	Plan – Incident Management	Prepare and submit an Incident Management Plan and updates in accordance with Section 0140 of Exhibit 2 of the COMA.	2	10 Days	5 Days
1-3.06	Reporting	Implement the MMS and update the information on the MMS in accordance with Section 0160 of Exhibit 2 to the COMA	2	10 Days	5 Days
1-3.07	Plan - Safety	Prepare and submit a Maintenance Safety Plan and updates in accordance with Section 0180 of Exhibit 2 of the COMA.	4	3 Days	2 Days
1-3.08	Plan - Quality control	Prepare and submit a Maintenance Services Quality Control Plan and updates in accordance with Section 0170 of Exhibit 2 of the COMA.	2	10 Days	5 Days
1-3.09	Plan – Document Management	Prepare and submit a Maintenance Document Management Plan and updates in accordance with Section 0210 of Exhibit 2 of the COMA.	2	10 Days	5 Days

1-3.10	Plan – Deliverables Schedule	Prepare and submit a Maintenance Services Deliverables Schedule and updates in accordance with Section 0220 of Exhibit 2 of the COMA.	2	10 Days	5 Days
1-3.11	Plan - Traffic management	Prepare and submit to TxDOT for its approval a Traffic Management Plan and updates in accordance with Section 1120 of Exhibit 2 of the COMA.	10	5 Days	5 Days
1-3.12	Plans - Traffic control	Prepare and submit a traffic control plan to TxDOT 10 days before a planned maintenance activity involving a Lane Closure or revision to current traffic control.	6	1 Day	1 Day
1-3.13	Plan - Renewal and replacement	Prepare and submit to TxDOT for review and comment a Renewal Work Submittal and updates in accordance with Section 3.3.2 of the COMA and Section 0150 of Exhibit 2 of the COMA.	2	14 Days	7 Days