



Specifications Committee Meeting Packet



For the Specification Committee of the Asphalt Contractors Association of Florida, Inc

July 28th, 2022 @ 10:00AM (EST)

P & S Paving, Inc.

3701 Olson Dr, Daytona Beach, FL 32124

Virtual Teams Link: [Click here to join the meeting](#)

HAULHUB
TECHNOLOGIES

Meeting Packet

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ANTI-TRUST POLICY OF THE ASPHALT CONTRACTORS ASSOCIATION OF FLORIDA, INC

The antitrust laws seek to preserve a free competitive economy in the United States and in commerce with foreign countries. As a general rule, competitors may not restrain competition among themselves through understandings or agreements as to the price, the production, or the distribution of their products or services, or other agreements which unreasonably restrict competition. With some exceptions, competitors may not act in concert to restrict the competitive capabilities or opportunities of their competitors, their suppliers, or their customers.

The antitrust laws, however, are often of unclear applicability, and in certain circumstances unlawful agreements can be inferred from circumstantial evidence. Furthermore, penalties for violating the antitrust laws are severe. The guidelines set forth below are designed to avoid even the appearance of questionable activity by the Association and its members.

ACAF through its meeting activities brings together representatives of competitors throughout the industry. The subject matters of ACAF's activities are technical or educational in nature. Nevertheless, ACAF's Board of Directors recognizes the remote possibility that the Association and its activities can be abused and be seen by those unaware of or determined to violate the law as providing an opportunity for anticompetitive conduct. Through this statement of policy, the ACAF Board reiterates its unequivocal support for the policy of competition served by the antitrust laws and uncompromising intent as individual companies and as an Association to comply strictly in all respects with those laws governing competitive activities.

At all meetings of the Asphalt Contractors Association of Florida's Board of Directors and committees, as well as all association-sponsored seminars, conferences, webinars and task force and working group sessions and among Association members, the following will not be discussed:

- Individual company prices, price changes, price differentials, markups, discounts, credit terms, etc.
- Individual company data on costs, production, capacity, inventories, sales, labor, supplies, etc.
- Agreements on terms of sale, warranties, or contract provisions.
- What constitutes a "fair profit level."
- Standardization or stabilization of prices.
- Pricing procedures or formulas.
- Confidential future marketing or pricing plans.
- Control of sales.
- Allocation of customers or geographic division of markets – agreements not to compete.
- Refusal to deal with a company because of its pricing or distribution practices.

- Whether or not the pricing practices of any industry member are unethical or constitute an unfair trade practice.
- Information concerning any individual company's costs, profits, inventory, market share, or other commercial information of a non-public nature.

Notwithstanding the prohibitions on certain cooperation between competitors described above, Association members may be immunized from antitrust liability when they cooperate to influence governmental action, such as joint legislative or regulatory initiatives. It should be viewed as very limited permission to influence jointly any branch of the government. It is important to remember that the doctrine immunizes cooperating competitors from liability only from any harm to competition that is caused by the resulting governmental action. It does not immunize competitors who behave or share information improperly at any time, even if they are doing so in the course of influencing law- or policymakers. For example, competitors may not share future pricing moves with each other in preparation for an effort to convince a lawmaking body to set a price floor for an industry.

Further, if the Association embarks on the development of specific product standards or a code of ethics for its members or the compilation of industry statistics, such activities shall be developed and conducted in a manner consistent with applicable antitrust laws with the prior approval of the Board of Directors of the Association and advice of counsel. To avoid even the appearance of questionable activity, as well as to guard against inadvertent conduct, Association meetings should observe the following guidelines and procedures:

- A written agenda will be prepared and adhered to.
- Accurate minutes of every meeting will be prepared and approved.
- Minutes of the meeting will be distributed to all committee members.
- In case of doubt about the propriety of a discussion, or a particular topic of discussion, Association counsel will be consulted.
- If a member has a reservation concerning remarks or discussion at an Association meeting, that member should state the reservation.

Revised March 2020

CONFLICT OF INTEREST POLICY

Article I. Purpose

The purpose of a conflict-of-interest policy is to protect the Association's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of one of its officers or directors, or might result in a possible excess benefit transaction. This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest.

Article II. Definitions

1. Interested Person

An Interested Person is any director, principal officer, or member of a committee with governing board-delegated powers who has a direct or indirect Financial Interest, as defined below.

2. Financial Interest

A person has a Financial Interest if the individual has, directly or indirectly, any actual or potential ownership, investment, or compensation arrangement with the Asphalt Contractors Association of Florida, Inc or with any entity that conducts transactions with the Asphalt Contractors Association of Florida, Inc.

A Financial Interest is not necessarily a conflict of interest in all cases. Under Article III, Section 2 of IRS Form 1023, a person with a Financial Interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

Article III. Procedures

1. Duty to disclose

In connection with any actual or possible conflict of interest, an Interested Person must disclose the existence of the Financial Interest and be given the opportunity to disclose all material facts to the directors and members of the committees with governing board-delegated powers considering the proposed transaction

or arrangement. In an effort to aid such disclosure, each member (board, committee, or staff) shall complete a conflict-of-interest questionnaire as circumstances warrant, but no less frequently than annually.

2. Determining whether a conflict of interest exists

The board shall review each member questionnaire and any other disclosures regarding the Financial Interests of its members and vote on whether a conflict of interest exists.

3. Procedures for addressing the conflict of interest

After exercising due diligence, the governing board or committee shall determine whether the organization can obtain with reasonable effort a more advantageous transaction or arrangement from a person or entity that would not produce a conflict of interest.

If an alternative transaction or arrangement is not possible, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the best interests of the organization, for its own benefit, and fair and reasonable. Based on these determinations, the board or committee shall make its decision on whether to enter into the transaction or arrangement.

4. Disciplinary action

If the committee has reason to believe an individual has failed to disclose actual or potential conflicts of interest, it will inform the member and allow him/her to explain the alleged failure to disclose. If the committee still has reason to believe a conflict of interest exists after the alleged conflict is explained, it will take corrective action.

CONFLICT-OF-INTEREST QUESTIONNAIRE

The following questionnaire must be completed annually by all members and affiliates of Asphalt Contractors Association of Florida, Inc. Answers to this questionnaire should relate to relationships that occur from 1 September 2020 through 31 August 2021. Once you have completed this questionnaire, please sign and date in the space provided and return it to:

Mark Musselman
Asphalt Contractors
Association of Florida, Inc

1007 E. Desoto Park Drive
(850)222-7300
acaf@acaf.org

1. Are you an officer of an organization that conducts business or has a relationship with the Asphalt Contractors Association of Florida, Inc other than through the normal business of the Association?

Yes No

If yes, please define.

2. Have you ever served on the board of a business in which the Asphalt Contractors Association of Florida, Inc invests?

Yes No

If yes, please define.

3. Do you have a family relationship with anyone who has a noted relationship with the Asphalt Contractors Association of Florida, Inc? Family connections include an individual's spouse, parent, child, grandparent, grandchild, great-grandchild, and sibling. The spouses of any children, grandchildren, great-grandchildren, and siblings are considered family relationships as well.

Yes No

If yes, please define.

4. Have you participated, directly or indirectly, in any employment agreement, compensation relationship, or any other arrangement/investment opportunity with a third-party vendor doing business with the Asphalt Contractors Association of Florida, Inc that has resulted or could result in personal benefit to you?

Yes No

If yes, please define.

5. Have you received, directly or indirectly, any salary payments, loans, or gifts of any kind or any free service, discounts, or other fees from any person/organization engaged in any transaction with the Asphalt Contractors Association of Florida, Inc?

Yes No

If yes, please define.

6. Do you share ownership of a business that does business with the Asphalt Contractors Association of Florida, Inc? Ownership means voting power in a corporation, profits interest in a partnership, or beneficial interest in a trust.

Yes No

If yes, please define.

Signature_____Please fill out sign-up sheet Date_____

Print name_____

SPECIFICATIONS COMMITTEE MEMBERS

Name	Company	Email	Phone
Mickey Cox	AJAX Paving	mcox@ajaxpaving.com	(813) 394-1760
Tracey Boggs	Anderson Columbia	tracey.boggs@andersoncolumbia.com	(850) 209-6854
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Mark Musselman	ACAF	mmusselman@acaf.org	(850) 445-6981
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28 JULY 2022, SPECIFICATION COMMITTEE AGENDA

Thurs. July 28th, 2022

10:00am – 2:30pm EST

- 1. Call to Order, Tim Carter - Chair**
- 2. Recognition of Anti-Trust Policy**
- 3. Recognition of Conflict-of-Interest Policy**
- 4. Minutes from Previous Meeting**
- 5. New Business**
 - 1. Specification in Industry Review**
 - 2. Contractor Proposed Topics**
- 6. Open Discussion with Howard Moseley, Richard Hewitt, Greg Sholar, and Wayne Rilko of the FDOT, 1PM- 2:30PM.**
- 7. Adjournment**

MINUTES FROM PREVIOUS MEETING

Wed. May 4th, 2022

9:30 PM – 2:30 PM CST

277 Technology Parkway, Auburn AL

National Center for Asphalt Technology – Don Brock Classroom

Committee Members and Guests in attendance:

➤ In-Person

- David Allain – ACAF
- Bill Berry – Middlesex Co.
- Tim Carter – P&S Paving
- Mickey Cox – AJAX Paving Industries
- Bob Flowers – CWR Contracting
- Rick Fort – Preferred Materials
- Chris Harris – Anderson Columbia
- Julio Leganoa – Halley Engineering Contractors
- Damon Markwell – Ranger Construction
- Steve McReynolds – Asphalt Testing Solutions & Engineering
- Mark Musselman – ACAF
- Tanya Nash – Asphalt Testing Solutions & Engineering
- Patrick Pienkos – Ranger Construction Industries
- Renato Reis – Ranger Construction Industries
- Bret Smith – Ranger Construction Industries
- John Taylor – Preferred Materials

➤ Virtual (Teams)

- Eron Chambers – Hubbard Construction
- Vince Hafeli – AJAX Paving Industries
- Joe Meier – Middlesex Co.
- Richard Hewitt – FDOT
- Howard Moseley – FDOT
- Greg Sholar – FDOT
- Wayne Rilko – FDOT

❖ Call to Order

- Chair Carter calls the meeting to order at 9:30 AM.

❖ Acknowledgement of Anti-Trust Policy

- Chair Carter recognizes ACAFs Anti-Trust Policy. Unanimous consent is given to agree to adhere to its direction.

❖ Acknowledgement of Conflict-of-Interest Policy

- Chair Carter recognizes ACAFs Conflict of Interest Policy. Unanimous consent is given.

❖ FDOT Updates

- Rich Hewitt is looking into optimizing milling depths to prevent multiple milling depth pay items.
- E-ticketing specification to be released in July 2023 Spec Book
- In regard to Kraton SBS Force Majeure Declaration, FDOT may release DCE Memo stating ground tire rubber (GTR) shall be included in 76-22 polymer mixtures to compensate for possible lowered SBS polymer materials, creating a hybrid mixture of SBS and GTR
- Potential Specification Changes upcoming:
 - 9.5mm mix in Traffic level E if 1 ¼" or more, no loss in performance found in research.
 - FC-5 pumped up 3/8" gradation range.
 - Cantabro mass loss test
 - Scale checks every 35 days to allow times for long/short months and weekends
 - Binder storage range from 230F – 355F to be consistent with mixture temp
 - Re-emulsification test for emulsions.

❖ Old Business

- Chair Carter reviews previous meeting minutes

- Committee members voiced that they would like the specifications on temporary detours to be clear on whether material should have testing requirements or not.

❖ **New Business**

➤ Chair Carter reviews new business topics

- Resurfacing Costs Escalation
 - Committee came up with various ideas to cut costs on resurfacing.
 - ◆ Cut out side-streets, mill and resurface only mainlines
 - Turn lanes, etc add lots of extra days
 - ◆ Eliminate multi mill depths
 - ◆ Extend lane closure times. 5 hrs closure = 3 hrs mill/paving
 - ◆ Pre-milling specification changing from 24 hrs to 72 hrs before paving.
- Tarping requirements when hauling FC-5
 - Consensus from the committee is that we should all keep tarping to ensure quality mixture is placed on the job.
- Consensus from the committee is that we would want to allow the opportunity to allow adding additives at the plant.
- Open discussion on thick lift paving and the suggestion that it should be considered an option in the optional base groups.

❖ **Next Meeting Date**

- Potential Date: July 29th

❖ **Meeting Adjourned at 1:55 PM**

NEW BUSINESS

Proposed Specifications for July 2023

➤ Section 105

105-1.1.4 Earthwork Records System: Record QC test results directly into the Earthwork Records System (ERS) section of the Department's database unless the District Materials Office waives the direct data entry. When waived collect the data in the field on Department approved forms and enter the data in the ERS section of the Department's database. Submit the original forms by uploading into the Department's database.

➤ Section 320

320-3.2.1 Electronic Weigh Systems for E-Ticketing:

320-3.2.1.4 Monthly Electronic Weigh System Comparison Checks:

Check the accuracy of the electronic weighing system at the commencement of production and thereafter at least every 30 days during production by one of the following two methods and maintain a record of the weights in the Scale Check Worksheet. The time period between scale checks shall not exceed 35 calendar days.

320-3.2.2 Electronic Weigh Systems for E-Ticketing:

320-3.2.2.3 Monthly Electronic Weigh System Comparison Checks:

Check the accuracy of the electronic weighing system at the commencement of production and thereafter by one of the following three methods and maintain a record of the weights in the Scale Check Worksheet. The time period between scale checks shall not exceed 35 calendar days.

320-3.3 Asphalt Binder: Meet the following requirements:

320-3.3.1 Transportation: Deliver the asphalt binder to the asphalt plant at a temperature not to exceed 370°F, and equip the transport tanks with sampling and temperature sensing devices meeting the requirements of 300-3.2.

320-3.3.2 Storage: Equip asphalt binder storage tanks to heat the liquid asphalt binder to the temperatures required for the various mixtures. Heat the material in such a manner that no flame comes in contact with the binder. Heat or insulate all pipe lines and fittings. Use a circulating system of adequate size to ensure proper and continuous circulation during the entire operating period. Locate a thermometer, reading from 200 to 400°F, either in the storage tank or in the asphalt binder feed line. Maintain the asphalt binder in storage within a range of 230 to 370°F in advance of mixing operations. Locate a sampling device on the discharge piping exiting the storage tank or at a location as approved by the Engineer. Provide a metal can of one quart capacity for binder sampling at the request of the Engineer.

➤ Section 330

330-6.1.5.1 Thickness Control: Ensure the spread rate is within plus or minus **5-10%** of the target spread rate.

When determining the spread rate, use, at a minimum, an average of five truckloads of mix and at a maximum, an average of 10 truckloads of mix, except for windrow paving, use an average of three truckloads of mix. When the average spread rate is beyond plus or minus **5-10%** of the target spread rate, monitor the thickness of the pavement layer closely and adjust the construction operations.

When the average spread rate for two consecutive days is beyond plus or minus **5-10%** of the target spread rate, stop the construction operation until the issue is resolved.

➤ Section 334

334-1.4.1 Layer Thicknesses: The allowable layer thicknesses for Type SP Asphalt Concrete mixtures are as follows:

Type SP-9.5	1 to 1-1/2 inches
Type SP-12.5	1-1/2 to 3 inches
Type SP-19.0	2 to 4 inches

In addition to the minimum and maximum thickness requirements, the following restrictions are placed on mixes when used as a structural course:

Type SP-9.5 - Limited to the top two structural layers, two layers maximum.

Type SP-9.5 - Do not **useplace** for Traffic Level E applications **less than 1-1/4 inches thick.**

Type SP-19.0 - Do not use for the final (top) structural layer below FC-5 mixtures. Type SP-19.0 mixtures are permissible for the layer directly below FC-9.5 and FC-12.5 mixtures. Do not use for the final (top) layer of shoulders.

334-3.2 Mix Design:

334-3.2.1 General:

~~Do not use more than four mix designs per nominal maximum aggregate size per traffic level per binder grade per year, where the year starts at the Notice to Proceed. Exceeding this limitation will result in a maximum Composite Pay Factor (CPF) of 1.00 as defined in 334-8.2 for all designs used beyond this limit.~~

334-5.9.5 Defective Material:

If the defective material is due to a **high air void failure**, gradation, asphalt binder content or density failure, upon the approval of the Engineer the Contractor may perform delineation tests on roadway cores in lieu of an engineering analysis to determine the limits of the defective material that may require removal and replacement. Prior to any delineation testing, all sampling locations shall be approved by the Engineer. All delineation sampling and testing shall be monitored and verified by the Engineer. For materials that are defective due to **low** air voids, an engineering analysis is required.

➤ Section 337

337-3.3 Grading Requirements:

337-3.3.1 FC-5: Use a mixture having a gradation at design within the ranges shown in Table 337-1.

Table 337-1 FC-5 Gradation Design Range									
3/4 inch	1/2 inch	3/8 inch	No. 4	No. 8	No. 16	No. 30	No. 50	No. 100	No. 200
100	85-100	55 60-75	15-25	5-10	--	--	--	--	2-5

337-4 Mix Design.

337-4.1 FC-5: The Department will design the FC-5 mixtures. Furnish the materials and all appropriate information (source, gradation, etc.) as specified in 334-3.2.7. The Department will have three weeks to design the mix.

The Department will establish the design binder content for FC-5 within the following ranges based on aggregate type:

Table 337-2 FC-5 Percent Binder Content	
Aggregate Type	Percent Binder Content
Crushed Granite and/or Granitic Gneiss	5.5 6.0 - 7.5
Crushed Limestone and/or Shell Rock	6.0 6.5 - 8.0

337-4.2 FC-9.5 and FC-12.5: Provide a mix design conforming to the requirements of 334-3.2 unless otherwise designated in the plans. Where the plans call for an FC-12.5, an FC-9.5 may be substituted for the FC-12.5 at no additional cost provided the thickness requirements of 334-1.4.1 are met.

➤ Section 339 : Suggested Spec Change by Rich Hewitt

MISCELLANEOUS ASPHALT PAVEMENT.

(REV 6-9-22)

ARTICLE 339-8 is deleted and the following substituted:

339-8 Basis of Payment.

Price and payment will be full compensation for all work specified in this Section, including shaping and compacting the foundation, soil sterilization treatment, furnishing of the bituminous material used in the mixture, and shaping of adjacent earth surfaces.

~~Miscellaneous Asphalt does not get a pay adjustment based on quality unless it is~~ If produced in a LOT, ~~then a~~use pay adjustment based upon the quality of the material ~~will be applied in accordance with 334-8.~~

Payment will be made under:

Item No. 339- 1- Miscellaneous Asphalt Pavement - per ton.

➤ Section 916

916-3 Asphalt Emulsions.

916-3.1 Compliance with Materials Manual: Producers of asphalt emulsions shall meet the requirements of Section 3.4, Volume II of the Department's Material Manual, which may be viewed at the following URL:

<https://www.fdot.gov/programmanagement/Implemented/URLinSpecs/Section34V2.shtm>.

916-3.2 Requirements: Use a prime coat meeting the requirements of AASHTO M140-~~20~~ for anionic emulsions, AASHTO M 208-~~18~~ or AASHTO M 316-~~19~~ for cationic emulsions, or as specified in the Producer's QC Plan. For anionic emulsions, the cement mixing test will be waived. For tack products, the minimum testing requirements shall include percent residue, naphtha content (as needed), one-day storage stability, sieve test, Saybolt Furol viscosity, original DSR, **re-emulsification (FM 5-624)**, and solubility (on an annual basis). Residue testing shall be performed on residue obtained from distillation, AASHTO T 59-~~16~~ or low-temperature evaporation (AASHTO R 78-~~16~~) (~~2020~~).

- Other Topics
 - Fuel surcharges to bring in aggregate.
 - Implementation of 6-way splitter for FC-5 sampling.
 - Florida County Specifications, FACERS update – Allain