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December 21, 2005

Mr. Stephen Richards, P.E.
President, Texas Council of Engineering Laboratories
1001 Congress Ave., Suite 200
Austin, Texas 78701

Dear Mr. Richards:

Thank you and the Texas Council of Engineering Laboratories (TCEL) for the additional comments on the Texas Department of Transportation's (TxDOT) proposed certification program. These comments were provided to us at the meeting held on November 18, 2005. We appreciate your concerns and offer the following responses:

1. TxDOT has allowed commercial laboratories to train their own personnel in the past, and we encourage you to continue to do so prior to sending personnel through the certification program. However, we maintain that the integrity of a certification program requires that the 'certifiers' be kept to a minimum and that close oversight of these 'certifiers' occurs. TxDOT will provide the oversight to maintain the integrity of the program. In addition, TxDOT plans to implement the requirement that work done for TxDOT will require certification acquired from a TxDOT approved program. That program currently will be administered at the Texas Asphalt Pavement Association (TxAPA) facility located in Buda, Texas. TxDOT will continue to work towards development of web based training, training videos, and administering the certification levels regionally in addition to the facility at Buda. We understand and appreciate your concerns about expenses due to travel and time away from work and will continue to work to make the program more cost efficient for all involved.
2. As noted in our letter dated August 26, 2005, we have developed four levels of certification. The grouping of the tests included in each level was determined based on input from TCEL as well as a review of certifications currently held by individuals. Based on our November meeting, we have decided to remove Tex-117-E from Level 201 and add it to Level 202. As business members who are accountable for cost control, TCEL members can appreciate that a 'cafeteria' style offering of individual tests for certification is not economically feasible.
3. TxDOT plans to implement the requirement that work done for TxDOT will require certification acquired from a TxDOT approved program. That program currently will be administered at the Texas Asphalt Pavement Association (TxAPA) facility located in Buda, Texas.
4. We appreciate your concern that administration of a proficiency sample program for all certified technicians will be a huge endeavor. Currently, the tests requiring an

annual proficiency sample are Tex-104-E, Tex-105-E, Tex-106-E, Tex-107-E, and Tex-110-E, Part I. The proficiency sample program is an important and necessary part of an effective quality assurance program, and we will strive to utilize an efficient, cost-effective process.

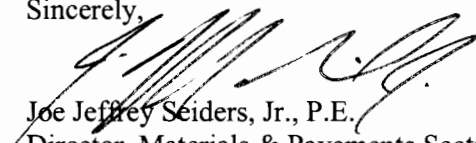
We completed practice sessions for SB 101 and SB 201 November 28 2005 through December 1, 2005. Representatives from Fugro and Raba-Kistner helped evaluate the content and length of SB 201. The practice session for SB 102 was held September 8, 2005 through September 9, 2005. Representatives from Fugro and CSA Materials helped evaluate the content and length of SB 102. Based on these practice sessions, the following course durations and fees have been determined:

SB 101	3 day training/certification course	\$700.00
SB 101R	1½ day recertification without training	\$350.00
SB 102	1 day training/certification course	\$350.00
SB 102R	1 day recertification without training	\$350.00
SB 201	3 day training/certification course	\$700.00
SB 201R	1½ day recertification without training	\$350.00

The class schedule and information can be found on TxAPA's web page, www.txhotmix.org.

Feel free to contact either myself at 512-506-5808, or Caroline Herrera, P.E., at 512-506-5907 if you would like to further discuss the successful implementation of this important initiative.

Sincerely,



Joe Jeffrey Seiders, Jr., P.E.
Director, Materials & Pavements Section
Construction Division

cc: Thomas R. Bohuslav, P.E., CST Division
Caroline H. Herrera, P.E., CSTM&P