

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

MATERIALS CONTROL, SOILS AND TESTING DIVISION
MATERIALS PROCEDURE

BASIS FOR CHARGES FOR NON-SUBMITTAL OF SAMPLING &
TESTING DOCUMENTATION BY THE ESTABLISHED DEADLINE

1. PURPOSE

- 1.1 To provide a unit cost per test to be assessed to the Contractor when testing documentation or samples are not submitted by the Contractor by the established deadline. Periodic updates of this Attachment shall be the responsibility of the Director of Materials Control, Soils and Testing Division or their designee (Director).

2. SCOPE

- 2.1 This procedure is applicable to circumstances where a construction item's testing documentation or samples are not submitted by the deadline established in this document. In the case of a general item, this timeframe is seven (7) days from the sampling date. The timeframe for special-case items such as gradations and cylinder breaks is noted in Attachment 1.
- 2.1.1 All of the following requirements shall be met to meet the above-defined timeframe:
- 2.1.1.1 Documentation submission includes: (A) generating the sample in the Division Approved Sampling and Testing software (SiteManager, AASHTOWare Projects, etc.), (B) entering all data into this system, (C) presenting the data to the District for review and (D) providing all testing documentation.
- 2.2 The penalty for an infraction as described in Section 2.1 is \$700 per test. In the instance where a single test comprises of a prescribed series of sub-tests (typically 5), the cost of each infraction will be the standard rate divided by the total number of required sub-tests. This is only applicable in the certain circumstances as noted in Attachment 1.
- 2.2.1 This procedure is not limited to tests listed in Attachment 1, but applicable to any material test required by the Standard Specifications and/or Materials Procedures. For this case, the Director will establish the timeframe for the test or may utilize the standard timeframe as described in Section 2.1. The rate shall follow Section 2.2.

3. ABSENT TESTING DOCUMENTATION OR FAILURE TO TEST

- 3.1 In no case shall this Materials Procedure allow for the acceptance of non-tested material. In the case where no testing was performed, or no documentation was submitted for material, the resolution for the acceptance of the material shall be in accordance with the applicable section(s) of the Standard Specifications and Materials Procedures. Additionally, and regardless of the outcomes of this resolution, a price assessment in accordance with Attachment 1 shall also be assessed.

Michael Mance Digitally signed by Michael Mance
Date: 2024.05.23 10:05:10 -04'00'

Michael A. Mance, PE
Interim Director
Materials Control, Soils & Testing Division

MP 109.00.21 Steward – Materials Control Section
MM:B
ATTACHMENT

Cost Penalties Per Test

Material Category	Test and Rate	Testing Time Frame (Days)	#Cost/Sub Test Cost
Soil and Aggregate	In-Place Density (5 tests)	*T	*Rate
	Gradation (Each Test)	14	*Rate
	Liquid and Plastic Limits	*T	*Rate
	Crushed Particle Analysis	14	*Rate
Asphalt	Asphalt Mixture Test	*T	*Rate
	In-Field Density Testing	*T	0.2 (*Rate)
Chip Seal	Gradation (Each Test)	*T	*Rate
Concrete	Abar	14	*Rate
	Optimized Gradation	14	*Rate
	Cylinder Test	35	*Rate
	Rapid Chloride Permeability	*T	*Rate
	Air and Slump (1 test)	*T	*Rate
Grout	Grout Break Report (Each Test)	*T	*Rate
	Grout Strength Report	*T	*Rate
CLSM	Cylinder Test	35	*Rate
	Flow Test	35	*Rate

*T - Standard timeframe as described in Section 2.1
*Rate - Standard rate as described in Section 2.2
#Cost/Ea - Unless there is rate in this column, each infraction results in the full rate