

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
MATERIALS CONTROL, SOILS AND TESTING DIVISION

MATERIALS PROCEDURE

PROCEDURE FOR DETERMINING A REDUCED UNIT PRICE TO BE
PAID FOR PENETRATION MACADAM WHICH DOES NOT CONFORM
TO THE GRADING REQUIREMENTS OF THE GOVERNING SPECIFICATIONS

1.0 PURPOSE

- 1.1 This procedure will define a range of non-conformance into the grading of penetration macadam aggregates that may not affect its performance to an extent which would necessitate its removal from the project, and will provide a method for reducing the price to be paid for said non-conforming aggregate. Grading characteristics of Penetration Macadam aggregates shall be evaluated in accordance with MP 300.00.51, exceptions noted below.

2.0 SCOPE

- 2.1 This procedure shall apply only to those aggregates specified for use as Penetration Macadam.

3.0 DEFINITION OF TERMS

- 3.1 SUBLOT - The quantity of material represented by a single test value.
- 3.2 LOT - The quantity of material represented by an average test value (not to exceed five (5) SUBLOTS). Generally, at the beginning of the project, the average shall be started on the second sample (sublet) in accordance with MP 300.00.51.

4.0 DESIGNATION OF QUALITIES FOR EQUITABLE PRICE ADJUSTMENT

- 4.1 In lieu of Section 6.3.1 of MP 300.00.51, the condition of non-compliance shall be defined as that condition which exists when the moving average, or the average of four (4) individual samples (see Section 4.3.2 below), falls outside the specification limit.

- 4.2 When the moving average falls outside the specification tolerance and material from the LOT represented thereby has been incorporated into the work, then the price for that quantity of material represented by the last SUBLOT in the LOT shall be reduced in accordance with Section 5.0. When the evaluation is based on the average of four (4) samples as described in Section 4.3.2, the quantity of material comprising the LOT represented by the four (4) individual samples shall have its price reduced in accordance with Section 5.0.
- 4.3 Sampling Frequency and Number of SUBLOTS in the Moving Average
- 4.3.1 Sampling and testing frequency shall be as prescribed by the Construction Manual except as set forth in 4.3.2.
- 4.3.2 The number of SUBLOTS included in the moving average will generally be five (5) as described in Section 3.2. However, for limited production when it appears that normal sampling frequency will yield less than five (5) samples total, the sampling frequency shall be adjusted so as to yield four (4) random samples to represent the material. The average of the four (4) samples shall be used in this event to judge compliance.
- 5.0 DEGREE OF NON-CONFORMANCE
- 5.1 When a subplot of material is to have its price adjusted, the percentage point difference between the non-conforming average value and the specification limit will be determined for each sieve size which has its average outside the limits of the specification for that SUBLOT. The total measure of non-conformance is the sum of all non-conformances on the various sieves for the subplot. This value shall be compared to Table 1.
- 5.2 When the quantity of material represented by an average of four (4) SUBLOTS is to have its price adjusted, the percentage point difference between the non-conforming average value and the specification limit will be determined for each sieve size which has its average outside the limits of the specification. The total measure of non-conformance is the sum of all non-conformances on the various sieves for the SUBLOT. This value shall be compared to Table 1.

Table 1

<u>Degree of Non-conformance</u>	<u>Designated Action</u>
1.0 to 3.0	1.5%
3.1 to 5.0	3%
5.1 to 8.0	5%
8.1 to 12.0	8%

5.3 When the total measure of non-conformance has been established and it is 12.30 or less, the designated action will be initiated from Table 1. When the total measure of non-conformance is greater than 12.0, each non-conforming situation will be resolved on an individual basis, requiring a special investigation by the Engineer to determine the appropriate course of action to be followed.

6.0 METHOD OF EQUITABLE REDUCTION

6.1 Dollar reduction shall be calculated by (A) quantity of non-conforming subplot x (B) % reduction from Table 1 x (C) unit contract price.

7.0 METHOD OF ACCOUNTING AND CHANGE ORDER PREPARATION

7.1 Equitable reductions for non-conformance will be determined, for each LOT or SUBLOT, during each contract pay period and the subtotal deducted from the current voucher estimate. These adjustments may be processed with a single change order or when the item is completed by tabulating the data for all non-conforming SUBLOTS, and preparing the change order for the total dollar adjustment shown on the tabulation. A copy of the tabulation should accompany and be made a part of the change order.


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