

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

MATERIALS PROCEDURE

PROCEDURE FOR EVALUATING PRODUCTS FOR USE
IN HIGHWAY CONSTRUCTION

1. SCOPE

- 1.1 New products are frequently presented to the Division by various manufacturers, suppliers and/or producers (MS&Ps) with a request that they be considered for use in our highway program. To facilitate handling of such requests in a uniform and expeditious manner, this Materials Procedure outlines the steps necessary for such product submittal and evaluation. This Procedure covers the addition of approved submitted products to the Division's Approved Product List (APL).
-

2. REFERENCE DOCUMENTS

- 2.1 MP 106.00.03: Guidelines for Establishing and Maintaining Approved Product Lists of Materials, Systems and Sources.
- 2.2 MP 106.10.50: WVDOH Buy America Acceptance Guidelines.
-

3. PROCEDURE

- 3.1 Consideration for new product evaluation shall be requested through completion by the MS&Ps of West Virginia Division of Highways (DOH) Form HL-468, "*Preliminary Information for New Product Evaluation*". Once completed, DOH Form HL-468 shall be submitted to the Materials Control, Soils and Testing Division (MCS&T) via email to the New Products Evaluation email address: DOHNewProducts@wv.gov.
- 3.1.1 The HL-468 Form can be found on the MCS&T Division's Materials Procedures [Webpage](#)¹. A sample of this form shown in Attachment 1. An online form may also be used to meet this requirement.
- 3.2 Upon receipt of the completed Form HL-468, the Materials Control, Soils and Testing Division shall distribute to applicable parties for evaluation. This preliminary evaluation shall determine the need/usefulness of the product/process for various DOH applications.
- 3.2.1 If the preliminary review indicates that the product may be accepted without further evaluation, the Product shall be considered accepted and added to the APL.
- 3.2.2 If the preliminary review indicates that further research or evaluation is warranted, the MS&P shall be notified by MCS&T to submit additional types of information.

¹ <https://transportation.wv.gov/highways/mcst/Pages/MP-100s.aspx>

This may include but not be limited to: samples, product specifications, certified test data, or product demonstrations. Product testing shall be coordinated by the MCS&T Division with the results of any further testing/evaluation being submitted to all appropriate evaluating parties.

- 3.3 If the evaluation indicates that the product is not acceptable, the Manufacturer/Supplier shall be notified by MCS&T. The MS&P shall not submit the same product for evaluation during the same calendar year.
- 3.4 In the instance where a product has significant approved usage, the Director (or their Designee) of MCS&T may add a product to either a new or existing APL as per MP 106.00.03. If a product is a candidate for being added to the APL in this manner, the Lab Coordinator shall contact the MS&P prior to the addition of the product to the APL to request completion of the required HL-468.

4. DOCUMENTATION

- 4.1 The MCS&T Division shall maintain a New Product Evaluation listing with the status of all requests from the time of receipt. This listing shall include the product evaluation report number, which will provide information such as; the product name, the Manufacturer/Supplier, date of initial request, and the final action recommended. This listing will be maintained on the Division's website. Where applicable, product evaluation data will also be submitted for inclusion in the AASHTO Product Evaluation List (APEL).
 - 4.1.1 Additionally, MCS&T may evaluate the product/process after one year to determine if the performance or functionality of the product/process meets the desired results, goals or intentions of the DOH. Please note that any such evaluation may result in the product being removed from the New Product Evaluation Listing. This report will be in the form of a Materials Inspection Report (MIR) and this report will remain as part of the new products evaluation listing.

5. BUY AMERICA

- 5.1 Each HL-468 submission must include whether the product meets the Federal and State Buy America requirements of Section 106.1 of the Specifications. If the MS&P indicates that their product meets Buy America requirements, the company shall produce a notarized Certificate of Compliance (CoC) signed by a company official with knowledge and authority to certify the product is compliant with applicable Buy America requirements.
- 5.1.1 In the event where the source of materials is changed and is no longer Buy America compliant, the MS&P must notify MCS&T in writing.
- 5.1.2 Under no circumstance shall the CoC described above be used for Buy America compliance on a project. Each project must submit a CoC as described in MP 106.10.50 “WVDOH Buy America Acceptance Guidelines”
- 5.2 A notarized CoC shall contain the following information:
- 5.2.1 Title: Certification of Buy America compliance for Source Approval.
- 5.2.2 The Name, Address and Contact Information for the Company.
- 5.2.3 The date of the application
- 5.2.4 A company statement that demonstrates compliance with Buy America.
- 5.2.5 The name of the material and/or material code reference in the CoC. This material name shall be a clear, common name of the material that is comparable to the AWP Material Name. Part Numbers etc. may also be on the document if the company wishes.
- 5.2.6 Signature of the Company Official and date.
- 5.3 The document must be notarized.
- 5.4 A sample of this CoC document is provided in Attachment 2.



01/04/2023

Ronald L. Stanevich, PE, Director
Materials Control, Soils & Testing Division

WEST VIRGINIA DIVISION OF HIGHWAYS
PRELIMINARY INFORMATION FOR TECHNOLOGY/PRODUCT EVALUATION

1 TRADE NAME _____

MANUFACTURER _____

ADDRESS _____ APPLIED FOR? _____
City State Zip

2 REPRESENTATIVE _____

ADDRESS _____ PHONE _____
City State Zip

3 PRODUCT CATEGORY _____

4 EXISTING MATERIAL CODE: _____

5 BUY AMERICA BUILD AMERICA COMPLIANT? _____ NO _____ YES

5A IF 5 IS YES, SIGNED AND NOTARIZED CERTIFICATE OF COMPLIANCE
PROVIDED IN ACCORDANCE WITH MP 106.00.02 _____ YES

6 RECOMMENDED USE - PRIMARY

7 RECOMMENDED USE - ALTERNATE

8 ANY KNOWN OR PROBABLE ADVERSE AFFECT ON PRESENTLY USED OR
INSTALLED MATERIALS, STRUCTURES OR EQUIPMENT

9 PLAN DRAWING, PICTURE, OR SKETCH FURNISHED BY MANUFACTURER?

_____ YES _____ NO

10 MEETS REQUIREMENTS OF FOLLOWING SPECIFICATIONS

 <-AASHTO <-ASTM <-FHWA <-OTHER

11 APPROVED FOR PROPOSED USE BY HIGHWAY AUTHORITIES OR OTHER AGENCIES IN THE FOLLOWING STATES

12 ARE INSTRUCTIONS OR DIRECTIONS FOR INSTALLATION, APPLICATION OR USE AVAILABLE?

 YES NO
COPY ATTACHED: YES NO

13 WILL DEMONSTRATION BE PROVIDED? _____

14 ARE EDUCATIONAL COURSES OR VIDEOS AVAILABLE? YES NO

15 AVAILABILITY SEASONAL NON-SEASONAL
DELIVERY AT SITE

AFTER RECEIPT OF ORDER.
ARE QUANTITIES LIMITED? YES NO

16 WILL FREE SAMPLE BE FURNISHED? YES NO

17 NEW MARKET? YES NO

ALTERNATE FOR WHICH EXISTING PRODUCT? _____

18 IS PRODUCT GUARANTEED? YES NO

CONDITIONS?

19 BACKGROUND DESCRIPTION OF COMPANY AND ITS PRODUCT

20 ADDITIONAL INFORMATION

21 THE FOREGOING INFORMATION IS FURNISHED BY

NAME/TITLE: _____

EMAIL ADDRESS: _____

COMPLETED FORMS SHOULD EMAILED TO:

DOHNewProducts@wv.gov

ATTACHMENT 2: SAMPLE COMPLIANCE FORM
**Certification of Buy America, Build America Compliance
For Source Approval**

Acme Manufacturing Company
123 Main Street
Charleston, WV
25302

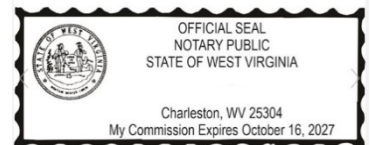
HL 468 Submission Date: 10/31/2022

The below listed materials and products meets all the requirements of all Federal and State Laws for Buy America, including but not limited to: Chapter 5, Article 19 and Chapter 5A, Article 3 Section 56 of the West Virginia Code; 23 U.S.C. 313 Buy America, 23 CFR 635.410 Buy America Requirements, and Build America, Buy America Act, Section 70914.

This Certification of Compliance is for the material listed below:

526.003.004 - Widget, Part Qi
596.003.004 - Widget, Part Hr

Jonathan Doe, Quality Assurance Manager



WVDOH Use Only

Reviewed by:

Reviewed Date:

Status: