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

MATERIALS PROCEDURE

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PROCEDURE FOR DETERMINING A REDUCED UNIT PRICE TO BE
PAID FOR SELECT MATERIAL FOR BACKFILLING WHICH
DOES NOT CONFORM TO GRADING REQUIREMENTS
OF GOVERNING SPECIFICATIONS

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1.0 PURPOSE

1.1 To define a range of nonconformance in the grading of aggregates used for Select Material for backfilling which would necessitate its removal from the project, and provide a procedure for reducing the price to be paid for said aggregate. When more than one sample is taken in succession, this procedure is applicable to MP 300.00.51: "Procedural Guidelines for Maintaining Control Charts". In some cases, however, because of the nature of the item, only one sample is taken. In this regard a control chart may not be necessary and conformance will be based on the results of the single sample.

2.0 SCOPE

2.1 This procedure shall apply only to those aggregates specified for use as Select Material for Backfilling.

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.

3.3 In those cases where only one sample is taken to represent the total quantity the sublot and LOT will be considered the same.

4.0   DESIGNATION OF QUANTITIES FOR EQUITABLE PRICE ADJUSTMENT

4.1   When an average gradation test value, or three individual test values, fall outside the limits of the Specifications, the LOT of material represented thereby is considered to be nonconforming to the extent that the last of its sublots is nonconforming. When a lot of material is nonconforming, then the last sublot contained therein shall have its price adjusted in accordance with Table 1. In no event, however, shall a sublot of material have its price adjusted more than once, and the first adjustment which is determined shall apply.

4.2   When only one sample is taken to represent the total quantity of material used, and any sieve value falls outside the limits of the specification, the material represented thereby is considered to be nonconforming. This material shall have its price adjusted in accordance with Table 1.

5.0   DEGREE OF NONCONFORMANCE

5.1   When a sublot of material is to have its price adjusted, the percentage point difference between the nonconforming test value and the specification limit shall be determined for each sieve determined to be nonconforming (nonconforming as described in 4.1 above), and this value shall be compared to Table 1. The total measure of the degree of nonconformance is, therefore, the sum of nonconformance on the two sieve sizes of the sublot.

Table 1

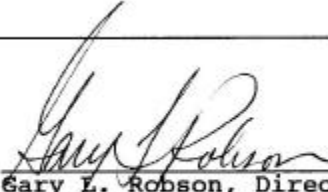| Degree of Nonconformance	Designated Action
1.0 to 3.0	Reduced Price 2%
3.1 to 5.0	" " 4%
5.1 to 8.0	" " 7%
8.1 to 12.0	" " 11%

6.0   DETERMINATION OF EQUITABLE ADJUSTMENT

6.1   When the total degree of nonconformance has been established and it is 12.0 or less, the designated action shall be initiated from Table 1. When the degree of nonconformance for a sublot is greater than 12.0, said sublot will not be incorporated into the project, and in fact, removed from the project as soon as possible.

7.0   METHOD OF ACCOUNTING AND CHANGE ORDER PREPARATION

7.1   Equitable reductions for nonconformance will be determined, for each lot or sublot. These adjustments may be processed with a single change order when the item is complete by tabulating the data for all nonconforming 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.

7.2   Dollar reduction shall be calculated by (A) quantity x (B) % reduction from Table 1 x (C) unit contract price. (A sample tabulation sheet is attached).

Gary L. Robson, Director
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and Testing Division

Attachment

Equitable Reduction Procedure

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TABULATION OF EQUITABLE REDUCTIONS (partial)

Sublot Identity (Note 2)	Quantity	Degree of Noncomformance	% Price Reduction	Unit Contract Price	Dollar Reduction From Contract (A)x(B)x(C)
9/1/69 PM	800 m^3	7.5	7	3.50	196.00
9/11/69 AM	200 m^3	2.6	2	3.50	14.00
9/27/69 PM	500 m^3	5.0	4	3.50	<u>70.00</u>

Subtotal (1) (Note 3) $280.00

10/10/69 PM	1000 m^3	1.2	2	3.50	70.00
10/29/69 AM	1000 m^3	11.7	11	3.50	<u>385.00</u>

Subtotal (2) (Note 3) $455.00

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Total Reduction (Note 4) $735.00

Note 2:   Station numbers may also be used to identify sublots

Note 3:   These subtotals should be made at the end of contract pay periods, and the subtotal amounts deducted from contract payments on a current basis.

Note 4:   This total reduction should be processed in one change order when the construction of the item is complete.