

Product Evaluation 101



Karen Byram

Product Evaluation Administrator, FDOT

Product Evaluation 101

- ✓ Qualified Products List (QPL)
- ✓ Defective Product Investigations
- ✓ Proprietary Products
- ✓ New Products
- ✓ Innovative Products

Product Evaluation Staff



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What is a Product?

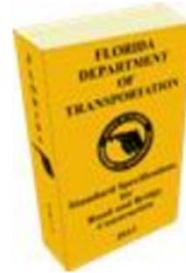
- ◆ Includes Proprietary and Patented Products
 - ✓ Products with a premium or royalty associated with a Patent.
 - ✓ Owned by someone or a corporation with rights and/or protections associated with that product or product name.
- ◆ Processed and/or Fabricated.
- ◆ Not a Raw Material or Raw Material mixes.



Generally speaking, it is material that is patented.

FDOT accepts products many ways:

- ◆ Manufacturers Certification
- ◆ Batch Analysis
- ◆ Shop Drawings
- ◆ Design Calculations
- ◆ QPL/APL
- ◆ Etc.....



Examples

permitted.

932-2.6.1 Testing: Test bridge bearing pads in accordance with FM 5-598. Laminated bridge bearings must meet a minimum compressive load of 2,400 psi and non-laminated (plain) pads must meet a minimum compressive load of 1,200 psi. If any

provision shall be made for the installation of the dowels.

932-1.1.1 Certification: The Contractor shall provide the Engineer a certification conforming to the requirements of Section 6 from the manufacturer, confirming that the preformed joint filler meets the requirements of this Section.

More Examples

SECTION 410 PRECAST CONCRETE BOX CULVERT

410-1 Description.

Obtain precast box culverts from a plant that is currently on the Department's list of Producers with Accepted Quality Control Programs. Producers seeking inclusion on the list shall meet the requirements of 105-3.

designated in

the Plans. Redirective crash cushions are safety devices with capabilities to redirect the impacting vehicle over the full length of the device. Non-redirective crash cushions allow controlled penetration of the impacting vehicle over the full length of the device.

544-2 Qualified Products List (QPL).

Use crash cushions listed on the QPL. Manufacturers seeking evaluation of their crash cushions shall furnish certified test reports showing that their products meet all test requirements of NCHRP 350 or the Manual for Assessing Safety Hardware 2009 (MASH).

QUALIFIED PRODUCTS



THE QPL (In 25 Words or Less)

“A List of Pre-Approved Products
That May Be Relied Upon as
Meeting FDOT Specifications,
Standards or Other Specified
Criteria”

Does it MEET IMPLEMENTED
DOT SPECS/STANDARDS?



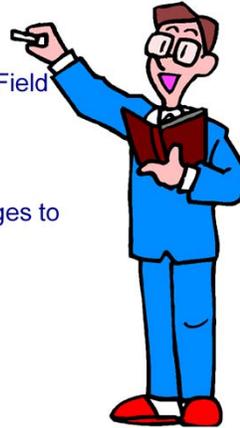
Facts About the QPL

- Not A List of “Favorite Things”
- Not All Manufactured Products are Covered by the QPL
- If a Product is Not on the QPL, It Cannot be Used *
- If there is a QPL, One of those products must be used *
- QPL is Not a Way to Specify a Proprietary Product
- QPL is Not an Endorsement of Products by FDOT



QPL *Other Items of Interest*

- ◆ If it is listed on the QPL
 - It is approved for use on projects
- ◆ Conditional Approvals May Be Granted During Field Verification Testing, Subject to Full Warranty
- ◆ Subject to Periodic Requalification
- ◆ Manufacturers Obligated to notify DOT of changes to product or address



Defective Products

When Is a Product “Defective”??

- When PERFORMANCE does not meet the defined FDOT standard
- Need to determine if the Performance Failure is a Defect of the Product or Because of the Installation



Investigating Product Deficiencies:

- ◆ Work with Project Manager
- ◆ Manufacturer Notified
- ◆ Investigated by Field and/or Lab Measurement, Sampling, Testing
- ◆ Determine if Product Performance is Not in Compliance with Implemented DOT Specs or Standards
- ◆ Deficient Products may be removed from the QPL
- ◆ Repair/replacement of project specific deficient products are handled by Construction procedures



OTHER LISTS



Approved Products List (APL)

- ◆ Similar to the QPL
- ◆ Traffic Operations related Equipment
- ◆ ITS
- ◆ Requirements in the MinSpec for Traffic Operations
- ◆ Has its own [Website](#)

Producers with an Accepted Quality Control Program

- ◆ Program is managed by the State Materials Office
 - ✓ Ensures the product or material has been fabricated or processed in conformance with good practices.
 - ✓ Posted on [State Materials Office Web Site](#)
 - ✓ [Link is available from QPL](#)



The spec defines which products and materials need to have Accepted QC Programs and defines the requirements of this process. Contact SMO, Traffic Operations or Product Evaluation for more details.



PROPRIETARY PRODUCTS



Proprietary Products – FHWA Definition

- ◆ Proprietary and Patented Products
 - ✓ Products with a premium or royalty associated with a Patent.
 - ✓ Owned by someone or a corporation with rights and/or protections associated with that product or product name.
- ◆ This term is typically used for Sole Source without a specification



FHWA has limitations on Product selection that is controlled by reimbursements:

§635.411 Material or product selection.

(a) Federal funds shall not participate, directly or indirectly, in payment for any premium or royalty on any patented or proprietary material, specification, or process specifically set forth in the plans and specifications for a project, unless:

(e) In the case of a design-build project, the following requirements apply: Federal funds shall not participate, directly or indirectly, in payment for any premium or royalty on any patented or proprietary material, specification, or process specifically set forth in the Request for Proposals document unless the conditions of paragraph (a) of this section are applicable.



FHWA wants to ensure competition.

Proprietary Product Process – Current Methods

- ◆ 'Or Equivalent' clause is not allowed
- ◆ Use the spec process
 - ✓ TSP, MSP , SSP, etc..
- ◆ Public Interest Finding (PIF)

Caution When Using Performance Based Specifications

- ◆ The specification cannot be used to allow proprietary products to be inappropriately or inadvertently required for Federal-aid projects.
 - ✓ if the specification reduces the pool products to a single proprietary product, the contracting agency must certify that this is a unique product for which there is no equally suitable alternative
 - ✓ The specification must include a 'reasonable' number of products. This is generally 3 or more.
- ◆ Do not assume if a national organization (e.g. AASHTO, ASTM) has issued a specification that it is generic:
 - ✓ Such specification may be considered proprietary if only one manufacturer can meet the specification requirements.

Help is on the Way!!!

- ◆ States may review justifications and Certify that the proprietary product identified in plans (via plan note or TSP) is:
 - ✓ Essential for synchronization,
 - ✓ There is no equal for the need.
- ◆ Primarily applicable to ITS and LAP
- ◆ FDOT has a process ready to implement
 - ✓ A memo is forthcoming



***For more detailed information on the
New Proprietary Products Process***



**Attended the class today at 4:00 in this
room**



NEW PRODUCTS



New Products

New Products have NO DOT Spec or Standard associated with their type

- Assess Potential Use on State Highway System
- Possible Outcomes of an Assessment:
 1. Incidental item
 2. No use on FHWA or FDOT systems
 - Useful for Local Agencies
 3. Limited to special situations
 - Project specific
 4. Alternative to a generic (non-proprietary) product or process
 - Cost Saving Initiative candidate
 5. Continue to Evaluate Potential
 - Innovative Product
 6. Other



Innovative Products

- ◆ IPEL
- ◆ Website
- ◆ For New Products that the Department wants to promote

- ◆ More information will be presented in the class today at 2:00 in this room.





Innovative Product Evaluation List (IPEL) Index

Karen Byram, Product Evaluation Administrator
(850) 414-4553
(850) 414-4199

This is your source to learn about new and innovative products under consideration by the Department for experimental use. We think these products may have significant potential use on our system, but we need to evaluate their full potential by application on the right projects. You are encouraged to read the product information and evaluation documents so that you can be prepared to use these products if applicable to your project.

Product Information - This section contains manufacturer information and web links.

Evaluation Documents - This section may contain the project schedule, testing documentation, evaluation criteria, project evaluation reports and other information used by the Department for evaluating the product.

FileCategory	Product Name	Product Information	Evaluation Documents
S104 Permanent Drainage	Thirsty Duck	Description Project Plan	Technical Paper (with Calculations)

Select the Product you are requesting to use.

Enter your comments in the space provided below (Optional)

Note: Time will expire in 20 minutes. If you are unsure of the length of time to enter your comment(s), please type your comment(s) in another application, then copy and paste below.

Enter your Project Number and Contact Information:

Name:
Phone:
Project:
E-mail:
Confirm E-Mail:

Please Contact me as soon as possible regarding this matter.

Then click 'Submit' to send your Comments.

109 [Privacy & Terms](#)



***OTHER PRODUCT
EVALUATION INFORMATION***



QPL/APL Merger

- ◆ Estimated to occur in July 2014
- ◆ Requires Spec changes for full implementation (in progress)
- ◆ There will be one web site
- ◆ Additional training and information will be supplied



Contact Information

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