ORIGINATION FORM

Date: **5-13-2014**
Originator: **Karen Byram**
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Specification Title: **Control of Materials**
Specification Section, Article, or Subarticle Number: **006**

Why does the existing language need to be changed? **This is part of the QPL and APL merger.**

Summary of the changes: **The Sections regarding the QPL and the APL have been merged into one section. All reference to the QPL have been deleted. A general statement regarding references to the QPL has been added. Some other editorial changes have been made to active voice.**

Are these changes applicable to all Department jobs? **Yes**
If not, what are the restrictions?

Will these changes result in an increase or decrease in project costs? **No**
If yes, what is the estimated change in costs?

With who have you discussed these changes? **Trey Tillander, Alan El-Urfali, Dan Scheer, Jeff Morgan, Paul Gentry, Andy Harper**

What other offices will be impacted by these changes? **Construction, Design, Maintenance, and Materials**

Are changes needed to the PPM, Design Standards, SDG, CPAM or other manual? **Yes**

Are all references to external publications current? **Yes**
If not, what references need to be updated (please include changes in the redline)?

Is a Design Bulletin, Construction Memo, or Estimates Bulletin needed? **No**

Contact the State Specifications Office for assistance in completing this form.
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ANANTH PRASAD, P.E.
SECRETARY

M E M O R A N D U M

DATE: May 30, 2014

TO: Specification Review Distribution List

FROM: Daniel Scheer, P.E., State Specifications Engineer

SUBJECT: Proposed Specification: **0060000 Control of Materials.**

In accordance with Specification Development Procedures, we are sending you a copy of a proposed specification change.

This change was proposed by Karen Byram of the State Specifications Office, Product Evaluation Section to replace references to the Qualified Products List (QPL) with references to the Applied Product List (APL). This is part of the ongoing cooperative effort to consolidate material requirements from the Minimum Specifications for Traffic Control Signals and Devices (MSTCSD) and the Standard Specifications for Road and Bridge Construction (SSRBC).

Please share this proposal with others within your responsibility. Review comments are due within four weeks and should be sent to Mail Station 75 or to my attention via e-mail at SP965DS, or daniel.scheer@dot.state.fl.us. Comments received after **June 27, 2014,** may not be considered. Your input is encouraged.

DS/dt
Attachment

CONTROL OF MATERIALS.
(REV 4-13-14)

SECTION 6 is deleted and the following substituted:

SECTION 6
CONTROL OF MATERIALS

6-1 Acceptance Criteria.

6-1.1 General: Acceptance of materials is based on the following criteria. All requirements may not apply to all materials. Use only materials in the work that meet the requirements of these Specifications. The Engineer may inspect and test any material, at points of production, distribution and use.

6-1.2 Sampling and Testing: Use the Department's current sample identification and tracking system to provide related information and attach the information to each sample. Restore immediately any site from which material has been removed for sampling purposes to the pre-sampled condition with materials and construction methods used in the initial construction, at no additional cost to the Department.

Ensure when a material is delivered to the location as described in the Contract Documents, there is enough material delivered to take samples, at no expense to the Department.

6-1.2.1 Pretest by Manufacturers: Submit certified manufacturer's test results to the Engineer for qualification and use on Department projects. Testing will be as specified in the Contract Documents. The Department may require that manufacturers submit samples of materials for independent verification purposes.

6-1.2.2 Point of Production Test: Test the material during production as specified in the Contract Documents.

6-1.2.3 Point of Distribution Test: Test the material at Distribution facilities as specified in the Contract Documents.

6-1.2.4 Point of Use Test: Test the material immediately following placement as specified in the Specifications. After delivery to the project, the Department may require the retesting of materials that have been tested and accepted at the source of supply, or may require the testing of materials that are to be accepted by ~~Producer~~ *manufacturer* ~~C~~*c*ertification. The Department may reject all materials that, when retested, do not meet the requirements of these Specifications.

6-1.3 Certification:

6-1.3.1 ~~Producer~~ *Manufacturer* Certification: Provide complete certifications for materials as required. Furnish to the Engineer for approval, ~~producer~~*manufacturer* certifications for all products listed on the ~~Qualified~~ *Approved* Product~~s~~ List (~~Q~~*A*PL) and when required by the applicable material specifications. Do not incorporate any manufactured product or material into the project without approval from the Engineer. Materials will not be considered for payment when not accompanied by a ~~producer~~*manufacturer* certification. ~~Producer~~*Manufacturer*s may obtain sample ~~Q~~*A*PL certification forms on the Department's website at the following URL: http://www.dot.state.fl.us/statematerialsoffice/administration/resources/library/publications/certifications/sampleforms.shtm . Ensure that the certification is provided on the

~~producer~~*manufacturer*'s letterhead and is signed by a legally responsible person from the ~~producer~~*manufacturer* and notarized.

6-1.3.1.1 ~~Qualified~~ *Approved* Product~~s~~ List: The Product Evaluation Section in the State Specifications and Estimates Office maintains the ~~Q~~*A*PL. This list provides assurance to Contractors, consultants, designers, and Department personnel that specific products and materials are approved for use on Department facilities. The Department will limit the Contractor's use of products and materials that require use of ~~Q~~*A*PL items to those listed on the ~~Q~~*A*PL effective at the time of placement. *References to the Qualified Products List (QPL) will be synonymous with the APL in all Contract Documents.*

Manufacturers seeking to have a product evaluated for the ~~Q~~*A*PL must submit a product evaluation application, available on the Department's website at the following URL: http://www.dot.state.fl.us/specificationsoffice/ProductEvaluation/QPL/SubmittalProcess.shtm with supporting documentation as defined and detailed by the applicable Specifications and Design Standards. All required test reports must be conducted by an independent laboratory or other independent testing facility. All required drawings and calculations must be signed and sealed by a Professional Engineer licensed in the State of Florida. The application must be signed by a legally responsible person from the ~~producer~~*manufacturer*. ~~Producer~~*Manufacturer* name and material designation (product name, style number, etc.) provided on the application shall be the same as identified on product packaging and labels.

Products that have successfully completed the Department's evaluation process are eligible for inclusion on the ~~Q~~*A*PL. Manufacturer's of ~~Q~~*A*PL approved products are required to resubmit the product for ~~Q~~*A*PL approval when any modifications or alterations are made to an approved product This includes, but is not limited to, design, materials, fabrication methods or operational modifications. Notification of modifications or alterations must be submitted along with supporting documents for review and approval by the Department. The Department will consider any marked variations from original test values for a product, failure to notify the Department of any modifications or alterations, or any evidence of inadequate performance of a product as sufficient evidence that the properties of the product have changed, and the Department may remove the product from the ~~Q~~*A*PL.

Manufacturers must re-qualify ~~Q~~*A*PL products for approval on or before the product's original approval anniversary date. The ~~Q~~*A*PL requalification schedule and criteria are available on the Department's website *at the following URL: http://www.dot.state.fl.us/specificationsoffice/ProductEvaluation/RequalificationSchedule.pdf*. The Department will consider failure to perform these actions as sufficient evidence that the properties of the product have changed, and the Department ~~will~~ *may* remove the product from the ~~Q~~*A*PL.

~~**6-1.3.1.2 Approved Product List:** The State Traffic Engineering and Operations Office maintains the Approved Product List (APL) of Traffic Control Signals and Devices. Traffic monitoring site equipment and materials are also included on the APL. This list provides assurance to maintaining agencies, Contractors, consultants, designers, and Department personnel that the specific items listed are approved for use on Department facilities. The Department will limit the Contractor's procurement and use of traffic control signals and devices, and traffic monitoring site equipment and materials to only those items listed on the APL that is effective at the time of procurement, except as provided in Section 603.~~

~~Manufacturers seeking approval of a specific device must follow the approval process described in detail on the State Traffic Engineering and Operations website at the following URL: http://www.dot.state.fl.us/trafficoperations/Traf_Sys/APL-Approval-Process.shtm~~

~~Manufacturers of devices on the APL are required to notify the Department of any modifications or alterations of an approved device including design, materials, fabrication methods, or operational modifications. Notification of changes must be submitted along with supporting documents for review and approval by the Department. The Department will consider any marked variations from original test values for a product, failure to notify the Department of any modifications or alterations, or any evidence of inadequate performance of a product as sufficient evidence that the properties of the product have changed, and the Department may initiate action to remove the device from the APL.~~

6-1.3.2 Contractor Installation Certification: Provide installation certifications as required by the Contract Documents.

6-2 Applicable Documented Authorities Other Than Specifications.

6-2.1 General: Details on individual materials are identified in various material specific Sections of the Specifications that may refer to other documented authorities for requirements. When specified, meet the requirements as defined in such references.

6-2.2 Test Methods: Methods of sampling and testing materials are in accordance with the Florida Methods (FM). If an FM does not exist for a particular test, perform the testing in accordance with the method specified in the Specification. When test methods or other standards are referenced in the Specifications without identification of the specific time of issuance, use the most current issuance, including interims or addendums thereto, at the time of bid opening.

6-2.3 Construction Aggregates: Aggregates used on Department projects must be in accordance with Rule 14-103, FAC.

6-3 Storage of Materials and Samples.

6-3.1 Method of Storage: Store materials in such a manner as to preserve their quality and fitness for the work, to facilitate prompt inspection, and to minimize noise impacts on sensitive receivers. More detailed specifications concerning the storage of specific materials are prescribed under the applicable Specifications. The Department may reject improperly stored materials.

6-3.2 Use of Right-of-Way for Storage: If the Engineer allows, the Contractor may use a portion of the right-of-way for storage purposes and for placing the Contractor's plant and equipment. Use only the portion of the right-of-way that is outside the clear zone, which is the portion not required for public vehicular or pedestrian travel. When used, restore the right-of-way to pre-construction condition at no additional cost to the Department or as specified in the Contract Documents. Provide any additional space required at no expense to the Department.

6-3.3 Responsibility for Stored Materials: Accept responsibility for the protection of stored materials. The Department is not liable for any loss of materials, by theft or otherwise, or for any damage to the stored materials.

6-3.4 Storage Facilities for Samples: Provide facilities for storage of samples as described in the Contract Documents and warranted by the test methods and Specifications.

6-4 Defective Materials.

Materials not meeting the requirements of these Specifications will be considered defective. The Engineer will reject all such materials, whether in place or not. Remove all rejected material immediately from the site of the work and from storage areas, at no expense to the Department.

Do not use material that has been rejected and the defects corrected, until the Engineer has approved the material's use. Upon failure to comply promptly with any order of the Engineer made under the provisions of this Article, the Engineer has the authority to have the defective material removed and replaced by other forces and deduct the cost of removal and replacement from any moneys due or to become due the Contractor.

As an exception to the above, within 30 calendar days of the termination of the LOT or rejection of the material, the Contractor may submit a proposed scope of work to the Engineer for an engineering or independent laboratory (as approved by the Engineer) analysis to determine the disposition of the material. A Specialty Engineer, who is an independent consultant, or the Contractor's Engineer of Record as stated within each individual Section shall perform any such analysis. Upon the Engineer's approval of the scope of work submitted by the Contractor, the engineering analysis must be completed and the report must be submitted to the Engineer within 45 calendar days, or other time frame as approved by the Engineer. The report must be signed and sealed by the Specialty Engineer. The Engineer will determine the final disposition of the material after review of the information submitted by the Contractor. No additional monetary compensation or time extension will be granted for the impact of any such analysis or review.

6-5 Products and Source of Supply.

6-5.1 Source of Supply–Convict Labor (Federal-Aid Contracts Only): Do not use materials that were produced after July 1, 1991, by convict labor for Federal-aid highway construction projects unless the prison facility has been producing convict-made materials for Federal-aid highway construction projects before July 1, 1987.

Use materials that were produced prior to July 2, 1991, by convicts on Federal-aid highway construction projects free from the restrictions placed on the use of these materials by 23 U.S.C. 114. The Department will limit the use of materials produced by convict labor for use in Federal-aid highway construction projects to:

1. ~~m~~*M*aterials produced by convicts on parole, supervised release, or probation from a prison or,
2. ~~m~~*M*aterials produced in a qualified prison facility.

The amount of such materials produced for Federal-aid highway construction during any 12-month period shall not exceed the amount produced in such facility for use in such construction during the 12-month period ending July 1, 1987.

6-5.2 Source of Supply-Steel: Use steel and iron produced in the United States, in accordance with the Buy America provisions of 23 CFR 635.410, as amended. Ensure that all manufacturing processes for this material occur in the United States. As used in this specification, a manufacturing process is any process that modifies the chemical content, physical shape or size, or final finish of a product, beginning with the initial melding and mixing and continuing through the bending and coating stages. A manufactured steel or iron product is complete only when all grinding, drilling, welding, finishing and coating have been completed. If a domestic product is taken outside the United States for any process, it becomes foreign source material. When using steel and iron as a component of any manufactured product incorporated

into the project (e.g., concrete pipe, prestressed beams, corrugated steel pipe, etc.), these same provisions apply, except that the manufacturer may use minimal quantities of foreign steel and iron when the cost of such foreign materials does not exceed 0.1% of the total Contract amount or $2,500, whichever is greater. These requirements are applicable to all steel and iron materials incorporated into the finished work, but are not applicable to steel and iron items that the Contractor uses but does not incorporate into the finished work. Provide a certification from the ~~producer~~ *manufacturer* of steel or iron, or any product containing steel or iron as a component, stating that all steel or iron furnished or incorporated into the furnished product was manufactured in the United States in accordance with the requirements of this specification and the Buy America provisions of 23 CFR 635.410, as amended. Such certification shall also include (1) a statement that the product was produced entirely within the United States, or (2) a statement that the product was produced within the United States except for minimal quantities of foreign steel and iron valued at $ (actual value). Furnish each such certification to the Engineer prior to incorporating the material into the project. Prior to the use of foreign steel on a project, furnish invoices to document the cost of such material, and obtain the Engineer's written approval prior to incorporating the material into the project.

6-5.3 Contaminated, Unfit, Hazardous, and Dangerous Materials: Do not use any material that, after approval and/or placement, has in any way become unfit for use. Do not use materials containing any substance that has been determined to be hazardous by the State of Florida Department of Environmental Protection or the U.S. Environmental Protection Agency (EPA). Provide workplaces free from serious recognized hazards and to comply with occupational safety and health standards, as determined by the U.S. Department of Labor Occupational Safety and Health Administration (OSHA).