



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue
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Mitchell E. Daniels, Jr., Governor
Michael B. Cline, Commissioner

October 26, 2012

CONSTRUCTION MEMORANDUM 12-10

TO: District Deputy Commissioners
District Construction Directors
District Testing Engineers
District Area Engineers
District LPA Coordinators
Field Engineers
Technical Service Directors
Project Engineers/Supervisors
Office of Materials Management

FROM: Mark A. Miller, Director *MAM*
Construction Management and District Support

SUBJECT: Salvaged Materials from INDOT Contracts

Over the years INDOT maintenance yards have become a storage area for items that were ordered by Contractors for use on INDOT contracts and then not used because of design changes or for other reasons.

The Division of Maintenance Management and District Support recently sent out a memo, a copy of which is attached, that states that INDOT facilities should not be the disposal site for excess materials from construction contracts. The exception to this is if there is a special provision in the contract for material to be salvaged by INDOT, and in that case the special provision will spell out what material is to be salvaged and where the Contractor is to deliver it.

For instances where you have an excess material, which is no longer needed on your contract, that cannot be restocked by the Contractor and is not accounted for in a special provision as described above, get with your Area Engineer who will contact the District Highway Maintenance Director. It will be up to the District Highway Maintenance Director to determine if there is a clear need for the material as well as a near-term plan for its use. If there is, the District Highway Maintenance Director may give written approval for acceptance of the material.

If the excess material is not accepted by the District Highway Maintenance Director, the PE/S will need to make arrangements with the Contractor for its disposal.

If you should have any questions on this issue please contact your Area Engineer.

MAM/ggp



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Mitchell E. Daniels, Jr., Governor
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DATE: REVISED October 18, 2012

TO: District Deputy Commissioners
District Highway Maintenance Directors
District Technical Services Directors
Director, Division of Construction Management
Director, Division of Technical Services

OPERATIONS
MEMORANDUM 00-04

FROM: Jason L. Jones, Director
Division of Maintenance Management and District Support

SUBJECT: **Salvageable Materials in Contracts**

BACKGROUND:

Salvaged or excess materials in construction contracts should ordinarily become and remain the property of the contractor. INDOT facilities or equipment should not be used to haul or dispose of such material.

If INDOT Maintenance desires to keep any such material, there must be a clear need and plan to use the material. INDOT facilities should not be used as disposal sites. FHWA will not participate in the cost of materials kept by INDOT. The following procedures will be followed.

PROCEDURE:

For material identified as needed by Maintenance prior to contract:

The material to be salvaged will be written by special provision into the contract with the amount of the material and the location where the contractor is to stockpile it. The District Highway Maintenance Director should make this request, in writing of the District Capital Programs Manager, through the District Deputy Commissioner. The need must have an economic justification or review that verifies the cost effectiveness of using the salvaged materials, as well as the intended use, location and schedule.

For all Federal Aid Contracts where material is to be taken by INDOT, the above process will apply, but needs to be approved by the State Maintenance Director.

For excess material on an existing contract, due to design error, change order, etc:

INDOT facilities should not be the disposal site for such material. The contractor should be responsible for disposal at a non-INDOT location or restocking with the vendor. In instances where there is a clear need for the material, as well as a near-term plan for use, INDOT may accept the material with written approval from the District Highway Maintenance Director.

JLJ/dts

cc: Todd Shields, Jeff Parker, Dave Boruff, Ed King, Greg Pankow