

July 7, 2000

MEMORANDUM 00-15

To: District Directors
District Construction Engineers
Toll Road Operations Engineer
District Materials and Tests Engineers
Area Engineers
Project Engineers\Supervisors

From: Timothy D. Bertram, Chief
Contracts and Construction Division

Timothy D. Bertram

Subject: QC/QA HMA Mixture Appeals

It has been brought to the attention of this office that the Specifications are not being followed for some contracts in obtaining materials for QC/QA HMA mixture appeals. Section 401.20(a) is very clear that acceptance testing for appeals, if granted, will be made on material obtained by coring the roadway. Cores should only be obtained after the appeal is granted. It is not the departments desire to place more core holes in our pavements and the evaluation for granting the appeal must be done very carefully.

In making an appeal the Contractor must weigh the cost of the appeal to any possible benefit of the new results. Part of that decision process is the cost of maintaining traffic and coring. To allow any other sampling process other than that which is defined in the specifications would relieve the Contractor of this cost; and therefore, making the decision and risk less costly on the Contractor.

The department at one time did try obtaining backup sample. Due to storage and disposal problems it was decided to suspend this practice and proceed with coring for the appeal process. To keep the condition equal for all Contractors, the Specifications must be strictly adhered to. Do not allow the Contractor to obtain backup plate samples for appeal purposes at the time acceptance samples are being obtained. If this situation is being allowed, stop immediately and resume obtaining appeal samples by coring only after the appeal is granted unless otherwise specifically allowed by Special Provision (Volumetric Contracts).

TDB:RLY:rlly

Ccc: Materials and Tests Division
FHWA
ICI
APAI
CEI