March 13, 2017

CONSTRUCTION MEMORANDUM
17-05

TO: District Deputy Commissioners
District Construction Directors
District Technical Services Directors
District Area Engineers
District Project Management Director
Project Management Director
District Traffic Engineers
District Testing Engineers
District LPA Coordinators
Project Engineers/Supervisors
Field Engineers
Office of Material Management

FROM: Gregory G. Pankow, Acting Director
Division of Construction Management and District Support

SUBJECT: Retro-reflectivity Testing

The intent of this memo is to clarify the requirements of sections 808.07 and 808.13 as well as Construction Memorandum 15-17, as they relate to the Adjusted Contract Completion Date and retro-reflectivity testing.

Section 808.07 allows the contractor a 14 to 30 day timeframe to complete retro-reflectivity testing once pavement markings have been placed. On occasion, the end of the 30 days will fall after the Adjusted Contract Completion Date. In an instance such as this, contract liquidated damages should not be assessed if testing takes place after the Adjusted Contract Completion Date, provided no other contract work remains. The date established by Construction Memorandum 15-17, “All Contract Work Complete”, should be considered to be the date on which all pay items, with the exception of retro-reflectivity testing, have been completed. This will ensure the contractor has ample time to complete testing within the timeframe allowed by 808.07.

If testing does not take place within the 14 to 30 day timeframe, payment for marking items should be made in accordance with 808.13, regardless of where the 30 day maximum falls with respect to the Adjusted Contract Completion Date. In addition, provided retro-reflectivity testing takes place within the 14 to 30 day timeframe, work days should not be charged for this operation in preparation for final inspection in accordance with 108.09.
The above information should be kept in mind when determining intermediate and overall completion dates for contracts.

Proper traffic control measures must be utilized anytime retro-reflectivity testing is performed. Construction Memorandum 11-07 provides additional information on these requirements.

Questions should be directed to the Office of Construction Management.

GGP/REG