

006 CONTROL OF MATERIALS.

(REV 9-4-01) (FA 1-3-02) (7-02)

ARTICLE 6-7 (Page 54) is deleted and the following substituted:

6-7 Defective Materials.

The Department will consider the following materials as defective: all materials not meeting the requirements of these Specifications; segregated materials, even though previously tested and approved; materials that are or have been improperly stored; and materials that are mixed with an excess of clay, coal, sticks, burlap, hay, straw, loam or earth, or other debris. 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 rejected material, the defects of which have been subsequently 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 will remove and replace defective material and deduct the cost of removal and replacement from any moneys due or to become due the Contractor.

As an exception to the above, the Contractor may submit, upon approval of the Engineer, an engineering and/or laboratory analysis to evaluate the effect of defective in place materials. Any such analysis shall be performed by a 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.

The Engineer will consider any haul unit load of mineral aggregates received for a Department project as defective without an individual certification as required by 6-3.3.