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| Use on all projects. |

## Section 106. — ACCEPTANCE OF WORK

**106.01 Conformity with Contract Requirements.** Delete (a) and (b) and substitute the following:

(a) Disputing Government test results. If the accuracy of Government test results is disputed, promptly inform the CO. If the dispute is unresolved after reasonable steps are taken to resolve the dispute, further evaluation may be obtained by written request. Include a narrative describing the dispute and a proposed resolution protocol that addresses the following:

**(1)** Sampling method

**(2)** Number of samples

**(3)** Sample transport

**(4)** Test procedures

**(5)** Testing laboratories

**(6)** Reporting

**(7)** Estimated time and costs

**(8)** Validation process

**(b) Alternatives to removing and replacing non-conforming work.** As an alternative to removal and replacement, the Contractor may submit a written request to:

**(1)** Have the work accepted at a reduced price; or

**(2)** Be given permission to perform corrective measures to bring the work into conformity.

The request must contain supporting rationale and documentation. Include references or data justifying the proposal based on an evaluation of test results, effect on service life, value of material or work, quality, aesthetics, and other tangible engineering basis. The CO will determine disposition of the nonconforming work.

Add the following after (b):

The number of significant figures used in the calculations will be according to ASTM E 29, absolute method.

Where sample/testing procedures make reference to AASHTO, ASTM, or other standards (designated as FLH T), the procedure as modified in the Materials Manual shall govern. Where the specifications make reference to AASHTO Test T11, “Procedure B - Washing Using a Wetting Agent” shall be the procedure followed.

Where the specifications make reference to AASHTO Test T310, “Direct Transmission Method of In-Place Nuclear Density and Moisture Content” shall be the procedure followed.

**106.02 Visual Inspection.** Delete the Subsection and substitute the following:

**106.02 Visual Inspection.** Acceptance is based on visual inspection of the work for compliance with the contract requirements. In the absence of specific contract requirements or tolerances, use prevailing industry standards.

**106.03 Certification.** Add the following after the second paragraph:

See Table 106-3 for schedule for full or partial acceptance by material certification. Submit certification and sample of material for testing as required.

Delete the third paragraph and substitute the following:

Check certifications before incorporating the material into the work to ensure that the requirements of the contract have been met. Mark the certifications with the following information:

* Project number and name;
* Pay item number and description;
* Contractor signed certification stating “to the best of our knowledge the materials certified by the attached certification represent the materials incorporated into the work of this contract”; and
* Date.

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| Add Table 106-3 to **all** projects. |

**Table 106-3 Schedule For Full or Partial Acceptance by Materials Certification.** Add Table 106-3 following Table 106-2.

**Table 106-3**

**Schedule For Full or Partial Acceptance by Materials Certification**

| **Section** | **Description** | **Material** | **Material Property**  **Or Specification** | **Frequency** | |
| --- | --- | --- | --- | --- | --- |
| **Certification** | **Sample** |
| **302** | Minor Crushed Aggregate | Crushed Aggregate | Source, Quality and Gradation | 1 per source | 1 per source |
| **312** | Dust Palliative | Calcium Chloride  Magnesium Chloride, Lignosulfonate, | As specified | 1 per shipment | First shipment |
| **403** | Asphalt Concrete | Aggregate Asphalt Mix | Source quality, Gradation, Stability, and Grade | 1 per mix | 1 per source |
| **634 and 635** | Permanent Pavement Markings, Temporary Traffic Control | 634.02 as applicable, 635 as applicable | As specified | 1 per source | ----- |
| **701** | Hydraulic Cement | Portland Cement, Blended Hydraulic Cement, Masonry and Mortar Cement | AASHTO M 85, M 240,  ASTM C 91 and ASTM C1392 as applicable | 1 per shipment | 1 per 100 tons |
| **702.01** | Asphalt Material | Asphalt Cement | AASHTO M 226 or M 320,  as applicable | 1 per shipment | 1 per shipment |
| **702.02** | Asphalt Material | Emulsified Asphalt | AASHTO M 140 or  M 208 as applicable | 1 per shipment | 1 per shipment |
| **702.03** | Asphalt Material | Asphalt Materials used  for Damproofing  and Waterproofing  Concrete and Masonry Surfaces | As specified for each type of asphalt material | 1 per shipment | ----- |
| **702.05** | Antistrip | As specified | As applicable | 1 per shipment | ----- |
| **706** | Concrete and Plastic Pipe | As specified | As applicable | 1 per shipment | ----- |
| **707** | Metal Pipe | As specified | As applicable | 1 per shipment | ----- |
| **708** | Plastic Pipe | As specified | As applicable | 1 per shipment | ----- |
| **709** | Reinforcing and  Prestressing Steel | As specified | As applicable | 1 per shipment | For 709.01 submit 3, 1-yard (1-meter) bars  of each size and grade of bar furnished.  709.02 submit 1  6-foot (2-meter) length for each size furnished |
| **710** | Fence and Guardrail | As specified | As applicable | 1 per shipment | ----- |
| **711** | Concrete Curing  Material and Admixtures | As specified | As applicable | 1 per material source per material type | ----- |
| **712** | Joint Material (all) | As specified | As applicable | 1 per shipment | ----- |
| **713** | Roadside Improvement Materials (all) | As specified | As applicable | 1 per shipment | ----- |
| **714** | Geosynthetic Material (all) | As specified | As applicable | 1 per shipment | 1 per project per type |
| **715** | Piling | As specified | As applicable | 1 per shipment | ----- |
| **716** | Material for Timber Structures | Timber and Hardware | As applicable | 1 per shipment | ----- |
| **717** | Structural Metal | As specified | As applicable | 1 per shipment | 717.01(e) minimum  6 per shipment  for each size used.  717.10  1 per project |
| **718** | Traffic Signing and Marking Material (all) | As specified | As applicable | 1 per shipment | ----- |
| **719** | Paint | As specified | As applicable | 1 per batch\lot | 1 sample for quantities  > 25 gallons (100L) |
| **720** | Structural Wall and Stabilized Embankment Material (all) | As specified | As applicable | 1 per shipment per material type | ----- |
| **721** | Electrical and Illumination Material (all) | As specified | As applicable | 1 per shipment per material type | ----- |
| **722** | Anchor Material | As specified | As applicable | 1 per shipment per material type | ----- |
| **725** | Miscellaneous materials | As specified | As applicable | 1 per shipment per material type | ----- |