

SECTION 6: CONTROL OF MATERIALS

6-01 SOURCE OF SUPPLY AND QUALITY OF MATERIALS. All materials shall be new and of a quality equal to that specified. At the option of the Engineer, the source of supply of each of the materials shall be approved by him before the delivery is started. Only materials conforming to the requirements of these Standard Provisions and approved by the Engineer shall be used in the Work.

The Contractor shall purchase and furnish mined construction material only from approved surface-mined operators identified on the State's AB 3098 List. The List is maintained by the State Department of Conservation Office of Mine Reclamation and can be viewed at their web site at www.conservation.ca.gov/OMR/ab_3098_list/index.htm.

All materials proposed for use may be inspected or tested by the City at any time during their preparation and use. After trial, if it is found that sources of supply which have been approved do not furnish a uniform product, or if the product from any source proves unacceptable at any time, the Contractor shall furnish approved material from other approved sources. No material which, after approval, has in any way become unfit for use shall be used in the Work.

When sources of materials to be furnished by the Contractor are designated in the Special Provisions, the Contractor shall be satisfied as to the quality of acceptable material that may be produced at such locations. The City will not assume any responsibility as to the quality of acceptable material at the designated location.

6-02 STORAGE OF MATERIALS. Materials shall be stored as to ensure the preservation of their quality and fitness for the Work. They shall be placed under cover when directed. Stored materials shall be located as to facilitate prompt inspection.

6-03 DEFECTIVE MATERIALS. All materials not conforming to the requirements of the Contract Documents shall be considered as defective and all such materials, whether in place or not, shall be rejected. They shall be removed immediately from the site of the Work, unless otherwise permitted by the Engineer. No rejected material, the defects of which have been subsequently corrected, shall be used until approval in writing has been given by the Engineer. Upon failure on the part of the Contractor to comply forthwith with any order of the Engineer made under the provisions of this article, the Engineer shall have authority to remove and replace the defective material and to deduct the cost of the removal and replacement from any moneys due or that become due the Contractor.

6-04 TRADE NAME AND ALTERNATIVES. For convenience in designation in the Contract Documents, certain equipment or articles or materials may be designated under a trade name or the name of a manufacturer with catalogue information. The use

of alternative equipment or an article or material that is of equal quality and of the required characteristics for the purpose intended will be permitted, when specified, subject to the approval of the Engineer, in accordance with the following requirements.

The burden of proof as to the comparative quality and suitability of alternative equipment or articles or materials shall be upon the Contractor, and Contractor shall furnish, at Contractor's own expense, all information necessary or related thereto as required by the Engineer. The Engineer shall be the sole judge as to the comparative quality and suitability of alternative equipment or articles or materials and Engineer's decision shall be final.

6-05 SAMPLES AND TESTS. Materials furnished by the Contractor may be tested by the City, or its authorized representative, in accordance with commonly recognized standards of national organizations, or such special methods and tests as are in use at the Laboratory of the Department of Transportation of the State of California.

Field tests of materials will be made by the Engineer when deemed necessary, and these tests shall be made in accordance with standard practices of the Department of Transportation.

The Contractor shall furnish, without charge, such samples of all materials as are requested by the Engineer. No material shall be used until it has been approved by the Engineer. Samples will be secured and tested whenever necessary to determine the quality of the material.

Samples for testing local sources of material shall be taken by or in the presence of the Engineer. Otherwise, the same shall not be considered.

Promptly after the approval of the Contract, the Contractor shall notify the Engineer of the proposed sources of supply of all materials to be furnished by him.

Whenever reference is made in these Standard Provisions or Standard Specifications or standard tests or requirements of the Laboratory of the Department of Transportation, the American Society for Testing and Materials, the American Railway Engineering Association, the American Association of State Highway and Transportation Officials, or other nationally recognized organizations, the reference shall be construed to mean the standards that are in effect at the date of these Standard Provisions with subsequent amendments, changes or additions as thereafter adopted and published by the organization referred to.

Whenever the Contract Documents permit the substitution of a similar or equivalent material or article, no tests or action relating to the approval of such substitute material will be made unless the request for approval is made in writing by the Contractor, accompanied by complete data or information demonstrating the

equality of the material or article offered. Such requests shall be made in ample time to permit investigation without delaying the Work.

Materials from local deposits that have not been investigated and tested previously and approved for use will be investigated and tested upon request of the Contractor in writing. Such tests shall be in accordance with the standard methods in use at the Laboratory of the Department of Transportation. The cost of any such investigation and tests made as a result of the Contractor's request shall be at Contractor's expense, and deductions shall be made from estimates due him, sufficient to cover the cost of such tests.

The Contractor shall notify the Engineer a sufficient time in advance of opening any material sites to allow adequate time for testing the material.

Testing of materials shall be in accordance with Section 6 of the Standard Specifications of the State of California Department of Transportation.