

**PROPOSED DRAFT
February 2015**

402.03.5 Acceptance

B. Failures. If a shipment of bituminous material fails to meet any one of the specifications, with test results within the allowable variation in table 402-1, the price reduction will be 10%.

If a shipment fails to meet any one of the specifications with test results in excess of the allowable variation in table 402-1 but less than twice the allowable variation, the price reduction will be 15%.

If a shipment fails to meet any one of the specifications with test results in excess of twice the allowable variation in table 402-1 but less than three times the allowable variation, the price reduction will be 25%.

If a shipment fails to meet any one of the specifications with test results in excess of three times the allowable variation in table 402-1, the Project Manager may reject the material and require its removal from the work, or the Project Manager may accept the material at a 50% price reduction.

The cost of the bituminous material for calculating price reductions is the material's contract unit price. The price reduction percentage will be based on the unit price bid for bituminous material when it is paid as a separate item or the invoice price when it is part of a bid item.

If a shipment fails more than one of the specifications, the failure causing the largest percentage price reduction is assessed.

Deleted: the material will be accepted at a 10% price reduction of the bituminous material cost if the test results are within the tolerances shown in Table 402-1

Deleted: after twice the allowable tolerances have been applied

Deleted: of the unit price bid for bituminous material when it is paid as a separate item or the invoice price when it is part of a bid item

Deleted: after triple the allowable tolerances have been applied

Deleted: of the cost of the bituminous material

**TABLE 402-1
SCHEDULE OF TOLERANCES**

Test	Variation		Remarks
	From Min. Specification Requirement	From Max. Specification Requirement	

Deleted: Allowable

NO COMMENTS

**FINAL
EFFECTIVE July 14, 2016**

402.03.5 Acceptance

B. Failures. If a shipment of bituminous material fails to meet any one of the specifications, with test results within the allowable variation in table 402-1, the price reduction will be 10%.

If a shipment fails to meet any one of the specifications with test results in excess of the allowable variation in table 402-1 but less than twice the allowable variation, the price reduction will be 15%.

If a shipment fails to meet any one of the specifications with test results in excess of twice the allowable variation in table 402-1 but less than three times the allowable variation, the price reduction will be 25%.

If a shipment fails to meet any one of the specifications with test results in excess of three times the allowable variation in table 402-1, the Project Manager may reject the material and require its removal from the work, or the Project Manager may accept the material at a 50% price reduction.

The cost of the bituminous material for calculating price reductions is the material's contract unit price. The price reduction percentage will be based on the unit price bid for bituminous material when it is paid as a separate item or the invoice price when it is part of a bid item.

If a shipment fails more than one of the specifications, the failure causing the largest percentage price reduction is assessed.

**TABLE 402-1
SCHEDULE OF TOLERANCES**

Test	Variation		Remarks
	From Min. Specification Requirement	From Max. Specification Requirement	