**SPECIAL PROVISIONS**

**FOR**

**PLANT MIX BITUMINOUS MIXTURE**

**COMMERCIAL GRADE**

**HOT MIX-COLD LAY**

1. These contracts are established to provide Plant Mix Bituminous Mixture-Commercial Grade Hot Mix, Cold Lay to the Kansas Department of Transportation (KDOT).
2. **Insurance and Liability:** The contractor's interest in all property herein described, if any, or any personal liability to him arising from this agreement to whatever extent shall be considered to be covered by applicable insurance by the contractor to the extent required. Notwithstanding any language to the contrary, no interpretation shall be allowed to find the State of Kansas or any of its Agencies responsible for loss or damage to personal property or to hold contractors harmless from any such occurrences. Contractor(s) shall possess Workman's Compensation Insurance in the amount required by law.
3. **Contract period:** April 1, 2018 through March 31, 2019.
4. **Quantities:** The contract is of the "open-end" type. The contractor shall provide such quantities as may be ordered throughout the contract period. Only those quantities actually required will be ordered.
5. **Price:** The unit price per ton for material delivered FOB: Destination, delivered by truck to stockpile at each destination on the Pricing Page.
6. **Specification:** Material shall be in accordance with the enclosed Specification for Plant Mix Bituminous Mixture-Commercial Grade Hot Mix/Cold Lay Districts 1, 4, 5 & 6. Material not meeting specifications will be rejected and returned at the contractor's expense.
7. **Payment:** Payment will be made within 30 days of delivery acceptance or receipt of invoice, whichever is later. The invoice shall be submitted to the address as instructed on the purchase order. KDOT purchase order number must be referenced on the invoice.
8. Pricing is either quoted on a firm and fixed basis throughout the contract or on a price adjustment basis subject to the KDOT monthly asphalt price index as described below.

If the price adjustment option is chosen, pricing will be adjusted monthly as described below except the adjustment to the Bituminous Mix will be $.05 per ton for every $1.00 adjustment to the asphalt pricing.

KDOT MONTHLY ASPHALT PRICE INDEX

1. **Description:** This is the method of price adjustment for asphalt materials (regardless of the type) used.
2. **Method of Price Adjustment**

**Price Adjustment.** The Engineer will establish an Asphalt Material Index (AMI) on the first day (excluding Saturdays, Sundays, and holidays) of each month. The AMI is calculated on the arithmetic average for the week the first day (excluding Saturdays, Sundays, and holidays) from the Asphalt Cement “Selling Prices” for the “Midwest/Mid-Continent Market” – “Missouri/Kansas/Oklahoma” – “Kansas City area” and “Tulsa, Oklahoma/Southern Kansas” as listed in the “ASPHALT WEEKLY MONITOR®” published by “Poten and Partners” or at [www.poten.com](http://www.poten.com). Information regarding the computation of the AMI is available from the Bureau of Construction and Maintenance, Topeka, Kansas. The Monthly Asphalt Price Index is available on the KDOT web at <http://www.ksdot.org/>.

The AMI is established on PG 64-22, and will be applied for all grades of Liquid Asphaltic Materials. The AMI for the month the Contract is let becomes the Starting Asphalt Index (SAI) for the duration of the Contract.

The difference (plus or minus) between the SAI and AMI is the Monthly Asphalt Index Adjustment Factor (MAIAF). The MAIAF established each month is applied to applicable material delivered during that month. The MAIAF will only be applied when the increase or decrease differs $10.00 or more from the SAI. The SAI is $350

**CONTRACTORS**

**Contract #44732**

**Contractor: Teeters Asphalt and Materials**

 PO Box 414

 Quapaw, OK 74363-0414

 Vendor ID: 000160366

 FEIN: 73-1241958

 Contact Person: Steve Teeter

 e-mail: shaunateeter@sbcglobal.net

 Local Telephone: 918-673-1243

 Cell: 918-541-5437

 Fax: 918-673-1245

Pricing is subject to adjustment.

**Contract #44735**

**Contractor: APAC Kansas, Inc.**

 PO Box 1605

 Hutchinson, KS 67504-1605

 Vendor ID: 0000154586

 FEIN: 58-1401475

 Contact Person: James Hendrix

 e-mail: james.hendrix@apac.com

 Local Telephone: 620-662-3307

 Fax: 620-662-3181

Pricing is firm and fixed.

**Contract #44736**

**Contractor: Venture Corporation**

 PO Box 1486

 Great Bend, KS 67530-1486

 Vendor ID: 0000048936

 FEIN: 48-0793597

 Contact Person: William Seybert

 e-mail: rocky@venturec.kscoxmail.com

 Local Telephone: 620-792-5921

 Fax: 620-792-7155

Pricing is firm and fixed.

**Contract #44745**

**Contractor: Bettis Asphalt & Construction, Inc.**

 PO Box 1694

 Topeka, KS 66601-1694

 Vendor ID: 0000050641

 FEIN: 48-0883504

 Contact Person: Eric Bettis

 e-mail: sbettis@bettisasphalt.com

 Local Telephone: 785-235-8444

 Fax: 785-232-0078

Pricing is firm and fixed.

**Contract #44730**

**Contractor: Flint Hills Materials LLC**

 1632 FP Road

 Cedar Point, KS 66843-9538

 Vendor ID: 0000515999

 FEIN: 47-5156740

 Contact Person: Chad Bledso

 e-mail: chad@fhm.work

 Local Telephone: 620-274-4500

 Fax: 316-833-1146

Pricing is firm and fixed.

**Contract #44739**

**Contractor: Heckert Construction Company, Inc.**

 746 E. 520th Ave.

 Pittsburg, KS 66762-6261

 Vendor ID: 0000047457

 FEIN: 48-0694780

 Contact Person: Charles Heckert

 e-mail: chuck@heckertconstruction.com

 Local Telephone: 620-231-6090

 Fax: 620-231-1733

Pricing is firm and fixed.

**Contract #44743**

**Contractor: Hall Brothers, Inc.**

 PO Box 166

 Marysville, KS 66508-0166

 Vendor ID: 0000047203

 FEIN: 48-0680526

 Contact Person: Rob Roudybush

 e-mail: roudybush@hallbros.net

 Local Telephone: 785-562-2386

 Fax: 785-562-5543

Pricing is firm and fixed.

**Contract #44744**

**Contractor: Heft & Sons, LLC**

 14081 I St.

 Greensburg, KS 67054-6722

 Vendor ID: 0000035608

 FEIN: 48-1162646

 Contact Person: Steve Heft

 e-mail: sheft.heftandsons@att.net

 Local Telephone: 620-723-2495

 Cell Phone Number: 620-546-3275

 Fax: 620-723-2215

Pricing is firm and fixed.

**KANSAS DEPARTMENT OF TRANSPORTATION**

**DISTRICT ONE**

**PLANT MIX BITUMINOUS MIXTURE—COMMERCIAL GRADE (MAINTENANCE)**

**Hot Mix/Cold Lay**

DESCRIPTION— This work shall consist of aggregate and bituminous material mixed in a central plant.

BID ITEM— Plant Mix Bituminous Mixture—Commercial Grade (Maintenance)

(Hot Mix/Cold Lay).

MATERIALS— The bituminous mixture shall be approved by the Area Engineer.

The approval in general will be based on the following conditions:

(a) The hot mix plant shall produce a satisfactory mixture.

(b) The mixtures produced shall meet the gradation requirements of BM-1 or BM-2 at the discretion of the Area Engineer.

(c) The oil used in the mix shall be MC-800.

(d) The oil content shall be adequate to sufficiently coat the aggregates and produce a satisfactory mixture.

(e) The use of RAP in the mix will not be permitted.

(f) The mix produced will be stockpiled prior to use. Therefore it shall remain workable for at least eight weeks after delivery.

(g) The Area Engineer shall select the type of mix based on needs at the specific location where the material is to be used.

(h) The mix design for the mix selected shall be submitted to the Area Engineer for approval prior to delivery of the mix.

**Kansas Department of Transportation**

**District One**

**Hot Mix/Cold Lay**

**Pricing Page**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **FOB: Delivered to Stockpile Location:** | **County** | **Est. Tons** | **Price per Ton** | **Contractor** |
| KDOT location, 0.5 m North of US-36 on US-77. Marysville, KS. Storage Area 1544 | Marshall | 1000 ton | $76.05 | Hall Bros. |

**KANSAS DEPARTMENT OF TRANSPORTATION**

**DISTRICT FOUR**

**PLANT MIX BITUMINOUS MIXTURE—COMMERCIAL GRADE (MAINTENANCE)**

**Hot Mix/Cold Lay**

DESCRIPTION— This work shall consist of aggregate and bituminous material mixed in a central plant.

BID ITEM— Plant Mix Bituminous Mixture - Commercial Grade (Maintenance)

(Hot Mix/Cold Lay).

MATERIALS— The bituminous mixture shall be approved by the Area Engineer.

The approval in general will be based on the following conditions:

(a) The hot mix plant shall produce a satisfactory mixture.

(b) The mixtures produced shall meet the gradation requirements of BM-1 or BM-2 at the discretion of the Area Engineer.

(c) The oil used in the mix shall be MC-800.

(d) The oil content shall be adequate to sufficiently coat the aggregates and produce a satisfactory mixture.

(e) The use of RAP in the mix will not be permitted.

(f) The mix produced will be stockpiled prior to use. Therefore it shall remain workable for at least eight weeks after delivery.

(g) The Area Engineer shall select the type of mix based on needs at the specific location where the material is to be used.

(h) The mix design for the mix selected shall be submitted to the Area Engineer for approval prior to delivery of the mix.

**Kansas Department of Transportation**

**District Four**

**Hot Mix/Cold Lay**

**Pricing Page**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Delivery****Dates** | **FOB: Delivered to****Stockpile Location:** | **County** | **Est. Tons** | **Price/Ton** | **Contractor** |
| 5/11/18To6/01/18 | KDOT Yard, Columbus, KSStorage Area 4-4-21Contact Office- Pittsburg | Cherokee | 500 ton | $ 64.92 | Teeter’s Asphalt |
| 7/30/18To8/17/18 | KDOT Yard, Columbus, KSStorage Area 4-4-21Contact Office - Pittsburg | Cherokee | 500 ton | $ 64.92 | Teeter’s Asphalt |
| 4/30/18To8/31/18 | KDOT Yard at Sedan, south side of town on US-166BStorage Area 4331Contact Office – Independence | Chautauqua | 250 ton | $ 64.27 | Flint Hills |
| 5/11/18To6/01/18 | KDOT Mixing Strip, SW of Pittsburg on US-69Storage Area 4-4-44Contact Office- Pittsburg | Crawford | 250 ton | $ 61.55 | Heckert Const. |
| 7/30/18To8/17/18 | KDOT Mixing Strip, SW of Pittsburg on US-69Storage Area 4-4-44Contact Office- Pittsburg | Crawford | 250 ton | $ 61.55 | Heckert Const. |
| 4/30/18To8/31/18 | KDOT Mixing Strip Moline, 1 mi S of US-160 on K-99Storage Area 4-3-33Contact Office – Independence | Elk | 250 ton | $ 64.27 | Flint Hills |
| 5/11/18To6/01/18 | KDOT Mixing Strip, 3 mi W of Altamont on US-160Storage Area 4-4-14Contact Office- Pittsburg | Labette | 250 ton | $ 67.77 | Flint Hills |
| 4/30/18To8/31/18 | KDOT Mixing Strip Havana, 1 mi W of N Jct US-166/US-75Storage Area 4-3-22Contact Office – Independence | Montgomery | 200 ton | $ 65.77 | Flint Hills |
| 5/11/18To6/01/18 | KDOT Mixing Strip, S. of Erie, 1 mi. W of US-59 on K-47Storage Area 4-4-33Contact Office- Pittsburg | Neosho | 250 ton | $ 65.77 | Flint Hills |
| 4/30/18To8/31/18 | KDOT Yard Altoona, 17th St N end of townStorage Area 4-3-11Contact Office – Independence | Wilson | 200 ton | $ 64.27 | Flint Hills |

**DISTRICT FOUR CONTACT OFFICES**

**Area One ----- Iola Contact Person**

Allen (AL), Bourbon (BB), Greenwood (GW), Woodson (WO)

Kansas Dept of Transportation Darrin Petrowsky, P.E.

1720 N. State St. Area Engineer

Iola, Kansas 66749

 Derrick Shannon

Phone: 620-365-2161 Area Maint Supt

FAX: 620-365-2402

**Area Two ----- Garnett Contact Person**

Anderson (AN), Coffey (CF), Franklin (FR), Linn (LN), Miami (MI)

Kansas Dept of Transportation Donna Schmit

507 N. Maple Area Engineer

Garnett, Kansas 66032-1081

 Kevin Ryan

Phone: 785-448-5446 Area Maint Supt

FAX: 785-448-2486

**Area Three ----- Independence Contact Person**

Chautauqua (CQ), Elk (EK), Montgomery (MG), Wilson (WL)

Kansas Dept of Transportation Darrin Petrowsky, P.E.

3097 W. Main Area Engineer

P.O. Box 884

Independence, Kansas 67301-0884 Marcus Leck

 Area Maint Supt

Phone: 620-331-3760

FAX: 620-331-7017

**Area Four ----- Pittsburg Contact Person**

Cherokee (CK), Crawford (CR), Labette (LB), Neosho (NO)

Kansas Dept of Transportation George Dockery, P.E.

1813 W. 4th St. Area Engineer

P.O. Box 104

Pittsburg, Kansas 66762-0104 Wayne Nelson

 Area Maint Supt

Phone: 620-231-7560

FAX: 620-231-1149

(revised 01/01/16)

**KANSAS DEPARTMENT OF TRANSPORTATION**

**DISTRICT FIVE**

**PLANT MIX BITUMINOUS MIXTURE—COMMERCIAL GRADE (MAINTENANCE)**

**Hot Mix/Cold Lay**

DESCRIPTION— This work shall consist of aggregate and bituminous material mixed in a central plant.

BID ITEM— Plant Mix Bituminous Mixture - Commercial Grade (Maintenance)

(Hot Mix/Cold Lay).

MATERIALS— The bituminous mixture shall be approved by the Area Engineer.

The approval in general will be based on the following conditions:

(a) The hot mix plant shall produce a satisfactory mixture.

(b) The mixtures produced shall meet the gradation requirements of BM-1 or BM-2 at the discretion of the Area Engineer.

(c) The oil used in the mix shall be MC-800.

(d) The oil content shall be adequate to sufficiently coat the aggregates and produce a satisfactory mixture.

(e) The use of RAP in the mix will not be permitted.

(f) The mix produced will be stockpiled prior to use. Therefore it shall remain workable for at least eight weeks after delivery.

(g) The Area Engineer shall select the type of mix based on needs at the specific location where the material is to be used.

(h) The mix design for the mix selected shall be submitted to the Area Engineer for approval prior to delivery of the mix.

**Kansas Department of Transportation**

**District Five**

**Bituminous Plant Mixture (Hot Mix-Cold Lay)**

**Pricing Page**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **FOB: Delivered to Stockpile Location:** | **County** | **Est. Tons** | **Price per Ton** | **Contractor** |
| KDOT location, 4 miles E of Medicine Lodge, KS, on US-160Storage Area 5143 | Barber | 800 ton | $ 70.80 | Heft & Sons |
| KDOT location, 204 E of US-56 Great BendStorage Area 5410 | Barton | 500 ton | $ 73.95 | Venture Corp |
| KDOT Mixing Strip 2 mi W of El Dorado on K-196Storage Area 5213 | Butler | 100 ton | $ 64.27 | Flint Hills |
| KDOT Sub-Area Yard, Coldwater, KSStorage Area 5160 | Comanche | 500 ton | $ 70.80 | Heft & Sons |
| KDOT location, 1.5 miles W of Kinsley, KS on US-50Storage Area 5122 | Edwards | 600 ton | $ 64.80 | Heft & Sons |
| KDOT location, 0.5 mi W of Anthony on K-2Storage Area 5332 | Harper | 500 ton | $ 69.77 | Flint Hills |
| KDOT location, 2.5 miles S of Kingman, KS on K-14Storage Area 5151 | Kingman | 500 ton | $ 68.27 | Flint Hills |
| KDOT location, 2 mi E of Greensburg, KS Jct. US-54/US-183Storage Area 5131 | Kiowa | 800 ton | $ 73.25 | Heft & Sons |
| KDOT location, 2.0 miles W of Pratt, KS on US-54Storage Area 5111 | Pratt | 800 ton | $ 63.80 | Heft & Sons |
| KDOT location, 1.5 miles S of LarnedStorage Area 5441 | Pawnee | 300 ton | $ 76.95 | Venture Corp |
| KDOT location, 11 miles W of Larned on K-156Storage Area 5442 | Pawnee | 500 ton | $ 76.95 | Venture Corp |
| KDOT location, 1 mile E of Frederick on K-4Storage Area 5421 | Rice | 500 ton | $ 72.52 | Flint Hills |
| KDOT location, 0.5 mi N Lacrosse on US-183Storage Area 5431 | Rush | 750 ton | $ 78.59 | APAC-Kansas |
| KDOT location, 1 mi S of McCracken on K-4Storage Area 5432 | Rush | 750 ton | $ 79.94 | Venture Corp |

**KANSAS DEPARTMENT OF TRANSPORTATION**

**DISTRICT SIX**

**PLANT MIX BITUMINOUS MIXTURE (Hot Mix/Cold Lay)**

DESCRIPTION— This work shall consist of aggregate and bituminous material mixed in a central plant.

BID ITEM— Bituminous Plant Mixture (Hot Mix-Cold Lay)–District #6.

MATERIALS— The bituminous mixture shall be approved by the Area Engineer. The approval in general will be based on the following conditions:

1. All materials shall be furnished by recognized producers.
2. The hot mix plant shall produce mixtures for base and surface work acceptable to the Area Engineer.
3. The Area Engineer shall select the type of mix based on the needs at the specific location where the material is to be used. Typical mix will be a BM-1 gradation.
4. The mix design for the mix selected shall be based on the requirements of attached Special Provision 07-PS0062.
5. The mix design shall be submitted to the Area Engineer for approval prior to being produced.
6. Material to be furnished in quantities as ordered by the Area Engineer and delivered to the locations specified.
7. Material shall be produced and shipped as ordered by the Area Engineer.

DELIVERY— Material shall be delivered within 30 calendar days of the contractor receiving approval of the mix design from the Engineer.

**Kansas Department of Transportation**

**District Six**

**Bituminous Plant Mixture (Hot Mix-Cold Lay)**

**Pricing Page**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **FOB: Delivered to Stockpile Location:** | **County** | **Est. Tons** | **Price per Ton** | **Contractor** |
| KDOT location 0.75 mi S of US-56 on US-283Storage Area 6313 | Ford | 2000 ton | $ 70.45 | Venture Corp |
| KDOT location 2 mi NE of Garden City on K-156Storage Area 6133 | Finney | 500 ton | $ 74.50 | Venture Corp |
| KDOT location 2 mi N of Jct US-160/K-25 on K-25Storage Area 6213 | Grant | 750 ton | $ 81.94 | Venture Corp |
| KDOT location 1 mi W of Tribune on K-96Storage Area 6163 | Greeley | 500 ton | $ 84.45 | Venture Corp |
| KDOT location 1 mi N of Syracuse on K-27Storage Area 6113 | Hamilton | 500 ton | $ 84.95 | Venture Corp |
| KDOT location 0.86 mi N of Jct US-50/K-23. Next to Sub-Area ShopStorage Area 6320 | Gray | 1000 ton | $ 74.00 | Venture Corp |
| KDOT location 1 mi N of Lakin on K-25Storage Area 6120 | Kearny | 500 ton | $ 83.95 | APAC-Kansas |
| KDOT location 1 mi W of Dighton on K-96Storage Area 6143 | Lane | 500 ton | $ 78.95 | Venture Corp |
| KDOT location 1 mi W of Jct K-23/US-54 on US-54Storage Area 6253 | Meade | 500 ton | $ 77.20 | APAC-Kansas |
| KDOT location W Jct US-56/K-51Storage Area 6223 | Morton | 500 ton | $ 87.95 | APAC Kansas |
| KDOT location 1 mi E of Scott City on K-96Storage Area 6153 | Scott | 250 ton | $ 84.94 | Venture Corp |
| KDOT location 0.25 mi N of US-83/K-95 S JctStorage Area 6154 | Scott | 250 ton | $ 85.45 | Venture Corp |
| KDOT location 1-2 mi S of Leoti on K-25Storage Area 6164 | Wichita | 250 ton | $ 74.90 | Bettis Asphalt |

**KANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION TO THE**

**STANDARD SPECIFICATIONS, EDITION 2007**

**07-PS0002**

**PLANT MIX ASPHALT MIXTURE - STOCKPILE**

**1.0 DESCRIPTION**

 Provide the designated plant mix asphalt mixture and deliver to the stockpile location as shown in the Contract Documents.

 Provide material that may be used immediately or for future use that will remain workable for at least two months.

 The asphalt mixture may be stockpiled for future use, in which case the material is expected to remain workable for at least two months. Or, the asphalt mixture may be used immediately, in which case the material shall be workable at the time of placement on the roadway. The Engineer will notify the Contractor of the intended use of the asphalt mixture.

BID ITEMS UNITS

Aggregate for Asphalt Mixture (\*) Ton

Cutback Asphalt (\*) Ton

Emulsified Asphalt (\*) Ton

\* Designated Type and Grade.

**2.0 MATERIALS**

 **a. Aggregates.** Provide individual aggregates that comply with **DIVISION 1100**.

 **b. Asphalt.** Provide Asphalt materials that comply with **DIVISION 1200**.

 **c. Combined Aggregates.** Provide combined aggregates for the mixes as shown in **TABLE 1**.

 Mixes may use any combination of aggregate and mineral filler supplements that complies with the applicable requirements in **TABLES 1103-1** and **1103-2**.

|  |
| --- |
| **TABLE 1: COMBINED AGGREGATE REQUIREMENTS** |
| **Mix****Designation** | **Percent Retained – Square Mesh Sieves** |
| **1”** | **¾”** | **½”** | **⅜”** | **No. 4** | **No. 8** | **No. 16** | **No. 30** | **No.50** | **No. 100** | **No. 200** |
| BM-1 |  |  | 0 | 0-8 | 18-39 | 35-53 | 50-68 | 60-80 | 72-90 | 82-95 | 92-98 |
| BM-2A |  | 0 |  | 6-21 | 23-40 | 38-56 |  | 61-82 |  | 88-99 | 92-99 |
| MRA-F |  |  | 0 | 0-5 |  | 15-40 |  | 15-80 |  |  | 85-95 |

 MRA-F. Provide material with a minimum of 85% crushed sandstone (quartzite screenings) and comply with **TABLE 2**:

|  |
| --- |
| **TABLE 2:QUALITY OF INDIVIDUAL AGGREGATES:** |
| **Property** | **Requirement** |
| Soundness, minimum | 0.85 |
| Wear, maximum | 45% |
| Absorption, maximum | 4.0% |

 The requirements for wear and soundness do not apply to sand or sand-gravel aggregate sources having less than 10% material retained on the No. 8 sieve.

(a) Deleterious Substances. Use combined aggregates for MRA‑F free from alkali, organic matter, coated particles, injurious amounts of clay or clay balls, or other foreign substances. Maximum allowed other deleterious substances in the total combined aggregate percentages by weight are:

* Shale or shalelike, or soft friable material, singly or in combination 5.0%
* Coal 0.5%
* Clay Lumps 2.0%
* Any combination of soft friable rock, shale, shalelike, coal or clay lumps 7.0%

 **d. Mix Design.**  Submit the Design Job‑Mix Gradation and all materials to the DME for review and approval. The DME will design the mix using this information

**3.0 CONSTRUCTION REQUIREMENTS.**

 **a. Plant Operation.** Use equipment that complies with **DIVISION 150** to produce and haul the asphalt mixture.

 The maximum mixing temperature is 200ºF when the asphalt material is added to the aggregate; this temperature requirement shall be waived if the asphalt mixture produced is intended for immediate use.

 Prior to the addition of the asphalt material to the aggregate, dry the aggregate to a maximum moisture content of 1%. The aggregate may be pre-dried and allowed to cool before the asphalt material is added. Provide a method of obtaining a dried aggregate sample, for testing, before the asphalt material is added.

 **b. Seasonal Limitations.** It is the intent that this material be used the first construction season after this project is let. The "Notice to Proceed" will be issued so that the working days will elapse on or before September 15 (of the first construction season following the letting) for bituminous material stockpiled for future use, and October 1 (of the first construction season following the letting) for bituminous material used immediately.

 **c. Process Control.** During production, the Engineer will conduct tests for gradation, at the frequency of one test each 500 ton Lot or fraction thereof, to verify compliance of the approved mix design. The moisture content will be checked at least once in the A.M. and once in the P.M. Non‑compliance will be subject to rejection or a price adjustment for the entire Lot or portion of a Lot represented by the test results as determined by the Engineer.

 The process will be considered in non‑compliance when the moisture test or gradation test result(s) on any sieve(s) fall outside the moisture limit or the Master Grading Limits. When this occurs, the Lot will be terminated, accepted at a reduced pay or rejected by the Engineer, and production will be suspended pending the satisfactory results of a pre‑production sample.

 The combined moisture sample and cold feed sample shall be taken at times designated by the Engineer (it is recommended that the initial moisture sample be taken soon after production is started).

**4.0 MEASUREMENT AND PAYMENT**

 **a. Aggregate for Asphalt Mixture**. The Engineer will measure Aggregate for Asphalt Mixture by the ton of material delivered and placed in the designated stockpile. No deduction will be made for the weight of the asphalt material in the mixture.

 Payment for "Aggregate for Asphalt Mixture (\*)" will be paid for at the contract unit price is full compensation for the specified work.

 If the gradation test results indicate there is non-compliant material, the Engineer will compute the price adjustment at 90% for the entire Lot produced and not entirely within the Master Band Limits.

**b. Asphalt Material.** The Engineer will measure asphalt materials by the ton.

 Payment for "Emulsified Asphalt" and "Cutback Asphalt", at the contract unit prices is full compensation for the specified work.

1-17-08 M&R (RAB)