

**STATE OF LOUISIANA**

**US 90 (I-49 SOUTH)**  
**ALBERTSON'S PARKWAY TO**  
**AMBASSADOR CAFFERY**  
**DESIGN-BUILD PROJECT**

**LAFAYETTE PARISH**

**STATE PROJECT NO. H.010620**  
**FEDERAL AID PROJECT NO. H010620**

**REQUEST FOR PROPOSALS**  
**CONTRACT DOCUMENTS**

**DB SECTION 106**  
**CONTROL OF MATERIALS**



**DB SECTION 106**

**CONTROL OF MATERIAL**

**DB 106-1 SOURCE OF SUPPLY AND QUALITY REQUIREMENTS**

All Material used in the Work must meet the quality requirements described in the Contract, unless the same are altered by the Design-Builder's Proposal (*see* Part 6 – Design-Builder's Proposal). The Design-Builder shall, within 60 Calendar Days of Notice to Proceed (NTP), document, in writing, in the Construction Quality Management Plan (CQMP), with a copy to the LA DOTD's designated representative, the sources of supply, types of all items, and kinds of Material that will be used in the Work. The documented sources of supply must be updated as the Design-Builder updates its sources of supply, and a copy of the updated documentation must be provided to the LA DOTD's designated representative.

All costs of exploring and developing sources must be borne by the Design-Builder. When the Design-Builder elects to develop new, noncommercial Material sources, the requirements for environmental acceptability apply, and the Design-Builder shall conduct, document in the CQMP, and submit to the LA DOTD's designated representative, all environmental resource studies and cultural resource studies. If the Design-Builder purchases Material, the requirements for environmental acceptability will not apply. However, if the Design-Builder negotiates with an owner of a commercial source to establish a Material source within the boundaries of an existing commercial source, and if the Design-Builder obtains the Material from the source with the Design-Builder's employees, then the environmental acceptability requirements identified for a noncommercial source apply. In addition, the LA DOTD may determine that certain commercial sources or specific areas within commercial sources known to have sensitive environmental, social, or cultural concerns may not, as a matter of public interest, be approved for use. This information, if available to the LA DOTD, will be stated in the Contract. If this information is not available until after the Proposal due date and the LA DOTD does not approve a commercial source or use of a specific area within a commercial source that was used by the Design-Builder to prepare its Proposal then the requirements of DB Section 104 apply. If the Design-Builder purchases Material from a Material source established for another project by another contractor working under contract to the LA DOTD, and if the Material source must be expanded beyond the area where environmental and cultural resource approvals have previously been obtained, then the requirements for environmental acceptability apply to the additional area.

The Design-Builder shall document in the CQMP that all sources meet Contract requirements regarding the following:

- A) Location;
- B) All lease agreements, purchase orders, or pit agreements made between parties involved with the pit owner or Supplier and the Design-Builder;
- C) Environmental acceptability. Environmental acceptability includes completing the environmental and cultural resource requirements of DB Section 107-12 and 107-26. The LA DOTD's designated representative will notify the Design-Builder when the requirements under DB Section 107-12 and/or 107-26 have been met. It may take up to 30 Calendar Days from the date copies of documentation are delivered to the LA DOTD's designated representative to obtain such notice. The requirements of DB

Section 104-8.4 apply if the time needed to obtain regulatory approval exceeds statutory requirements;

- D) Plans for restoration after use of acceptable standards of contouring and revegetation; and
- E) Laboratory testing.

## **DB 106-2      SAMPLES AND TESTS**

All Material and products proposed to be used in construction must be inspected, sampled, and tested by the Design-Builder, as described in Project Construction Quality Assurance Plan, DB Section 112, Appendices 112A and 112B, DB Section 113, and as indicated elsewhere in the Contract Documents. Whenever the Contract provides for “certification” or “approved list” as a basis of Final Acceptance, the LA DOTD reserves the right to conduct Quality Assurance (QA) sampling and/or testing of Material in any shipment prior to incorporation in the Work.

Test specimens must be removed from sampled items, prepared for testing, and shipped to the Design-Builder’s laboratory in accordance with the Design-Builder’s Quality Plan. The cost of all samples, and any other expenses incurred in making Material or products ready for inspection, sampling, and/or testing must be included in the Lump Sum Contract Price. Where testing methods are not described in the Contract, details of test methods may be obtained from the LA DOTD.

The expense of all Design-Builder performed reviews, inspections, sampling, and testing must be borne by the Design-Builder.

The expense of all LA DOTD QA reviews, inspection, sampling, and testing, including the shipment of samples by the most economical means, will be paid for by the LA DOTD unless specifically excluded elsewhere in the Contract Documents.

Material and products designated in the CQAP to require QC, QA, or Verification inspection, sampling, and/or testing at the site of manufacture, production, and/or fabrication will be subject to qualification of the plant and manufacturer or fabricator prior to the required QC inspection, sampling, and/or testing during manufacture, production, and/or fabrication. The Design-Builder shall be responsible for activities, including inspection and documentation, necessary for qualification. The Design-Builder shall allow sufficient time and notification to the LA DOTD, the Construction Quality Acceptance Firm (CQAF) in advance of beginning the Work in any mill, plant, shop, or other manufacturing location to allow time for scheduling the Design-Builder's QC or QA and LA DOTD's Verification activities of qualification inspection and subsequent inspection, sampling, and/or testing during the Work.

Material and products manufactured, produced, and/or fabricated outside of Louisiana must be made available within Louisiana in specifically defined lot quantities for the Design-Builder's QC, QA and LA DOTD's Verification, as required; inspection; sampling; and testing subsequent to manufacture, production, and/or fabrication. Such presentation within Louisiana will only be for Material and products whose conformance with the requirements of the Contract Documents may be determined, in the judgment of the Design-Builder, with concurrence of the LA DOTD’s designated representative, by visual inspection and tests of specimens.

Such Material or products must be inspected not less than 30 Calendar Days prior to their intended shipment to the Project. All communications with the Design-Builder and the LA DOTD, written or verbal, must be in English. The instructions for the use of all Material and products, as well as all

identifying information required by the Contract (i.e., labels, tags, and certifications) must be in English. Mechanical property measurements, dimensions, and all other numerical data must be in English units of feet, pounds, and seconds. All references to costs, charges, and prices must be in United States (US) dollars. No Material will be used until the Design-Builder has provided documentation to the in accordance with the CQAP that the Material meets Contract requirements and the LA DOTD's designated representative has conducted Verification and such Material will be used only so long as the quality continues to meet Contract requirements. The LA DOTD's designated representative's initial findings regarding Material will in no way preclude further examination and testing of that Material at any time the LA DOTD's designated representative suspects that the Material is no longer properly represented by the initial sample. Verification activities by the LA DOTD's designated representative at any time regarding any Materials will not bar its future rejection if it is subsequently found to be defective in quality or uniformity.

The Design-Builder shall furnish the names of companies from which it purchases Material which is inspected at manufacturing plants with the item number, the contract number, and the destination for each shipment of Material so ordered. If any part of the Contract is sublet, the Subcontractor must also conform to the foregoing requirements.

Plant inspection methods and procedures for sampling, testing, inspecting, and reporting must conform to that established by the LA DOTD in the CQAP, DB Section 112, Appendices 112A and 112B, and DB Section 113.

### **DB 106-3      CERTIFICATES**

Certificates include Certificates of Analysis, Certificates of Compliance, and Certificates of Delivery. These certificates must be submitted to the QC file prior to use of Materials for which the certificates are required. The certificates must be signed by the Materials manufacturer, the manufacturer of assembled Materials, or the Materials supplier.

Materials used on the basis of these certificates may be sampled and tested at any time. The fact that Material is used on the basis of a certificate will not relieve the Design-Builder of the responsibility for incorporating Materials in the Work which conforms to the Contract requirements.

Distribution of certificates and requirements for further sampling and testing of certified materials must be as outlined in DB Section 112.

The LA DOTD reserves the right to refuse to permit the use of Materials on the basis of a certificate, or lack thereof.

### **DB 106-4      SUPPLIER PLANT INSPECTION**

The Design-Builder is responsible for inspection of Material at the source, which is included in the Design-Builder's CQMP and Project CQAP. As part of the LA DOTD's Verification responsibilities, the LA DOTD's designated representative will likewise inspect activities and procedures at the source. Inspection activities that are undertaken by the LA DOTD at the source will meet the following conditions:

- A)      The LA DOTD's designated representative must have the cooperation and assistance of

the Design-Builder's Quality Manager and the producer with which the Design-Builder has contracted for Material;

- B) The LA DOTD's designated representative must have full entry at all reasonable times to such parts of the plant as may concern the manufacture or production of the Material being furnished;
- C) When required by the LA DOTD's designated representative, the Design-Builder shall arrange for such facilities as are necessary to adequately inspect the production or fabrication of the Material; and
- D) Adequate safety measures must be provided and maintained.

As part of its Verification responsibilities, the LA DOTD reserves the right to retest any Material before or during incorporation into the Work which had been tested and accepted by the Design-Builder at the source of supply, after the same has been delivered, and to provide Consultation and Written Comments and/or Non-Conformance Reports (NCR) on any Material that, when retested, does not meet the requirements of this Contract.

**DB 106-5      FIELD LABORATORY**

The Design-Builder shall furnish field laboratories and field offices in accordance with the CQAP.

**DB 106-6      MATERIAL STORAGE AND PLANT SITE**

Materials must be stored to assure preservation of their quality and fitness for the Work. Stored Materials, even though inspected prior to storage, may again be inspected prior to their use in the Work. Stored Materials must be located to facilitate their prompt inspection. Portions of the Right-of-Way (ROW) may be used for storage and for placing the Design-Builder's plant and Equipment. Additional space required must be provided at the Design-Builder's expense.

**DB 106-7      HANDLING MATERIALS**

Materials must be handled to preserve their quality and fitness for the Work. Materials must be transported from the storage site to the Work in tight vehicles constructed to prevent loss or segregation of Materials after loading.

**DB 106-8      REJECTION**

Material, which has either been rejected on the results of Design-Builder tests or as the result of LA DOTD's Verification sampling and testing, will not be re-sampled or retested unless otherwise agreed to by the LA DOTD. Rejected Material must be removed immediately from the site of the Work by the Design-Builder at its expense unless otherwise agreed to by the LA DOTD's designated representative. No rejected Material, the defects of which have been subsequently corrected, will be used until agreement to do so in writing by the LA DOTD has been received by the Design-Builder.

**DB 106-9 LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
FURNISHED MATERIAL**

The Design-Builder shall furnish all Materials required to complete the Work, except those specified to be furnished by the LA DOTD.

Material furnished by the LA DOTD will be delivered or made available to the Design-Builder at the points specified.

The cost of handling and placing Materials after they are delivered to the Design-Builder will be considered as included in the Lump Sum Contract Price for the item in connection with which they are used.

The Design-Builder will be held responsible for Material delivered. Deductions will be made from payments for the Work to make good on any shortages and deficiencies, for any damage which occurs after such delivery, and for any demurrage charges.