



Construction Policy Bulletin

CPB 07-7 Release Procedures for Materials Requiring Fit-for-Purpose Decisions

References: *Construction Manual* Section 6-202, "Responsibilities and Procedures for Acceptance of Materials"
Section 5-302, "Contract Change Order Policy"

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Approved:

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Background

A project delay can occur when the inspection of material indicates that the material does not conform to every contract requirement at the source of fabrication but may be suitable for intended use. The delay stems from the lack of a documented procedure for resolving this issue and from a lack of communication between the resident engineer and Materials Engineering and Testing Services (METS).

This bulletin provides the new material release procedure for fit-for-purpose material when it is best for Caltrans to release the material at the source of fabrication. The procedure supplements current inspection, tagging, and reporting processes. The uniform documentation will expedite project delivery and improve communication between the resident engineer and METS.

Existing Procedure

Section 6-202, "Responsibilities and Procedures for Acceptance of Materials," of the *Construction Manual* describes the procedure for the acceptance and release of a material when the material conforms to all contract requirements. The *Construction Manual* has no existing procedure for instances where material at the source of fabrication does not meet every contract requirement but may still be suitable for the intended use. METS uses Form TL-0015, "Quality Assurance Nonconformance Report," for resolving acceptance issues with nonconforming material.

New Procedure

METS is responsible for resolving material issues at the source of supply. METS investigates material, makes material suitability recommendations, and pursues agreement with the resident engineer about whether to accept or reject material. METS also consults the project engineer if a change to contract plans or specifications is necessary.

When METS staff inspect material that does not meet every contract requirement, they initiate a Form TL-0015, "Quality Assurance Nonconformance Report." METS verbally notifies the contractor of the issue and sends the nonconformance report to the resident engineer. The resident engineer then notifies the contractor in writing and may include the Form TL-0015 with the letter. The contractor has the option of submitting a proposal seeking relief from applicable contract requirements. If the contractor submits such a proposal, the resident engineer forwards a copy to METS. METS researches the issue, based on the contractor's proposal, to determine if material quality, while not complying with every contract requirement, is sufficient to allow its use on the project.

METS consults with the resident engineer to evaluate the quality of the material against project needs as part of a fit-for-purpose need assessment. They consult the project engineer if a change to the project plans or specifications is necessary. METS then recommends to accept or reject the material and documents the recommendation on Form TL-6013, "Materials Suitability Documentation Report." The resident engineer reviews the METS recommendation and accepts or rejects it. The following conditions and actions result:

- METS and the resident engineer agree the material is unsuitable. METS completes Form TL-0016, "Quality Assurance - Nonconformance Resolution," and notifies the contractor that the material is rejected at the source of fabrication.
- METS and the resident engineer agree that the material is fit for the intended purpose, with modifications if necessary. METS notifies the contractor, performs any necessary inspection and releases the material to the jobsite with Form TL-0625, "Material Suitability Tag," more commonly known as a "Blue Tag." Then, on Form TL-6014, "Material Suitability Report," METS includes, along with any proposed mitigation, the Blue Tag number, lot number, description of the material inspected, quantity of material inspected, description of the issue, description of the testing process used, and the recommendation. METS closes the outstanding Form TL-0015 by sending Form TL-0016 to the resident engineer after the material has been released to the job site.

The Blue Tag is only a release of the material from the source. The resident engineer may need to prepare a contract change order to address acceptance of the material. Section 5-302, "Contract Change Order Policy," of the *Construction Manual* includes guidance for deciding whether a change order is needed. When a change order is needed, it must be approved prior to incorporating the material into the work. The resident engineer sends METS copies of approved change orders addressing Blue Tag issues. The project's materials certification memorandum must include material that is approved for use but does not meet original contract specifications.

- METS and the resident engineer disagree. The METS Office of Structural Materials branch senior and the construction engineer discuss and resolve the disagreement and apply one of the first two paragraphs above. When consensus is not achieved at this level, the issue must be elevated to the appropriate supervisors and a mutual solution reached.

This new procedure may also be initiated by a contractor's request for information, a contractor's request for a change, or some other means. If you have any questions or comments about this bulletin, please contact Jim Cotey, Office of Construction Engineering, at (916) 227-5709.

“Blue Tag” Procedures



