

OFFICE OF STATE AID ROAD CONSTRUCTION			S.O.P. NO. SA II-1-50
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PURPOSE: To Establish Guidelines for Payment of Non-Specification Work Allowed to Remain In Place on Completed Construction Projects.

1. **DEFINITION:** Non-Specification Work is defined as being:
 - 1.1. Work performed which does not meet required standards as specified in the Contract Document, Plans, and Standard Specifications.
 - 1.2. Work performed in which materials are incorporated, or processed, without benefit of test reports to document compliance with Contract requirements.
 - 1.3. Work performed in which materials are incorporated that do not meet the specified standards as documented by a test report.
2. **GENERAL:** In any situation where non-specification work has been performed, the Contractor shall always have the option of removing and replacing with work meeting the required standards at no added cost to the contract.

Any work deemed sufficiently acceptable to be allowed to remain in place shall be paid for at NO LESS THAN fifty percent of the unit price bid in the Contract Document.

3. **ACTION:** Immediately after it becomes evident that non-specification work has been performed, the following actions will be taken:
 - 3.1. An Engineering Study of the work will be initiated and a determination made as to its acceptability to remain in place. This study will be made by the County Engineer in company with his State Aid District Engineer. A written report of their findings will be prepared by the County Engineer and forwarded to the State Aid Engineer, and Board of Supervisors along with recommended corrective action.
 - 3.2. The State Aid Engineer will review the report and make the final determination (subject to FHWA concurrence on non-exempt projects) of the corrective action required. He will notify, by letter, all interested parties of the decision reached.
 - 3.3. After receiving notification from the State Aid Engineer concerning the acceptability of the work to remain in place and also the scope of required corrective action, the Contractor will respond, by letter, and state his choice of action. His choices are:
 - 3.3.1. Remove the non-specification work and replace it with specification work.

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3.3.2. Allow it to remain in place (if feasible) and execute a Supplemental Agreement for reduced payment.

4. ADJUSTMENTS: After it has been determined that the non-specification work will remain in place, the County Engineer will proceed as follows:
- 4.1. If an adjustment procedure is specified in the Contract Documents, Plans, or Standard Specifications, he will make the required adjustment; prepare the necessary Supplemental Agreement; forward the executed Supplemental Agreement to the State Aid Engineer for approval and further processing.
 - 4.2. If no adjustment procedure is specified, the County Engineer will develop one with the assistance of the State Aid District Engineer.