

SECTION 01 35 10 ACCEPTANCE

PART 1 GENERAL

1.1 SECTION INCLUDES

- A. ENGINEER's acceptance provisions.
- B. Dispute resolution.

1.2 DEFINITIONS

- A. Acceptance Testing: Testing to verify product or work complies with the Contract Documents. ENGINEER or Independent Testing Agency usually accomplishes the testing. The CONTRACTOR's control testing is sometimes used.
- B. Independent Testing Agency: A testing agency NOT owned by affiliated with, or in any way associated with CONTRACTOR, or any of CONTRACTOR's Subcontractors and Suppliers, that is accredited by a national authority.
- C. Lot: A lot is an isolated quantity of material produced essentially by the same process.
Example: One day's production or 1500 tons.
- D. Sample: A sample is one measurement or count that represents a part or all of the Lot.
Example: Five density measurements that represent the day's production (or Lot) are five separate samples.

1.3 ACCEPTANCE

- A. Acceptance of Product and Material: Based upon visual examination or physical testing. ENGINEER may have such examination or testing done by a separate agency.
- B. Control Testing: ENGINEER retains right to accept or reject material or work based upon CONTRACTOR's control testing.
- C. Acceptance of Lots:
 - 1. Samples in a Lot will be randomly collected.
 - 2. A Lot may be evaluated on the basis of fewer Samples when the minimum specified number of Samples cannot be collected.
 - 3. A Lot will not be passed until ENGINEER accepts or passes all sub-lots.
 - 4. A Lot with a defective sub-lot may be accepted at a reduced price if an appropriate pay factor is used to determine the price adjustment for the whole Lot. Do not apply pay factors only against defective sub-lots.
- D. Submittals: Acceptance of submittal data supercedes specified criteria. Example; Mix design acceptance may alter specified mix design criteria.

1.4 DEFECTIVE WORK

- A. Failure to detect any Defective Work or materials does not prevent later rejection when such defect is discovered, nor does it obligate ENGINEER for acceptance.
- B. If work or material is obviously defective, it must be corrected even if it or they are not a part of a set of random Samples.

1.5 DISPUTE RESOLUTION

- A. CONTRACTOR must provide basis of disagreement in writing to ENGINEER.
- B. If CONTRACTOR desires to do any retesting, CONTRACTOR must submit a written plan to the ENGINEER for approval. Any testing done without ENGINEER's written approval will be rejected.
- C. The retesting must be performed by a mutually acceptable Independent Testing Agency.
- D. Retesting for acceptance will be done at no cost to the OWNER.
- E. ENGINEER reserves the sole right not to utilize the retest results for evaluation of the Work.

PART 2 PRODUCTS Not Used

PART 3 EXECUTION Not Used

END OF SECTION