

Oklahoma Department of Transportation

Pay Adjustments for Work Failing to Meet Specifications
Construction Control Directive No. **20020212**

February 12, 2002

Scope: To determine the procedure for documenting work which fails to meet specification requirements.

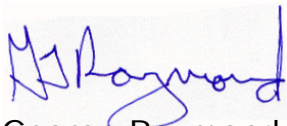
When materials and/or workmanship are not in conformity with the plans and the contract, but not deficient to the extent that they must be removed and replaced, the work may be accepted with an appropriate pay adjustment. Please refer to "Conformity With Plans and Contracts," Section 105.03 of the Standard Specifications.

The pay adjustment is not a penalty, but a reduction in the amount paid for a reduction in quality received. Pay adjustments should be computed on the basis of "equitable payment for the value received." If pay adjustments are contemplated, you should check the project's contract. Many pay adjustments are defined by the contract provisions(QA/QC, roadway density, etc.).

All pay adjustments, which are not defined by the contract provisions, are to be documented by Change Order. The Change Order may be in the form of a Unilateral Change Order(refer to Section 101.77.1 of the 1999 Standard Specifications). If the pay adjustment reduces the project cost by more than \$50,000, decreases the load carrying capacity of the pavement, or decreases the durability of the project's structures on an FHWA oversight project, the FHWA must be consulted(refer to Construction Control Directive No. [961121](#)). This type of change will not require commission approval and will be returned promptly. Pay adjustment are to be placed at the end of the estimate in the 9000 category.

It is essential that all of the materials delivered to the job site, be reported. DO NOT adjust payment by reducing the quantity delivered.

It is recommended that a lump sum pay adjustment be used. If the unit price is to be changed, a supplemental agreement, approved by the Highway Commission, will be required.



George Raymond, P.E.
Construction Engineer