
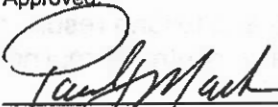


To: <b>MODIFIED BY EB 01-030 EFFECTIVE 5/30/01 &amp; EI 01-018 EFFECTIVE 11/1/01</b>  <b>SUPERSEDED</b> BY <i>EB02-024</i> <i>EFFECTIVE 7/11/02</i>		New York State Department of Transportation <b>ENGINEERING INSTRUCTION</b>	<b>EI</b> <b>01-006</b>
Title: <b>CONTRACTOR COMPLIANCE WITH THE INDEPENDENT ASSURANCE SAMPLING AND TESTING PROGRAM</b>			
Distribution: <input type="checkbox"/> Manufacturers (18) <input type="checkbox"/> Surveyors (33) <input checked="" type="checkbox"/> Main Office (30) <input checked="" type="checkbox"/> Consultants (34) <input type="checkbox"/> Local Govt. (31) <input checked="" type="checkbox"/> Contractors (39) <input checked="" type="checkbox"/> Regions/Agencies (32) <input checked="" type="checkbox"/> NYMaterials		Approved:  Paul J. Mack, Deputy Chief Engineer, Technical Services <div style="text-align: right;"> <i>5/16/01</i>            Date         </div>	

**ADMINISTRATIVE INFORMATION:** This Engineering Instruction (EI) is effective with projects submitted for the letting of September 6, 2001. It does not supersede any previous issuances.

**PURPOSE:** The purpose of this Engineering Instruction is to establish a shelf note for §106 of the Standard Specifications requiring contractors to comply with the federally mandated Independent Assurance Sampling and Testing (IAST) program.

**TECHNICAL INFORMATION:** The Department's IAST Manual has been revised to be compliant with the requirements of 23 CFR 637 and includes evaluations of quality control inspectors and equipment. The shelf note transmitted by this EI obligates the Contractor and any organization or individual working on behalf of the Contractor to comply with and accommodate the Department's IAST program. Organizations and individuals performing quality control sampling and testing on behalf of the Contractor that will be affected by this shelf note include, but are not necessarily limited to: hot mix asphalt producers, and consultant testing laboratories performing pavement density testing. As the Department develops new QC/QA programs, other types of organizations and personnel will be required to comply with the IAST program.

**IMPLEMENTATION:** Beginning with projects submitted for the letting of July 5, 2001, the Design Quality Assurance Bureau will insert the attached shelf note into appropriate contract documents.

**TRANSMITTED MATERIALS:** A shelf note changing section 106-10 of Addendum No. 1 to the Standard Specifications of January 2, 1995.

**BACKGROUND:** IAST is required by the Federal Highway Administration (FHWA) through 23 CFR 637 Construction Inspection and Approval. The Regulation requires that each State have an Independent Assurance program.

The [IAST] program shall evaluate the qualified sampling and testing personnel and the testing equipment. The program shall cover sampling procedures, testing procedures, and testing equipment. Each [IAST] program shall include a schedule of frequency for [IAST] evaluation.  
 [23 CFR 637.207(a)(2)(i)]

IAST provides an independent check on the quality of sampling and testing techniques and equipment being used to evaluate construction materials on NYSDOT projects. The IAST program evaluates the procedures and equipment used for materials acceptance testing, through observation and split sample testing. This independent verification is essential for maintaining a reliable materials acceptance system. If the procedures followed or equipment used by inspectors are not in conformance with the specified standards, the tests results and corresponding acceptance decisions will be erroneous.

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With the introduction of quality control / quality assurance programs, the Department accepts some materials based on contractor testing. The regulation requires that the IAST program evaluate the quality control testing procedures and equipment, if quality control test results are used in acceptance decisions.

Quality control sampling and testing results may be used as part of the acceptance decision provided that:...The quality control sampling and testing is evaluated by an [IAST] program.  
[23 CFR 637.207 (a)(1)(ii)]

**COST IMPACT:** The frequency of IAST testing is low compared to normal project inspection, so the impact on Contractor operations is expected to be negligible. There is no expected cost impact due to implementation of the revised IAST program.

**CONTACT:** Direct questions regarding this El or the Department's IAST program, or requests for copies of the Department's IAST manual, to the Materials Bureau, Field Engineering 2 office at (518) 457-4582.

Make the following changes to the Addendum No. 1 (Adopted April 8, 1999) to the Standard Specifications of January 2, 1995:

**Page 1-69, add:**

**“106-10 Independent Assurance Sampling and Testing.** Independent Assurance Sampling and Testing (IAST) is a Federally mandated program that assures that when acceptance testing is performed on Department Projects, proper procedures are followed and all equipment used is in proper working order and calibration. IAST is separate and independent from acceptance testing. Testing performed for IAST will in no way affect any acceptance or payment decision. The results of IAST testing will be used to determine the qualifications of inspectors performing acceptance testing and the condition of equipment used in acceptance testing on Department projects.

The IAST program will evaluate the personnel and equipment responsible for performing quality control sampling and testing that is used to make acceptance decisions. The Contractor and all personnel, organizations, who are responsible for performing acceptance sampling and testing on behalf of the Contractor shall cooperate with and accommodate this program by performing, and allowing State representatives to perform sampling and testing at the times and locations requested by the Regional IAST personnel. The required sampling and testing procedures are listed in the Department’s Independent Assurance Sampling and Testing Manual. The IAST personnel will observe the tester obtaining samples and performing the tests. The IAST personnel will also take split samples to the Regional Laboratory for testing.”