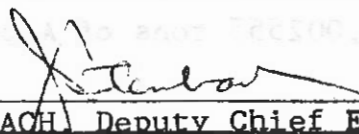


File

TO: MODIFIED BY EI 75-053 EFFECTIVE 8/5/1975 Director, Preliminary Plan Review Bureau SUPERSEDED BY EI 80-024 EFFECTIVE 5/21/1980	ENGINEERING INSTRUCTION NEW YORK STATE DEPARTMENT OF TRANSPORTATION
Distribution: <input checked="" type="checkbox"/> Main Office <input checked="" type="checkbox"/> Regions <input type="checkbox"/> Special	Code: <u>EI 74-103</u> Date: <u>10/31/74</u>
APPROVED:  <u>J. STERNBACH, Deputy Chief Engineer. (Constr.)</u>	Supersedes:

NOV 3 7 1974

Supplements EI 74-32 and EB 4-21

Two situations have developed with the Asphalt Price Adjustment which are not covered by the existing instructions. First, recent decreases in the price of asphalt cement has resulted in some sale prices below the Index Price stipulated in the contract and second, the present instructions do not explain the proper procedure for the APA item on the Final.

Sale Price Below Index Price

When the sale price of asphalt cement is below the Index Price specified in the contract, it is necessary to obtain a price adjustment credit from the contractor. Therefore, it will be necessary to verify the Asphalt Cement Posted Price of the supplier on all contracts containing the Asphalt Price Adjustment Clause where the contractor has not requested a price adjustment.

The credit should be processed by Order-on-Contract in the same manner as for the Asphalt Price Adjustment increases described on EI 74-32. The documentation requirements are the same as those for price increases. The Order-on-Contract should be completed as shown on the attached CONR 7.

Final Estimate

The procedure described in EI 74-32 established an estimate of the Asphalt Price Adjustment on a ton basis and provides for monies from which Monthly Estimate Payments can be made. This is similar to a force account estimate. In the Final, the Asphalt Price Adjustment item should be deleted and replaced by the Actual Asphalt Price Adjustment (AAPA). Furthermore, the tabulation shown on Attachment 2 of EI 74-32 shall be attached to the Final Estimate to support the Actual Asphalt Price Adjustment.

Subject: ASPHALT PRICE ADJUSTMENT FINAL PAYMENT

An explanation of the conversion factor for each asphalt concrete, liquid asphalt or emulsion should also be attached. For example,

Item 51ACF - From Job Mix Formula 6.8% Asphalt Cement

Item 702.31 $\frac{0.60 \text{ Residue}}{235 \text{ gals/ton}} = 0.002555 \text{ tons of Asphalt Cement/gal.}$

Item 59W Constant of 0.06

ORDER ON CONTRACT

REGION NO. _____ PROJECT IDENT. NO. _____ MAJOR _____
 COUNTY _____ D.O.T. CONTR. NO. _____ CONTRACTOR _____
 TYPE CODE: OTHER CODE: PURSUANT TO THE DETERMINATION OF THE COMMISSIONER OF TRANSPORTATION TO ALTER THE ABOVE IDENTIFIED
 B - BID PRICE C - CHANGE OF CONTRACT, THE CONTRACTOR IS HEREBY ORDERED AND DIRECTED TO PERFORM THE FOLLOWING WORK AND
 A - AGREED PRICE EXISTING ITEM TO FURNISH THE NECESSARY MATERIALS AND EQUIPMENT, IN ACCORDANCE WITH THE SPECIFICATIONS THEREFOR.
 FE - FORCE ACCT. EST. PRICE (SUBD. 9, SEC. 38, HWY. LAW)
 FA - FORCE ACCT. ACTUAL PRICE N - NEW ITEMS

SEQ. NO.	ITEM SPEC. NO.	AMEND #	ORDER #	REV. COMPL. DATE	REV. CONTR. AMOUNT	CONTRACT OBLIGATION CHANGE DATA (FORM O. USE ONLY)	UNIT	CHANGE IN QUANTITY	IF DEC	UNIT PRICE	CHANGE IN FUNDS (\$)					
											INCREASE	DECREASE				
13	1617	21122	27	24	52 53	54	17	76	31	35 29 (66-75)	38	36 (41-51)	46			
1001	1APA		B	N			Asphalt Price Adjustment	ton	0		1.00					
1001	1APA		B	C			Asphalt Price Adjustment	ton	1250	-	1.00				1250.00	
TOTALS											\$1250.00					
NET CHANGE											\$1250.00					
REVISED CONT. TOTAL																
ORDERED BY																
ENGINEER IN CHARGE																
REGIONAL CONSTRUCTION ENGINEER																
ASST. DEPUTY CHIEF ENGINEER																
FOR COMMISSIONER OF TRANSPORTATION																
APPROVED BY																
FEDERAL HIGHWAY ADMINISTRATION																
(SUBJECT TO FINAL AUDIT)																

FUNDS CERTIF AVAILABLE BY _____ , 19 _____
 NYS DOT AUDITS AND ACCOUNTS BUREAU _____ , 19 _____
 APPR. DEPT. OF AUDIT AND CONTROL _____ , 19 _____