

## **Quantities of Materials to Be Produced**

Before the Contractor starts production of materials specifically for a project, the Project Manager and the Contractor should do some analysis to verify the quantity of materials that need to be produced. If the quantities are not verified, materials may be over or under-produced, resulting in unneeded costs to one or both parties.

Before production of materials starts, the Project Manager should re-calculate the quantity of materials needed to perform the work on the project and should request the Contractor to perform a similar calculation. The Project Manager and Contractor should then compare their results, along with the plan quantities, to agree on the quantities to be produced.

The Contractor generally will produce a small amount over the needed quantity to allow for variations in production and usage.

Unless the Contractor has secured the specific approval of the owner of the material source, it cannot sell any material to other entities. If produced materials remain at the end of a project, they remain the property of the owner of the source unless purchased by ODOT under the contract.

If the agreed quantities of materials are not sufficient to complete the required contract work, the Contractor obviously will need to obtain the material needed to complete the work. ODOT may be responsible for at least a portion of the added costs to provide the remaining material.

If the contract work required less material than had been agreed to be produced, ODOT may be responsible for the cost to produce the additional material if the actual quantity needed varied more than a reasonable amount from the agreed quantity. ODOT would not be responsible for costs that had been incurred if the Contractor produced materials over the agreed quantity.

Refer to Section 00195.80(b) and the Materials Left Over or Produced for a Third Party section (33) of this Manual for purchase of unused material. Unless public forces specifically wish to acquire the leftover material, ODOT should not purchase materials that are left over because the Contractor produced beyond the agreed quantities or because the actual quantities varied only a reasonable amount from the agreed quantities.

When ODOT purchases leftover materials for itself or other parties, the cost of the materials will not be eligible for Federal Aid participation. If the materials are transferred to Maintenance forces for use, funds must be credited from Maintenance to the project for the cost of the materials. Refer to the Materials Left Over or Produced for a Third Party section (33) of this Manual.