

Colorado Department of Transportation CP 16, Evaluation of Materials Testing The contractor, consultant and head tester should be interviewed prior to completing this form. There should be a final meeting with the consultant to review strengths and weaknesses.	Ú^* q } K	Ú^• q^) & K
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Name of Consultant Company:	Name of Consultant Tester:
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Project Tester

Evaluation Factors:	Ratings: (5) very good, (4) good, (3) average, (2) below average, (1) poor
1. Knowledge of test procedures	
2. Following test procedures	
3. Knowledge of project specifications	
4. Following project specifications	
5. Test result distribution	
6. Following protocol for failing tests	
7. Following instructions / directions of CDOT management staff	
8. Paperwork / documentation (during construction)	
9. Final paperwork / documentation (after construction)	
10. Time management	
11. Scheduling I.A. testing	
12. Attendance at weekly / required meetings	
13. Housekeeping / field lab organization	
14. Test equipment maintenance	
15. Proficient in SiteManager LIMS software program (CDOT FMM SMM/LIMS Section 9.0)	
Subtotal:	Tester Rating

CONSULTANT MANAGEMENT SUPPORT

Evaluation Factors:	Ratings: (5) above standard, (3) standard, (1) below standard
1. Quality	
2. Timeliness	
3. Price / Budget	
4. Business Relations / Customer Service	
5. Deliverables / Requirements	
Subtotal:	Consultant Firm Rating

Note: Description of the factors can be found in CP 16, Subsection 3.3.3.

Rater Comments on referenced evaluation factors:	
Rater: (Project Engineer)	Date:
RME Comments on referenced evaluation factors:	
Reviewer: RME (Region Materials Engineer)	Concur Non-concur
	Date:

Copy distribution: Project Engineer (Original), Consultant, Region Materials Engineer, Central Laboratory (Documentation Unit)

Previous editions of this form are obsolete and may not be used.

FMM Documentation for SMM / LIMS

9.0 Suspension to CDOT's SiteManager®: Is not necessarily tied to a review process and may occur at any time for cause. The process for suspension starts with a written complaint to the Materials and Geotechnical Branch Manager (MGBM) or his designee. This document must, at a minimum contain the name of the technician involved, name of the technician's company, date of the incident, detailed accounting of the incident, name and contact information of individual submitting the request. The Department may start an investigation based on other information, such as:

- Failure to timely supply required information.
- Repeated failure of a tester to meet CDOT requirements.
- Failure to take immediate corrective action relative to deficiencies in the performance of the Quality Control Program.
- Certifying materials that are not produced under an approved Quality Control Program for use on Department projects. (This would include any situation where falsification of records was determined.)

Upon receipt of the complaint, the MGBM will contact the Region Materials Engineer (RME) and Resident Engineer (RE) associated with the technician involved in the written complaint. The MGBM, RME, and RE will review the complaint to determine its credibility.

If the complaint is deemed credible the Department will contact the individual(s) submitting the information. The MGBM will determine if the individual is willing to discuss the reported incident. Documentation submitted to the MGBM for review is otherwise confidential. The MGBM will review the documentation/information within 30 days to determine whether further investigation is required. If further investigation is required, the Department will assign the appropriate Regional Materials Engineer to perform the investigation. The MGBM will review the information obtained through the investigation and may conduct additional interviews. The technician, their supervisor, and/or consulting firm involved will be notified of the Department's findings.

The technician shall have 15 working days to respond, in writing. At any point in the process, the MGBM may determine, due to insufficient evidence, to discontinue the process. The MGBM will then determine whether the violation(s) fall under the definition of Negligence or Abuse.

Negligence is defined as unintentional deviations from approved procedures or the unintentional failure to follow the requirements of the CDOT Field Materials Manual.

Abuse is defined as intentional deviations from approved procedures or the intentional failure to follow the requirements of the CDOT Field Materials Manual.

The appropriate process will be followed upon determination of the category of the violation. If the process results in a period of suspension or revocation, the tester is prohibited from participating on all CDOT projects during that period.

Process for Negligence:

Negligence should be resolved in a positive fashion that promotes learning and increased understanding. The complaint process tracks technicians who have repeated incidents of negligence. This process will also allow a means of tracking common problems and issues.

A single incident of negligence may be resolved through intervention by the Tester's Supervisor. After assurances in writing to the Department by the supervisor that the problem(s) are fully corrected, a thorough review of the Tester's materials documentation by the Region Independent Assurance Tester (IAT) and the supervisor will be made to ensure that a full correction of the problem(s) has occurred. Documentation of each incident shall be sent to the MGBM. The Department will maintain records of each incident. If only one report, of a minor nature, is received in a one-year period, no further action may be taken. However, if it is determined that the negligence is significant the requirements under "second incident" will be followed.

If the second incidence of negligence is reported within a one-year period, the Department will require that the technician and their employer develop a corrective action plan. The MGBM will notify all the Regional IATs. This notification is intended to make the IATs aware of the problems being encountered.

If a third incident of negligence is reported within a two-year period, the technician and their employer will receive a notice and a minimum one-year suspension will apply. The technician and their employer will be responsible for providing a plan to correct the deficiencies to ensure no further incidents occur.

Any further incidents of negligence will result in a permanent revocation. The Department can at any point re-classify repeated instances of negligence, as abuse. If this occurs, the issue would be dealt with through the process of abuse.

Regional Materials Engineers reserve the right to work with the tester and their supervisor to correct any aforementioned problems listed in the negligence section in lieu of a tester's suspension.

If a tester is suspended they shall complete an internal training program within their company that is outside certification and provide documentation showing such training has occurred. The documentation should include a specific description of the training performed, dates, location, procedures, who supervised the training, etc. The documentation will be submitted to the RME who will decide if the training is sufficient to reinstate the suspended tester.

Letters of Suspension and Revoking:

A letter stating a tester is being suspended and the reasoning behind the suspension will be sent to the tester, the tester's company, and the RME. The RME will maintain the letter in their records for future reference. If a tester is being revoked, the letter will be sent to the tester, the tester's company, the RME, and the Pavement Design and Documentation Manager. The RME and the Pavement Design and Documentation Manager will keep the letter on file for future reference.

Process for Abuse:

The Department will determine the severity of the abuse. The first finding of abuse will result in a minimum one-year suspension and may extend to permanent revocation of an individual to test on any CDOT project. Any subsequent finding of abuse shall result in permanent revocation of the tester to work on any CDOT project.

Notice of suspensions or revocations will be emailed to the individual and his/her employer along with the individual's right to appeal. A proposed revocation or suspension is effective upon receipt by the technician and will be affirmed, modified, or vacated following any appeal.

The Department should also be aware that both State and Federal laws may govern construction projects, including Title 18, United States Code, Section 1020, that in brief states that anyone making falsifications on Federal-aid projects: "Shall be fined not more than \$10,000 or imprisoned not more than five years, or both."

Notification of Revocation to Other Agencies

The Department may notify the other state agencies or certifying agencies of anyone having been revoked for testing on a CDOT project through CDOT's SiteManager® program.