

PN 096 – 3/27/23 – CONTRACT MATERIALS LOG (CML)

1 Definitions

The definitions within this note are specific to this note. Any capitalized word not found within this definition section shall be per the CMS, or per common meaning.

Component Material: A construction material which, dependent on means, methods, or primary material selection may or may not be necessary to properly construct an item of Work.

Contractor Material Controller (CMC): Contractor's personnel responsible for providing the information identifying intended materials, the sources of material, and contractor test results for any Contractor controlled testing processes.

Contractor Material Log (CML): The Contractor identified listing of materials for the proposed Project Bill of Materials.

Material Sets: Combinations of potential materials utilized in the proper construction of a work item. Material sets will consist of a "primary" material and "component" material(s).

Project Bill of Materials (PBOM): The project specific listing of all materials requiring the permanent material's source identified prior to constructing the Work.

PBOM Starter Report: The Department supplied listing of all initial work items on the Project which require material reporting by the Contractor. The PBOM Starter Report is the basis used by the Contractor to create a Contractor Material Log (CML).

Primary Material: A construction material which, generally, is a key material component that is necessary to construct an item of Work. Each item of Work shall have at least one Primary Material identified.

Standard Bill of Materials (SBOM): Department identified materials which may be potential materials utilized for individual work items.

2 General

ODOT CM&S allows multiple differing types of materials with potential ancillary materials to construct an item of Work. Per CMS 106, the Contractor must identify proposed sources of supply before the delivery of materials. This note establishes the identification process.

The Contractor shall create, maintain, and transmit to the Department its intended listing of all combinations of permanent materials (and identified necessary temporary materials) it intends to utilize to construct the Project. This note establishes the process for developing, maintaining, and transmitting a Contract Material Log (CML) for the Project to identify the Contractor's selected materials and material combinations for each item of Work.

The CML is a means for the Contractor to demonstrate the intended preapproved material producer for each material.

Providing and maintaining a current CML is a matter of contractual responsibility.

3 Contractor Material Controller

The Contractor shall name a Project's Contractor Material Controller (CMC) at the PreConstruction meeting. The Contractor Material Controller (CMC) is responsible to understand the Contractor's construction means/methods, is required to understand the combinations of materials per specifications and is required to know the intended supply source.

The CMC shall be responsible for ensuring all intended materials and material sources to be used in constructing permanent contract work are identified and reported to the Department. The CMC shall be responsible for ensuring the CML is accurate and transmitted to the Department.

The CMC is the Point of Contact for providing proof of source documentation for all necessary and permanent material installed. The CMC is responsible for ensuring all contractor responsible QC testing is provided and reported to the Department in the required format. The CMC shall be responsible for coordinating with all subcontractor and suppliers to ensure only valid material sources are utilized.

The Project Engineer shall direct all necessary Project material source inquiries through the CMC. The CMC shall be responsible to create and maintain the Contract Material Log throughout the duration of the Project. The CMC shall be reasonably knowledgeable about construction methods, required ODOT construction material requirements, and the materials and material sources utilized on the Project regardless of the contractor/subcontractor performing the work.

4 CML Creation

4.1 Initial Contractor Material Log

The successful Contractor must provide an initial CML document to the Department. An initial CML will consist of the identification of the Primary Material and the Component Material(s) necessary to properly construct an item of work per the plans and specifications for each item of Work requiring material reporting. For Contracts intended to have physical Work commence within 120days of Award, the initial CML must be submitted within 60days of Contract award or prior to the PreConstruction Meeting (whichever is earliest). For Contracts intended to have physical Work commence after 120 days of Award, the initial CML must be submitted 30days prior to the PreConstruction Meeting

The initial CML shall identify material combinations for work items requiring material reporting for Work being performed within the first 180 days of the first day of physical construction, or 50% of work items requiring material reporting for the Project, whichever is greater.

The Department will provide the creation basis for an initial CML document. After becoming the apparent low bidder, send an email to the following address: ODOT_CML@dot.ohio.gov; subject line: PBOM Starter Report Request. Within the email body, provide Project identification information.

The PBOM Starter Report demonstrates the bid work items requiring material reporting for the Project. Work items not identified on the PBOM Starter Report will not need material reporting (source or material item).

"Locally" save the provided Excel Spreadsheet to initiate creation of the initial CML Report for the Project. The initial PBOM Starter Report identifies work items requiring material reporting and lists every available potential material for use.

NOTE: Not every listed potential material is necessary to properly construct the Work item. Materials shown for the Work Items are all the possible materials which can be used. If they are required, the source of the material must be identified.

Rename the initial PBOM Starter Report for the Project to the following naming convention:

YYYYMMDDCtyPID.000.xls.

Example: The initial CML made on June 1, 2023, for example project

Proj (25)1000

FRA-73-0.00

PID 99999

would be named 20230601FRA99999.000.xls.

Note: The Project Number is not used in the naming convention

4.2 Primary and Component Materials Identification:

The CMC shall evaluate the project requirements and shall identify the materials necessary per the Project Specifications for each work item. The identification of the necessary materials by the Contractor constitutes the Contractor's Initial CML Report.

The CMC shall demonstrate the combinations of permanent material items intended within the locally saved initial CML. Materials are identified as either a Primary or Component (Column O - "Prim/Com").

A complete combination of Primary and necessary Component material types constitutes a single Material Set.

4.2.1 Primary Component:

The CMC shall select, generally, a single Primary Material for each Work Item.

Denote the selection of the Primary Material(s) by marking with an "X" in the appropriate Excel spreadsheet column (Column K – "Intended Material Set One"). Note: Utilizing "X" indicates the initially identified intended material.

4.2.2 Component Material Selection:

The CMC shall select Component Material(s) for each Work Item.

Denote the selection of all Component Materials necessary to properly construct the contract Work. Select only necessary Component Materials as required per specifications, plan requirements, or as required as evaluated per the Primary Components.

Denote the selection of the material(s) by marking with an "X" in the appropriate Excel spreadsheet Column K – "Intended Material Set One". Note: Utilizing "X" indicates the initially identified intended material.

Upon completion, every Work item shall have the intended Primary and Component Materials identified noted with a "X".

Note: It is expected that some of the materials listed in the CML may not be utilized. Cells in Column K - "Intended Material Set One" will be blank.

4.2.3 Multiple Material Sets

Skip the process in this section 4.2.3 if there is only 1 material set combination intended for the work item.

In rare occasions and when necessary, selection of two (or more) Primary Components if the payment for the Project's work item may require multiple Primary Components. (Example: Yellow and White pigmented pavement markings being paid under a single pay item.)

If the CMC needs to indicate an additional combination(s) of Primary and Component materials, repeat the above process (Step 4.2.1 and 4.2.2). Additional combinations of materials are indicated by with a "X" in Column L ("Intended Material Set Two").

Do not delete, add, or modify any other rows, columns or cells within the spreadsheet. Do not delete unnecessary materials. Keep all information intact and only modify columns K, L, Q, R and S as necessary.

4.3 Material Source Producer Identification

The CMC shall identify the intended material source and/or producer if known at the time of the initial CML creation. Do not identify a source if a materials source and/or a producer is unknown. Do not identify a source or a material if the material is not intended to be used for the specific item of work even though it may be an allowable option. Only identify if intended to be used.

The identified source and/or producer for each material must be a pre-identified material item from a pre-approved producer as identified on the Office of Material's Managements websites at time of CML creation or CML update.

Note: Within the initial CML_Report, the imbedded *Matl Code* hyperlinks will link to a listing pre-approved producers. Copy the intended Source Info Code and the Source Info Description for the material and subsequently paste the information within the *Supplier Code* and *Supplier Name* columns. Approval of a source at the time of CML creation does not guarantee approval of said source throughout Project duration.

Simply creating and submitting the CML may not be considered definitive proof of actual material source usage. If evidential information is available at the time of the CML submission, the Department recommends providing this information at the time of the initial CML submission.

The Engineer will monitor field incorporation of materials. If field delivered material's producers are differing from those identified in the CML, the Engineer may withhold payment for the identified work items and will immediately require an updated CML (see section 5). If requested by the Engineer, the CMC will be required to provide evidential information of actual usage (i.e., Purchase Orders, Bill of Lading, physical sample, etc.) as applicable to the actual material for all materials having improperly reported CML producers.

4.4 CML Submission

Upon identification of all Primary and Component materials for all work items, save and transmit the completed initial CML to the to the CML Initial Review email ODOT_CML@dot.ohio.gov

The Department will review, and if necessary, require the CMC to revise and resubmit. The Department will respond within 15 working days.

Provide the CML prior to the initiation of any work item which material source reporting is required. The Department will not make payments for any item which does not have completed CML Information.

4.5 Materials as Needed

For work items identified as “Materials as Needed” or a Material Code of “999999” on the CML, the CMC shall review the plan requirements and project specifications.

Create a separate document with items identified as “Materials as Needed” or a Material Code of “999999”. Provide the Department the intended materials to be utilized.

Submit the initial Materials as Needed document to the CML initial review email ODOT_CML@dot.ohio.gov. The format of the file shall be in a common format (for example, Word, Excel, txt file, direct email). The file shall clearly identify the Work Item. Attempt to identify intended Primary material, as understood per the Plans, and any potential Component items. If possible, utilize standard known material codes.

If material codes are unknown, describe the material sufficiently for the Department to estimate the most likely relevant material code. Materials as Needed process may be iterative. The Department will not withhold payment for items of work identified with Materials as Needed if the Contractor has reasonably demonstrated an attempt, in the judgment of the Engineer, to properly identify necessary materials per the Plan prior to performing the Work.

5 CML Updates

The CMC shall provide an update to the CML upon changing intended materials (Primary or Component materials), when a Primary or Component material is ultimately identified, or when a Material Source is revised and/or identified.

The CMC shall provide weekly CML updates to the Project Engineer by noon of the first day of the work week upon initiation of physical Construction. An update is required whenever there is a change or addition in any Primary or Component Material intended usage or an update to the identified producer.

The naming convention shall follow as per Section 4, however each CML version shall be named in version increments of one.

Example:

The initial CML submission (made on June 1, 2023) would be named 20230601CtyPID.000.xls.

The first update of the CML made on Aug 3, 2023 would be named 20230823CtyPID.001.xls.

Perform revisions to the CML update in the following manner:

- 1) Make a copy of the most recently submitted/accepted CML and rename to the next versions. For the first update, *YYYYMMDDCtyPID001.xls*.
- 2) Perform the additions to the needed identified Primary and Component Materials by marking the “Intended” column with the CML version number. For example, utilize a “1” to demonstrate an addition for first update (aka version 1). Do not delete any initially denoted materials; continue to revise or add identified materials.
- 3) Submit the revision to the Project Engineer for review.
- 4) For subsequent updates to the CML, continue to utilize the next CML numbering version within the “Intended” columns on a previously copied version.

Weekly updates can be omitted if no changes occur. There is not an identified review period by the Department; however, errors and omissions within the CML Update submission(s) may cause payment delays if these errors or omissions are impactful, as determined by the Engineer. Upon discovering errors or omissions, the CMC will be immediately notified by the Engineer.

6 CML Payment

The Department will not make payment for any item of Work which does not have the required material information (Primary/Component identification and Intended Source) for the Work item identified within the CML.

The creation, management, and submission of the CML are incidental to the Project.