

**SDDOT CONSTRUCTION MANUAL
PROJECT MANAGEMENT SECTION
CHAPTER 17 – SPECIFICATION DEVIATIONS**

REPORT OF SPECIFICATION DEVIATION (DOT-18)

The South Dakota Department of Transportation Price Adjustment Guidelines provides statewide guidance in administering price adjustments and is located on the SD DOT website at <https://dot.sd.gov/media/9c7a2a3e/PriceAdjustmentGuidelines%2820230519%29.pdf>. This document should be referenced prior to the acceptance of non-specification work and creating the Report of Specification Deviation (DOT-18).

The Report of Specification Deviation (DOT-18) form is created for contract modification as per Section 5.3 of the Standard Specifications. It is used to document the basis of acceptance for materials furnished, work performed, or the finished product that is not within strict conformity with the plans and specifications but is within reasonable conformity. The DOT-18 is completed by the Project Engineer to allow for the determination of the adjustment in contract price for materials furnished, work performed, or the finished product that is not within strict conformity with the plans and specifications to allow the finished product to remain in place.

The DOT-18 form is completed in CM&P. DOT-18's can be created automatically through MS&T when a materials test fails or manually entered in CM&P. When Central Lab tests fail, Central Lab personnel do not create specification deviations on failing tests because they do not know if DOT-18 will be required. A DOT-18 can be created manually in CM&P for Central Lab test failures and any non-materials related specification failures. Manually entered failing materials tests should include the MS&T sample ID to allow the MS&T failed test report to show that a DOT-18 has been completed for that particular failing test.

It is important that the DOT-18 is completed in a timely manner. The DOT-18 should be filled out as completely as possible so the Region Engineer and Contractor are clear as to what materials furnished, work performed, or finished product the DOT-18 represents. The "Quantity Affected" calculation should be completed as per the Guidance Memo from the Director of Operations dated 4/24/2009 located on the SD DOT Intranet at <https://intapps.sd.gov/hm90Policy/PolicyDocs/MemoGuidance/Quantity%20Represented%20by%20Failing%20Sample.pdf>. The completed DOT-18 should be printed out from CM&P, reviewed, and signed by the Area Engineer. The Area Engineer will forward the printed DOT-18 document to the Region Engineer for determination of the price adjustment. The Region Materials Engineers are usually involved in this process too.

The Project Engineer should review the Price Adjustment Guidelines to estimate the approximate price adjustment for each DOT-18 and enter the estimated price adjustment associated with the affected contract item on the next pay estimate in CM&P.

The Region Engineer is responsible for determining the appropriate price adjustment. Through the use of the Price Adjustment Guidelines and discussions with the Area Engineer and Materials Office regarding the particular circumstances of each DOT-18, an appropriate price adjustment determination will be made. The Region Engineer will send out the Price Adjustment Determination Letter to the Contractor. The Contractor has two weeks to dispute the price adjustment determination letter. If the Contractor does not dispute the price adjustment determination, the determination is final. If the Contractor disputes the determination, the Contractor is required to provide supporting documentation to the Region Engineer 30 days from the date of the determination letter. After the Region Engineer receives the additional supporting documentation, the Region Engineer will make the final determination. Once the final

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determination is made, the Region Engineer will mark the Specification Deviation “Resolved” in CM&P and send the determination letter to the Area Engineer, Certification Program Administrator, Region Materials Engineer, and Operations Support.

Once the DOT-18 is resolved, the Project Engineer needs to enter the actual price adjustment in the pay estimate to match the final price adjustment determination of the Region Engineer. The final step to completing the Price Adjustment is to assign the price adjustment to a Construction Change Order in CM&P.