

California Department of Transportation
New Product Evaluation Guidelines
July 2009

I. Introduction

The California Department of Transportation (Caltrans) receives frequent requests from vendors to utilize new products on California transportation projects. In July 1995, Caltrans issued Deputy Directive DD-45, which formally established its policy on New Product Evaluations.

Caltrans' policy is to ensure the objective, impartial, and consistent evaluation of new products for use in the construction, maintenance, and operation of the State's transportation system. Evaluations are to be conducted timely and with the minimum of tests necessary to validate the performance of new products. All new products are evaluated on the basis of need, performance, cost-competitiveness, and compliance with health, safety, and environmental regulations.

New products must be fully developed and commercially available. Included are (1) products that have not previously been evaluated by Caltrans and for which Caltrans specifications do not exist, and (2) products that meet existing Caltrans specifications, but that require evaluation prior to approval (may include previously approved products that have been modified or previously approved products that are sold by a new supplier).

The New Product Evaluation Guidelines outline the evaluation process, including the estimated time necessary to complete the process, and provide direction to departmental units involved in the evaluation of new products.

II. New Product Inquiries

All new product inquiries received by Caltrans are to be referred to the New Products Coordinator (Division of Engineering Services, Materials Engineering and Testing Services):

- o New Products Desk: 916-227-7073
- o New Products Email: New_Products@dot.ca.gov

Interested parties may also be referred to the New Products website:

- o New Products Website:
<http://www.dot.ca.gov/hq/esc/Translab/NewProducts/index.htm>

III. New Product Definitions

- **New Product** - A fully developed, commercially available product for use in the construction, maintenance, and operation of the State's transportation system. Products in the research and development stage do not meet this definition.

- **Type I New Product** - A product that has not previously been evaluated by Caltrans and for which Caltrans specifications do not exist.
- **Type II New Product** - A product that appears to meet existing Caltrans specifications, but that may require evaluation or validation of performance prior to approval (may include previously approved products that have been modified or previously approved products that are sold by a new supplier).
- **Pre-qualified Products List** - A Pre-qualified Products List, commonly referred to as a QPL, is a list of products that have been evaluated and approved by Caltrans for use on Caltrans projects. Pre-qualified Products Lists do not exist for all product categories. (The Pre-qualified Products Lists are developed and maintained by the Lead Divisions. The New Products Coordinator posts the current Pre-qualified Products Lists on the New Products Website.)
- **Vendor** - Refers to the party submitting the new product for evaluation (i.e., vendor, manufacturer, supplier, representative, agent, etc.).

IV. Roles and Responsibilities

- **New Products Coordinator** - The New Products Coordinator (Division of Engineering Services, Materials Engineering and Testing Services) is responsible for the administration of the New Product Evaluation Process, including:
 - Developing New Product Evaluation Guidelines.
 - Developing and maintaining New Products Website.
 - Receiving and distributing New Product Submittal Packages.
 - Maintaining files for New Product Submittal Packages and evaluation documentation.
 - Developing and maintaining New Products Database and tracking status and results of new product evaluations.
 - Providing quarterly tracking reports to Technical Committees and Lead Divisions.
 - Posting current Pre-Qualified Products Lists on New Products Website.
 - Communicating with vendors.
- **Office of Health and Safety Services** - The Office of Health and Safety Services (Division of Administration) is responsible for the review and approval of all Material Safety Data Sheets, if required for the product. Products that require handling by Caltrans employees must be in compliance with applicable health and safety regulations, and the Office of Health and Safety Services must approve their use.
- **Technical Committees** - Technical Committees are organized groups within Caltrans that include ultimate product users and technical specialists. The appropriate Technical Committee is responsible for the initial review and assessment of a new product to determine:
 - Whether the new product is Type I or Type II, that is, whether Caltrans specifications exist for the product.

- Whether Caltrans has a need for the new product (Type I).
 - Whether the new product appears to meet the existing Caltrans specifications (Type II), and if so, whether the new product requires evaluation or validation of performance prior to approval.
 - Whether the new product requires review and environmental approval by the Environmental Committee.
- **Environmental Committee** - The Environmental Committee (Division of Environmental Analysis) is responsible for the review and environmental approval of all new products, if required for the product. Products used by Caltrans must be in compliance with applicable environmental rules and regulations, and the Environmental Committee must approve their use.
 - **Lead Corporate Program (or Lead Division)** - The Lead Division is ultimately responsible for the evaluation and implementation of a new product. The Lead Division assigned responsibility for a new product evaluation is determined based on Division ownership of the Caltrans specification(s) under which the new product or product category is covered. The Lead Division:
 - Coordinates all aspects of the new product evaluation.
 - Approves or rejects the new product based on the evaluation.
 - Notifies the vendor in writing of the evaluation results.
 - Implements the approved new product by (1) developing or modifying specifications and standards; (2) informing Caltrans Districts/Divisions of the availability of the new product; and (3) adding the new product to its Pre-Qualified Products List, if a list exists for the product category.
 - **Materials Engineering and Testing Services** - Materials Engineering and Testing Services (Division of Engineering Services) is responsible for providing the Lead Divisions with technical expertise, testing and field inspection support, and assistance in developing or modifying specifications and standards.
 - **District Directors** - District Directors provide assistance, as requested, to the Chief of the Lead Division in conducting new product evaluations. Assistance may include providing a product test site and monitoring performance of the new product.

V. New Product Submittal Package

- All new products submitted to Caltrans for evaluation must meet the following criteria: (1) the new product must be fully developed, marketable, and commercially available; (2) use of the new product must be directly related to the highway system; and (3) proposed use of the new product must be identified by the vendor.
- A New Product Submittal Package must be submitted for each new product and must include all of the items listed below (please refer to product-specific submittal criteria and requirements on the New Products website):
 1. New Product Submittal Form, with appropriate signatures.

2. Product literature (brochures, cut sheets, specifications, etc.).
 3. Test data (documentation of independent product testing; testing by other Departments of Transportation or government agencies, AASHTO, ASTM, or other nationally-recognized facilities/organizations; or evidence of compliance with any specifications that may exist for this type of product).
 4. Material Safety Data Sheet, if required for the product.
 5. Quality control plan, if product utilizes recycled materials.
 6. Contact list, if applicable, identifying other entities that have utilized the product.
 7. Other pertinent information.
- New product samples or specimens should not be included with the submittal package, unless specified in the product-specific requirements. Vendors will be notified if/when samples are required.
 - Incomplete New Product Submittal Packages will not be considered and will be discarded after 30 days.

VI. New Product Evaluation Process

A. Receipt and Distribution of New Product Submittal Package (Time Period – 2 weeks)

1. Upon receipt of a New Product Submittal Package (NPSP), the New Products Coordinator creates a new product file, assigns a tracking number, and enters the NPSP information into the New Products Database.
2. The New Products Coordinator acknowledges receipt of the NPSP by notifying the vendor in writing. The written notification includes the assigned tracking number.
3. The New Products Coordinator sends the Material Safety Data Sheet to the Office of Health and Safety Services (Division of Administration) for review and approval, if required for the product. Products that require handling by Caltrans employees must be in compliance with applicable health and safety regulations, and the Office of Health and Safety Services must approve their use. If the Material Safety Data Sheet is rejected, the New Products Coordinator notifies the vendor and the Technical Committee or Lead Division (depending on the timing) in writing, and the file is closed.
4. The New Products Coordinator sends the NPSP to the appropriate Technical Committee for initial review and assessment.

B. New Product Assessment (Time Period – 4 months)

1. The Technical Committee performs the initial review and assessment of a new product submitted to Caltrans for approval. The Technical Committee Chair adds the new product to be reviewed to the Committee agenda, provides advance copies of the NPSP to Committee members, and notifies

the New Products Coordinator of the Committee meeting date and time. If the Technical Committee requires additional product information for the assessment, including, but not limited to, a presentation by a product representative, the Chair contacts the vendor directly to request the information or schedule the presentation.

2. The Technical Committee sends the NPSP to the Environmental Committee for review and environmental approval, if required for the product. Products used by Caltrans must be in compliance with applicable environmental rules and regulations, and the Environmental Committee must approve their use. If the new product is rejected, the Technical Committee notifies the New Products Coordinator, the New Products Coordinator notifies the vendor in writing, and the file is closed.
3. For each new product the Technical Committee first determines whether the new product is Type I or Type II, that is, whether Caltrans specifications exist for the product.

- For **Type I New Products**, the Technical Committee considers several factors, including, but not limited to, whether Caltrans has a need for the new product and whether the product appears to be viable to meet the identified need; whether the product is cost competitive with similar products that it would replace; and, whether approval of the product would create a potential sole-source problem.

Note: (1) Due to changing market conditions, cost alone is rarely a determining factor. (2) In many cases, competition will increase as manufacturers learn a competitor's product has been approved by Caltrans and propose similar products.

- For **Type II New Products**, the Technical Committee considers whether the new product appears to meet the existing Caltrans specifications; and if so, whether the new product requires evaluation or validation of performance prior to approval.
 - If the **product does not require evaluation** prior to approval (it is a product that a Resident Engineer can approve based on compliance with existing Caltrans specifications), these New Product Evaluation Guidelines do not apply. In such cases, the Technical Committee notifies the New Products Coordinator of **product acceptance**, the New Products Coordinator notifies the vendor in writing, and the file is closed.
4. Following the initial review and assessment of the NPSP, the Technical Committee informs the New Products Coordinator in writing of its assessment determination.
 - The notification must indicate whether the new product is identified as Type I or Type II.

- If the Technical Committee determines that Caltrans has a need for the product and that further evaluation is warranted or required, the notification must identify the Lead Division (including a designated contact person) responsible for evaluating and approving or rejecting the product.
- If the Technical Committee determines that there is no need for the product, **the notification must explicitly state the reasons for the determination.**

C. Notification to Vendor (Assessment Determination)

Following receipt of the notification from the Technical Committee, the New Products Coordinator notifies the vendor in writing of the Technical Committee's assessment determination.

- If the Technical Committee determines that Caltrans has a need for the product and that further evaluation is warranted or required, the New Products Coordinator notifies the vendor that further evaluation is warranted or required and identifies the Lead Division (including a designated contact person) responsible for evaluating and approving or rejecting the product.
- If the Technical Committee determines that there is no need for the product, the New Products Coordinator notifies the vendor that Caltrans has reviewed the product information and determined that no current need exists for the product, and the file is closed. (The notification will include the reasons stated by the Technical Committee.)

D. New Product Evaluation

1. If the Technical Committee determines that Caltrans has a need for the product and that further evaluation is warranted or required, the New Products Coordinator sends the NPSP and a copy of the Technical Committee's assessment determination to the Chief of the Lead Division (with a copy to the designated contact person) requesting evaluation.
2. The Lead Division plans and initiates evaluation of the new product and coordinates necessary lab or field-testing. New product evaluations vary significantly depending on the nature/category of the product and whether it is a Type I or Type II New Product. The Lead Division approves or rejects the new product based on the evaluation results.

Time Period: Since new product evaluations vary significantly and some may require several years to complete, these guidelines cannot provide an estimated timeframe for completion. The Lead Division is responsible for notifying the vendor of the estimated timeframe for completion.

E. New Product Implementation

Following the new product evaluation, the Lead Division implements the approved new product by: (1) developing or modifying specifications and standards; (2) informing Caltrans Districts/Divisions of the availability of the new product; and (3) adding the new product to its Pre-Qualified Products List, if a list exists for the product category.

F. Notification to Vendor (Evaluation Results)

Following the new product evaluation, the Lead Division notifies the vendor in writing of the evaluation results.

- If the new product is approved and a Pre-qualified Products List exists for the product category, the Lead Division notifies the vendor that the product has been added to the list.
- If the new product is rejected, the Lead Division notifies the vendor of the specific reasons for rejection.

The Lead Division forwards a copy of the notification to the New Products Coordinator, and the file is closed.

VII. New Product Reports

The New Products Coordinator generates quarterly reports to the Technical Committees and Lead Divisions identifying all new product assessments or evaluations in process.

VIII. Appeals Process

A. Appeal of Technical Committee Assessment

- Following the new product assessment, the vendor may appeal the decision of the Technical Committee within 90 days from the date of the written notification. Appeals must be submitted in writing to the New Products Coordinator and must include specific grounds for the appeal.
- If the New Products Coordinator is unable to satisfactorily address the vendor's concerns, s/he will provide the vendor with the name and telephone number of the Technical Committee Chair.
- If the Technical Committee Chair is unable to address the vendor's concerns, s/he will notify the New Products Coordinator.
- The New Products Coordinator will arrange a meeting with the Chief of the Lead Division Office and the Technical Committee Chair to discuss the Technical Committee's decision and the vendor's concerns.

- The decision made by the Chief of the Lead Division Office at this meeting is final.
- The New Products Coordinator shall document all appeals, and all final decisions shall be fully justified in writing. Following disposition of the appeal, the file is closed.

B. Appeal of Lead Division Evaluation

- Following the new product evaluation, the vendor may appeal the decision of the Lead Division within 90 days from the date of the written notification. Appeals must be submitted in writing to the New Products Coordinator and must include specific grounds for the appeal.
- The New Products Coordinator will arrange a meeting with the vendor, the Chief of the Lead Division Office, the Technical Committee Chair, and other technical specialists needed to address the specific concerns and causes for rejection.
- The decision made by the Chief of the Lead Division Office at this meeting is final.
- The New Products Coordinator shall document all appeals, and all final decisions shall be fully justified in writing. Following disposition of the appeal, the file is closed.

IX. Records Retention

- New Product Submittal Packages for products that do not meet the new product definition or criteria will not be considered and will be discarded after 30 days.
- Incomplete New Product Submittal Packages will not be considered and will be discarded after 30 days.
- New Product Submittal Packages and all evaluation documentation will be discarded 3 years after the date the file is closed. The final notification letter to the vendor (indicating approval or rejection) will be maintained on file indefinitely.

Note: All discarded documents will be shredded to protect confidentiality.