

# Chip Seal Issue Meeting Recap

**Project Name:** 2022 Bituminous & Chip Seal Surface Treatment of Various Township Roads  
**Project No.:** 22-004

## Summary of Issue:

Henry W. Bergman applied a tar and chip seal on various roads throughout Ottawa County as part of the 2022 Bituminous & Chip Seal Surface Treatment. As specified Henry W. Bergman applied an asphalt concrete scratch course on various locations on select roads. Upon completion of the chip seal it became apparent that there were significant stone retention issues in many locations where the chip seal was applied over the new asphalt concrete pavement. This issue is widespread on Lickert-Harder Road in Harris Township and hit and misses on Paulsen Road in Bay Township. The stone also did not properly adhere to a dura-patch repair on Linker-Portage Road in Harris Township. A meeting was called with the involved parties to determine a plan of action.

**Date and Time:** Tuesday September 28, 2022 12:30 p.m. **Location:** Lickert-Harder Road

<b>Attendees:</b>	HWB:	Thomas Bergman	Paul Bergman
	K-Tech:	John McVicker Jr.	
	OCE:	Craig Miller	Ron Lajti
	Townships:	Jerry Haar (Harris)	Beverly Haar (Harris)
		Cary Johnson (Harris)	D J Greenhill (Harris)
		Benny Petersen (Bay)	

<b>Contractor</b>	<b>Contact:</b>	<b>Phone Number:</b>
Henry W Bergman, Inc.	Thomas Bergman	(419) 279-1108
K-Tech (Material Supplier)	John McVicker Jr.	(260)-587-9113

<b>County Contacts:</b>	<b>Phone Number:</b>	
Craig Miller	O (419) 734-6777	C (419) 341-3691
Ron Lajti	O (419) 734-6777	C (419) 340-5417

## Meeting Summary:

The meeting was an open discussion. The following is summary of the discussion that took place. Once all of the parties arrived, John McVicker with K-Tech Specialty Coatings (HFRS-2 Supplier) began by providing his thoughts. John stated that the issue was a result of the HFRS-2 absorbing into the fresh asphalt material. In order to minimize/avoid this problem in the future John recommended spraying a "primer coat" with a trackless tack or similar onto the new asphalt prior to the chip seal application. John stated this was a problem that they have seen in the past and are aware of. John stated that it doesn't always happen but it is certainly not uncommon. Mr. McVicker suggested waiting thirty days between hot mix scratching and chip sealing. Mr. McVicker also advised the use of an emulsion with polymer (HFRS-2P) and increasing the application rate to 0.45 g/sy on roads with scratching done recently.

Thomas Bergman mentioned ODOT used to have a 30 day spec for applying chip seal on top of new asphalt pavement. This spec required the contractor to wait at least 30 days prior to applying tar and

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chip on top of any new asphalt concrete pavement. Thomas said this spec has been waved in the past. Thomas asked what Ottawa County's experience was with this. Ron and Craig stated that the Ottawa County maintenance crews did encounter this issue once or twice a few years back. It is now Ottawa County's practice to wait until the following year to tar and chip over the scratched areas. It was stated that this practice is not a result of past issues; it's primarily for scheduling and planning reasons. Paul and Thomas commented that they hadn't see this issue before but added that the majority of their work this season has been with polymers, including all work for ODOT and various county/townships chipping over asphalt repairs/scratching with CRS-2P or HFRS-2P. Craig Miller with Ottawa County stated that they have spec'd similar work in recent years. Craig referenced last year's Township Chip Seal packages that included Netcher Road for Harris Township. He stated that the work was very similar in nature and this problem was not encountered. Craig stated there was 31 days between the scratch course and the tar and chip on Netcher Road. He also reference two similar and successful jobs in 2019 and 2020, in which the contractor chip sealed over the hot mix after only 5 or 6 days. Thomas stated he was also perplexed that this issue was present on the dura patched crossover on Linker-Portage. He said he has chip sealed over dura-patch many times and hadn't ever seen this happen on a dura-patch repair. No one had a good explanation or theory as to why this also occurred on the dura-patch. Craig stated that this tar and chip was applied on a cool foggy morning and that it seemed to take longer than usual for the material to "cure". He suggested that could have given more time for the liquid to "seep" into the voids of the asphalt.

Craig also stated that he would have preferred and expected the contractor to stop application and contact him when the application rate and conditions came into question. This is a requirement in section "422.07 Binder Application" of the State of Ohio Construction and Material Specifications. Craig said Bill and Wes both stated that it was night and day and that the liquid was quickly going into the new hot mix. This conversation was days later when the issue was discovered. Craig felt like stopping production could have minimized the amount of rework and additional expense needed. Thomas said he understands but his guys had not seen this type of thing before and they didn't know this was going to be the result at the time. Craig acknowledged that this process moves very quickly and sometimes things are finished before a problem is discovered.

Thomas asked John if in his opinion he felt increasing the rate from 0.42 to something a little higher would have made a difference. John said it would have helped but based on a visual it would have required a considerable amount of additional liquid.

Thomas also stated that in his opinion is was in everyone's best interest to let the road go through winter before reapplying the chip seal in the new hot mix locations. Stone was continuing to become dislodged. He was not comfortable chip sealing over stone that had a questionable bond.

Beverly Haar stated that she understands the realities of construction and project overruns but made sure to state that as Township Trustees they have to look out for the tax payers of the township and be sure they are getting the service/product expected at a fair and justified price. DJ and Cary also voiced similar concerns at different points in the conversation.

Ron Lajti, in an effort to work toward a resolution, highlighted that throughout the conversation it was apparent that all parties have some level of responsibility in getting to this point. He agreed with

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Thomas' thoughts on waiting until the spring before doing any additional chip sealing. He proposed the following plan of action.

1. Ottawa County will provide equipment and personnel in the spring to sweep the road free of any remaining loose stone (April/May of 2023).
2. The involved parties will meet again in April/May of 2023 to evaluate the road condition and determine extend, locations and rates for chip seal reapplications.
  - a. In an effort to keep costs down for the township. K-Tech said they would work with Henry W. Bergman to provide the additional HFRS-2 to reapply the tar and chip. Henry W. Bergman will provide the labor and equipment to re-apply the liquid and stone.
3. Ottawa County will provide (pay for) the additional aggregate needed next year in any reapplication.

All parties agreed to proceed with this course of action. Beverly brought up concerns with their overall budget for this project. She was nervous about having an open ended dollar amount coming their way next year. Craig ran through the numbers to date. The township decided to forgo fog sealing Linker-Portage at this time as well. This would provide them with more flexibility in the spring when the scope of corrective work is finalized.

There was also a conversation regarding the payment of work to date. Ron and Craig stated that the HFRS-2 applied is in the road and the benefits will still be realized. This liquid would have had to of been applied regardless, even if a higher rate should have been applied. Therefor this will be paid out in full. The #8's will not be paid until we can re-evaluate in the spring and have a better idea of how much of the applied stone will ultimately end up being lost. Bergman agreed to hold off on paying for any of the 8's applied to date. The remainder of the work completed to date will be paid in full at the bid rates.

Signatures to follow are to acknowledge above.

Ottawa County

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Ronald P. Lajti J.R., P.E., P.S.,  
Ottawa County Engineer

Henry W. Bermgan Inc.

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