



U.S. Department
of Transportation

**Federal Highway
Administration**

Memorandum

Subject: **ACTION:** No Excuse Incentive Clause
Approval Under Special Experiment Project No. 14
Innovative Contracting Practices (SEP-14)

Date: August 17, 2007

Signed By

From: Dwight A. Horne
Director, Office of Program Administration

Reply to
Attn. of: HIPA-30

To: Thomas Sorel
Division Administrator
St. Paul, MN

This is reference to your August 17, 2007 e-mail, which forwarded a SEP-14 work plan from the Minnesota Department of Transportation, for the evaluation of a No Excuse Incentive Clause special provision on the St. Anthony Falls (I-35W) bridge project.

The Minnesota Department of Transportation proposes to use an accelerated time line with a locked-incentive date (no excuse bonus) to provide for the competitive best-value procurement of a design-build team to design, construct, and warrant the construction of the I-35W Bridge.

You may consider the use of the No Excuse Incentive Clause concept to be approved for evaluation under SEP-14. Should you have any questions, please contact Jerry Yakowenko at (202) 366-1562.

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