



U.S. Department
of Transportation

Federal Highway
Administration

Memorandum

Subject **ACTION:** Missouri Fixed Price Variable Scope (FPVS) Contracting (Job No. J6P3543) under Special Experimental Project No. 14 (SEP-14)

Date: December 17, 2020

From: Brian J. Fouch P.E. Digitally signed by BRIAN J FOUCH
Date: 2020.12.17 15:23:31 -05'00'
Director, Office of Preconstruction,
Construction, and Pavements

In Reply Refer To:
HICP-20

To: Kevin W. Ward
Division Administrator
Jefferson City, Missouri

This memorandum is in response to an email from Mr. Mike McGee of your office which transmitted and endorsed the following documents:

1. A Missouri Department of Transportation (MoDOT) workplan, dated November 23, 2020 for Fixed Price Variable Scope (FPVS) Contracting under Special Experimental Project No. 14 (SEP-14). The workplan would only apply to Job No. J6P3543, slated for a Spring 2021 letting. Attached to the workplan was a document titled "FPVS - Job No. J6P3543 Attachments," which includes Example Pay Items, Contract Award and Management, Site Locations, and Example FPVS Special Provisions; and
2. A December 1, 2020 cover letter from the FHWA Missouri Division Office to the FHWA Headquarters, transmitting and requesting approval of the SEP-14 workplan.

MoDOT proposes to use FPVS on a project for the installation of Seal Coat (also known as "chip seal") along various routes in Franklin County, Missouri.

For this project:

1. MoDOT develops estimated quantities for the pay items in the project that will deliver the budget amount that is included in the project specifications.
2. Locations of the work are established in priority order in the project specifications.
3. MoDOT advertises the project through its traditional bidding processes.
4. The contractor will bid unit prices for the pay items and submits their bids through traditional bidding processes.
5. MoDOT awards the contract to the lowest responsive bidder.

6. Once the project has been awarded, the MoDOT construction office would then manage the contract by using a change order to adjust the contract quantities upward or downward to reach, but not exceed the budgeted amount.

Additional details may be found in the SEP-14 workplan.

MoDOT's SEP-14 workplan for the use of FPVS Contracting is satisfactory. You may consider this project approved for evaluation under SEP-14.

Thank you for the opportunity to review and comment on this SEP-14 request. Should you have any questions, please contact Gerald Yakowenko at (202) 366-1562 or John Huyer at (720) 437-0515.