

NYSDOT/FHWA SEP 14 Pilot Program
Job Order Contracts for Bridge Maintenance
JOC-3 Report
March 2017 to March 2018

FEDERAL AID BRIDGE JOCs, JOC-3 PILOT PROGRAM

In March 2017, the NYSDOT sought approval from the FHWA for the third time to use Federal funding for a non-determinate quantity, non-determinate location type contract for bridge maintenance activities through the Federal “Alternative Contracting” SEP-14 program. A 3rd three-year pilot program to contract element-level bridge maintenance activities using the Job Order Contracting (JOC) system was approved late April 2017. The JOC-3 Pilot will expire December 31, 2021.

Six bridge JOCs have been let with federal aid funding under the JOC-2 Pilot, being awarded in 2017 prior to JOC-2’s expiration. If the Regions seek extension of these contracts, the contracts will be extended under the JOC-3 Pilot program.

FEDERALLY-AIDED JOB ORDER CONTRACTS – SEP-14 JOC-3 PILOT PROJECTS

Contract Number	Description	Date Awarded	Date Complete*	Contract Value
D263128	R3 Bridge JOC	06/30/2016	6/29/2019	\$990,074
D263293	R6 Bridge JOC	11/30/2016	11/29/2019	\$905,946
D263376	R9 Bridge JOC; Broome and Tioga	4/10/2017	4/9/2020	\$867,753
D263377	R9 Bridge JOC; Otsego and Schoharie	4/10/2017	4/9/2020	\$867,753
D263378	R9 Bridge JOC; Chenango, Delaware, and Sullivan	4/10/2017	4/9/2020	\$867,753
D263222	R8 Bridge JOC	05/19/2017	5/18/2020	\$1,063,985
D263332	R5 Bridge JOC	06/16/2017	6/15/2020	\$442,920
D263492	R8 Bridge JOC	9/28/2017	9/27/2020	\$1,012,101
D263706	R3 Bridge JOC	Spring 2018		

*includes potential (3) 1-year time and funding extension

JOC-2 Extension

To avoid a lapse in federal-aid funding, JOC-2 was extended until 12/31/2018 to overlap with JOC-3. This allows the contracts that were awarded in 2017, under JOC-2, to have consistent funding throughout the life of the contract, including any extensions the Regions may seek.

As an example, R9’s (3) federal-aid bridge JOCs were awarded on April 10, 2017 under JOC-2. These contracts will expire April 9, 2018 and will continue to be funded under JOC-2 until that date. Once expired, these contracts can be extended under JOC-3 funding. All new contracts will be awarded under JOC-3 funding.

REGIONAL USE OF JOCs

The use of JOCs across NYSDOT has still not reached its full potential. Unfortunately, some of NYSDOT’s Regions that previously utilized JOCs no longer have the necessary staffing resources in their Design, Construction, and Maintenance Groups to successfully administer and manage their JOCs.

However, the five Regions that have successfully used JOCs are continuing to expand their use to one JOC per County, not only for bridge JOCs but also for SDF highway and culvert SDF JOCs. A couple of Regions have also found JOC to be beneficial for their overhead sign structure maintenance. Awarding JOCs at the County level not only encourages smaller business competition (thereby procuring a better bid/contract price for NYSDOT) but it also allows the Department to achieve more infrastructure maintenance.

JOC User's Guide and Construction Special Note Revisions

Revisions to the JOC User's Guide and Construction Special Note, both dated 7/1/2017, have been approved by the NYS Office of State Comptroller. The revisions better align the two documents to avoid contradictions, remove excess verbiage, improve terminology, and provide consistency across both documents (see attached documents).

CONSULTANT CONTRACT

The consultant contract to service and administer NYSDOT's JOC (previously held by the Gordian Group; Contract #C030790) expired October 31, 2017. The new consultant contract, Job Order Contracting (JOC) Services for NYSDOT Contract #C037621, was awarded to the Gordian Group and approved by the NYS Office of State Comptroller on 2/7/2018. This contract expires on 10/30/2020 and may be extended up to (2) additional one year periods.

Disadvantaged Business Enterprises (DBE) Goals

As per the NYSDOT Highway Design Manual Chapter 21, JOCs are of a work type that do not lend itself to setting DBE goals. JOCs are contracts where the detailed scopes of work, locations of work, and schedule are not determined until after the award. Therefore, DBE goals are not required for this type of work. However, at pre-bid/pre-con meetings, contractors are encouraged to use DBEs for sub-contractors and to purchase their materials and supplies from DBEs. For more information on why JOC DBE goals are 0%:

<https://www.dot.ny.gov/divisions/engineering/design/dgab/hdm/chapter-21/dmwbe-goals>

Federal Environmental Approval Worksheet (FEAW)

FEAWs should be filled out for each individual job site/project scheduled for work under a JOC contract. Although the NYSDOT Regions were previously inconsistent with completing them, NYSDOT Main Office has been providing guidance, and training when appropriate, to ensure full compliance with this requirement.