Subject: **ACTION:** No Excuse Incentive Provision  
Special Experimental Project No. 14 (SEP-14)

Date: October 1, 2008

Signed by: Dwight A. Horne  
Director, Office of Program Administration

Reply to
Attn of: HIPA-30

From: Peter W. Osborn  
Division Administrator  
Providence, RI

This is in reference to Mr. Anthony Palumbo’s September 30, 2008, email that forwarded a SEP-14 work plan on behalf of the Rhode Island Department of Transportation. The State proposes to use a no excuse incentive provision in conjunction with an incentive/disincentive contract clause on the Sakonnet River Bridge construction contract.

The no excuse incentive clause provides a $2,000,000.00 incentive if both the May 11, 2012, interim completion and the May 15, 2013, required completion dates are met. The clause also provides for a waiver of contractor claims. The State’s plan to provide a single evaluation of this technique at the end of the contract is satisfactory.

You may consider the work plan as approved under our SEP-14 Innovative Contracting program. Should you have any questions, please contact Gerald Yakowenko at (202) 366-1562.