



U.S. Department
of Transportation

Federal Highway
Administration

Memorandum

Subject: **ACTION:** Texas Sealed Technical Concepts on a
Design-Bid-Build Project under Special Experimental
Project No. 14 (SEP-14)

Date: December 15, 2023

From: Brian Hogge
Acting Director
Office of Preconstruction, Construction, and
Pavements

BRIAN R. HOGGE
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In Reply Refer To:
HICP-20

To: Al Alonzi
Division Administrator
Austin TX

This memorandum is in reference to the December 8 email from Brett Jackson of your staff, which transmitted, endorsed, and recommended approval of a Texas Department of Transportation (TxDOT) Workplan (also dated September 16) for the use of Sealed Technical Concepts (STCs) for Design-Bid-Build (D-B-B) Projects under Special Experimental Project No. 14 (SEP-14). This procurement procedure would be used for the design and construction of the Capital Express (CapEx) Central Drainage Tunnels project.

TxDOT allows the use of Alternative Technical Concepts (ATC) on its Design-Build (D-B) projects. The STC is similar to an ATC in that it is a mechanism for bidders to propose changes to a project. It differs in the timing and delivery method of the change. Bidders are allowed to submit STCs that, if approved, TxDOT would provide a signed and sealed pre-bid design after the signed and sealed base design is substantially complete. Other details are contained in the SEP-14 Workplan.

The SEP-14 Workplan is approved.

The FHWA's approval of the SEP-14 workplan for the FL SW 10th Street Connector Project is limited to the deviations from FHWA's procurement rules at 23 CFR Part 636 as set forth in the Workplan. FHWA's approval is not intended to be and should not be interpreted as an approval, either expressly or implied, of deviations from any other title 23 USC, title 23 CFR, or other Federal requirement (including provisions contained in the recently enacted Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act, Pub. L. 117-58 (Nov. 15, 2021)) applicable to any other aspect of the project advanced under the SEP-14 Workplan.

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