



U.S. Department
of Transportation

Federal Highway
Administration

Memorandum

Subject: **ACTION:** Vermont Indefinite Delivery/ Indefinite
Quantity Multiple Award-Task Order Contracting
under Special Experimental Project No. 14 (SEP-14)

Date: October 19, 2017

From: /S/ Hari Kalla
Director, Office of Preconstruction, Construction,
and Pavements

In Reply Refer To:
HICP-20

To: Matthew R. Hake
Division Administrator
Montpelier, VT

This is in reference to Mr. Matthew DiGiovanni's emails of June 26, August 22, September 14, and October 5 to our office which forwarded, endorsed, and clarified the Vermont Agency of Transportation's (VTrans) proposed Special Experimental Project No. 14 (SEP-14) Workplan for the use of Indefinite Delivery/ Indefinite Quantity (ID/IQ) Multiple Award-Task Order Contracting (MA-TOC). Though FHWA has approved ID/IQ contracting under SEP-14 for use by several contracting agencies since 2007, this is the first proposed use of the MA-TOC technique under SEP-14.

VTrans is seeking approval for each Primary ID/IQ Contract to have an initial duration of three years, with the option to renew for two additional one-year periods at VTrans' discretion.

Award of Primary ID/IQ Contracts

VTrans will solicit proposals through a Request For Proposals (RFP) process. Proposers/Bidders may submit proposals for Primary Contracts in one or more categories of work, and for one or more of Vermont's four regions. Bidders selected for Primary ID/IQ Contracts will become part of a "pool" of contractors who will be solicited to bid on Task Orders for specific tasks in the categories of work and regions covered by their Primary Contracts.

VTrans will award Primary ID/IQ Contracts in the best interest of the State. In making the best interest determination, the selection panel will evaluate proposals based upon the following primary factors.

- Business Structure
- Past Performance
- Experience

Contractor's availability will also be a selection criterion to ensure the State has an adequate contractor pool to cover the needs of the State in all regions.

Work Types:

1. Paving
2. Surface Repair
3. Large Culvert Repair
4. Bridge Repair
5. Right-of-way Clearing
6. Roadway Repair (Includes slope stabilization and small culvert repair)

Award of Task Order (TO) Contracts

1. After Primary IDIQ Contracts are in place, VTrans will issue Task Bid Requests (TBR) to all Primary IDIQ contract holders inviting them to bid on specific projects that are within the scope of their Primary contracts.
2. TBRs will include, among other project-specific information, the location, type of work, type of pricing sought, and the deadline by which the contractor must submit a Task Proposal (TP).
3. TOs will be awarded to the lowest priced, responsive and responsible vendor. Bids that appear to be unbalanced or otherwise indicate a lack of project understanding may be disqualified.

Replenishment of the Contractor Pool

1. Through an “On-Ramp” process, VTrans may provide bidders not initially selected for Primary Contracts with an opportunity to compete for Primary Contracts during the contract period, with VTrans awarding additional Primary Contracts as deemed necessary.
2. Through an “Off-Ramp” process, VTrans may terminate Primary Contracts at any time when it determines that a contractor previously awarded a Primary Contract has not delivered adequate performance or has demonstrated a lack of availability.
3. Through a “Cross-Ramp” process, VTrans may offer TBRs to other vendors who are not already in the pool for that work type for that region, but who are already in one or more other regional pools for that same work type. These would be used with discretion and control.

Project Programming

VTrans and the FHWA Vermont Division Office would work cooperatively to ensure that the initial RFP and any subsequent RFPs adequately address VTrans’ infrastructure needs while maintaining budgetary constraints.

The VTrans request for the use of ID/IQ MA-TOC is approved for a period of five years from the issuance of this approval memorandum.

Should you have any questions, please contact Mr. John Huyer at 651-291-6111 or Gerald Yakowenko at (202) 366-1562.