



U.S. Department  
of Transportation

Federal Highway  
Administration

# Memorandum

Subject: **ACTION:** Indefinite Delivery/Indefinite  
Quantity Contracting Under Special  
Experimental Project No. 14 (SEP-14)

Date: December 4, 2015

From: /s/Thomas D. Everett  
Director, Office of Program Administration

In Reply Refer To:  
HIPA-30

To: Kirk Fredrichs  
Acting Division Administrator  
Madison, WI

This is in reference to Mr. Dave Platz's October 30 initial email and November 25 follow-up email transmitting and requesting that we review and approve a Wisconsin Department of Transportation (WisDOT) SEP-14 Work Plan for Utilizing 'Indefinite Delivery/Indefinite Quantity' (ID/IQ) Contracting for Tree Clearing Statewide, Northern Long Eared Bat (NLEB) Protection.

According to the WisDOT-submitted SEP-14 Workplan,

- The proposed methodology is an alternative delivery process that will enable WisDOT to keep their construction program on schedule and meet the NLEB preservation requirements. With the use of the ID/IQ contracting method, WisDOT would be able to ensure that trees would be cleared and removed prior to the March 31 cutoff for preservation of the NLEB which has recently been listed as Threatened by the United States Fish and Wildlife Service.
- Currently, projects requiring clearing are let thru the normal low bid process and this clearing takes place when required to meet the requirements of the contract.
- The ID/IQ contracting methodology would separate the clearing and removal of trees, greater than one acre, from the road or bridge contract and make it a stand-alone contract completed between October 1 and March 31 – during the NLEB dormancy period and prior to the normal Wisconsin construction season.

- WisDOT will let the ID/IQ contract as a Regional (single award) contract with a maximum of 2 contracts, depending on the number and location of the projects requiring clearing, over a 1 year period. Under these contracts, WisDOT anticipates a minimum of 11 job orders. These contracts will be awarded to the lowest responsible bidder based on the sum of all bid items extended by the unit bid prices. WisDOT hopes to let the first contract in January 2016.
- WisDOT will prepare and submit a final report on the initial clearing contract(s) methodology within 8 months of the completion of the final job order. The final report will contain an overall evaluation of the contract(s) along with any suggestions and recommendations for improving the process. Metrics would include:
  - Solicited comments from industry regarding the use of ID/IQ,
  - The contractor's ability to respond to the job order in a timely manner,
  - Compare statewide average bid prices with the ID/IQ bids as well as statewide or regional contract effects on bid prices, and
  - If the use of ID/IQ was successful in keeping construction contracts on schedule.

We approve WisDOT's SEP-14 Work Plan for Utilizing 'Indefinite Delivery/Indefinite Quantity' (ID/IQ) Contracting for Tree Clearing Statewide, NLEB Protection.

Thank you for the opportunity to review this SEP-14 request. If you have any questions, please contact John Huyer of my office at (651) 291-6111 or [John.Huyer@dot.gov](mailto:John.Huyer@dot.gov).