

From: [DeSanto, James \(FHWA\)](#)
To: [Millington, Chris \(FHWA\)](#)
Cc: [Huyer, John \(FHWA\)](#); [Hogge, Brian \(FHWA\)](#)
Subject: RE: SEP 14 Annual Report for Best Value Design Bid Build
Date: Tuesday, July 30, 2024 2:41:00 PM

Chris,

Our team concurs with the NY Division's recommendation and NYDOT's request to amend the reporting frequency for NYSDOT's November 2022 SEP-14 workplan, as outlined below.

Please ask NYSDOT to send the amended workplan through the division and forward a copy to our team so that we may post it on our website.

Thanks,

Jim DeSanto, PE

FHWA – HICP-20 Construction Team, Office of Infrastructure
(614) 357-8515 James.DeSanto@dot.gov
[FHWA's Construction Program Guide](#)

From: Millington, Chris (FHWA) <Chris.Millington@dot.gov>
Sent: Tuesday, July 9, 2024 3:58 PM
To: DeSanto, James (FHWA) <james.desanto@dot.gov>
Cc: Huyer, John (FHWA) <John.Huyer@dot.gov>; Hogge, Brian (FHWA) <Brian.Hogge@dot.gov>
Subject: RE: SEP 14 Annual Report for Best Value Design Bid Build

Hey Jim,

This is NYSDOT proposed changes to SEP

NYSDOT is requesting to go to a longer reporting interval, the only potential issue is the timing/interval of reports with respect to both our NYS authorization for alternative procurement and FHWA approval, which are both currently thru 12/31/2027 (page 4 of our current work plan). Our last report was last year (2023) and it's likely we'd need to request an extension under SEP-14 in fall of 2027. In this case, it may make the most sense to do a report in the summer of 2027 and then request the extension in fall of 2027.

This would require a change to the 2nd to last paragraph of our November 2022 work plan from:

"Each July, NYSDOT will prepare an annual report to summarize the status of NYSDOT's Best Value selection process. The interim and final reports will be included in the annual report."

to:

"NYSDOT will summarize the status of NYSDOT's Best Value selection process in a report by the earlier of:

- the July of every fifth year, or*

- *three to six months prior to the expiration of FHWA's current approval to NYSDOT. The report will include contract specific interim and final reports. For projects that are awarded and completed between report cycles, only a final report that contains all the information typically contained in an interim and final report will be completed."*

The last paragraph of the plan would remain unchanged in case we don't get NYS reauthorization for alternative project delivery, for some reason do not wish to continue with the program, or do not get approval from FHWA to continue to use the program.

Please let us know if this would be an acceptable change to our current plan. If so, please let us know if there's anything further, we need to do to make the change official.

Thanks Chris