

# #1

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 8:09:59 AM  
**Last Modified:** Tuesday, May 26, 2020 8:14:56 AM  
**Time Spent:** 00:04:56  
**IP Address:** 69.60.36.224

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Page 1

## Q1

What is your contact information?

Name	<b>Earl Glenn</b>
Email Address	<b>eglenn@mdot.ms.gov</b>

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## Q2

What is your State Designation?

State/Province	<b>MS</b>
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## Q3

**YES**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

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## Q4

On what type of projects have you used NEBs?

Projects in urban areas

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## Q5

How is the NEBs Value determined?

We using auditing data that takes into account the cost of having the roadway closed or under utilized for a certain period.

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## Q6

**Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

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**Q7** **PROJECT MILESTONE**

Are the NEBs tied to Project Milestones or Project Completion?

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**Q8**  
In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Highly Effective**

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**Q9** **YES**

Have you received FHWA participation in the Bonus Value?

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**Q10**  
Under what circumstances would a time extension be granted?

Force majeure

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**Q11** **NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

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**Q12** **NO**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

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**Q13** **NO**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

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**Q14**  
What actions does your DOT take to maintain quality of NEB Projects?

We used a more aggressive testing approach.

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**Q15**

How do NEBs Projects change your approach to Contract Administration?

N/A

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**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

It requires additional staffing due to the nature of 24 hour work.

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**Q17**

How have the local utility providers responded to NEBs Projects?

No

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**Q18**

How does the local construction industry view No Excuse Bonuses?

☆ **Somewhat like NEBs**

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## #2

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 8:18:58 AM  
**Last Modified:** Tuesday, May 26, 2020 8:20:22 AM  
**Time Spent:** 00:01:23  
**IP Address:** 164.119.51.56

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Page 1

### Q1

What is your contact information?

Name **Rob Davis**  
Email Address **rob.davis@nebraska.gov**

---

### Q2

What is your State Designation?

State/Province **NE**

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### Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

**NO**

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### Q4

On what type of projects have you used NEBs?

**Respondent skipped this question**

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### Q5

How is the NEBs Value determined?

**Respondent skipped this question**

---

### Q6

If answer was yes above, would you attach a copy of your specification?

**Respondent skipped this question**

---

### Q7

Are the NEBs tied to Project Milestones or Project Completion?

**Respondent skipped this question**

---

## No Excuse Bonuses for Project Milestone Survey

<b>Q8</b>	<b>Respondent skipped this question</b>
In your DOT's experience, how effective have these NEBs been for improving schedule performance?	
<b>Q9</b>	<b>Respondent skipped this question</b>
Have you received FHWA participation in the Bonus Value?	
<b>Q10</b>	<b>Respondent skipped this question</b>
Under what circumstances would a time extension be granted?	
<b>Q11</b>	<b>Respondent skipped this question</b>
Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.	
<b>Q12</b>	<b>Respondent skipped this question</b>
Is a constructability review performed when determining the project schedule? If so, what type of review is performed?	
<b>Q13</b>	<b>Respondent skipped this question</b>
On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?	
<b>Q14</b>	<b>Respondent skipped this question</b>
What actions does your DOT take to maintain quality of NEB Projects?	
<b>Q15</b>	<b>Respondent skipped this question</b>
How do NEBs Projects change your approach to Contract Administration?	
<b>Q16</b>	<b>Respondent skipped this question</b>
How do NEBs projects change your approach to Construction Engineering and Inspection?	

## No Excuse Bonuses for Project Milestone Survey

**Q17**

Respondent skipped this question

How have the local utility providers responded to NEBs Projects?

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**Q18**

Respondent skipped this question

How does the local construction industry view No Excuse Bonuses?

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# #3

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 8:27:11 AM  
**Last Modified:** Tuesday, May 26, 2020 8:42:14 AM  
**Time Spent:** 00:15:02  
**IP Address:** 167.7.17.3

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Page 1

## Q1

What is your contact information?

Name	Kevin Harrington
Email Address	<a href="mailto:harringtkg@scdot.org">harringtkg@scdot.org</a>

---

## Q2

What is your State Designation?

State/Province	SC
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<b>Q3</b>	<b>YES</b>
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Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

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## Q4

On what type of projects have you used NEBs?

Interstate widening projects

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## Q5

How is the NEBs Value determined?

Road User Cost and CEI costs are taken into consideration.

---

## Q6

If answer was yes above, would you attach a copy of your specification?

**No excuse SC.pdf (83.9KB)**

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## No Excuse Bonuses for Project Milestone Survey

**Q7**

Are the NEBs tied to Project Milestones or Project Completion?

Other (please specify):

Can be either

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**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆

**Highly Effective**

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**Q9**

Have you received FHWA participation in the Bonus Value?

**YES**

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**Q10**

Under what circumstances would a time extension be granted?

State of emergency or severe weather event.

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**Q11**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

**NO**

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**Q12**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

**YES,**

If yes, please explain:

A review is performed to evaluate the feasibility of the aggressive schedule.

---

**Q13**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

**NO**

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**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

Same as projects without NEB.

---



**Q15**

How do NEBs Projects change your approach to Contract Administration?

No change in approach to Contract Administration.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

No change.

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**Q17**

How have the local utility providers responded to NEBs Projects?

No change.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆

**Like NEBs**

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## #4

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 9:06:25 AM  
**Last Modified:** Tuesday, May 26, 2020 9:24:38 AM  
**Time Spent:** 00:18:13  
**IP Address:** 199.48.0.5

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Page 1

### Q1

What is your contact information?

Name **Dwayne Cale**  
Email Address **dwayne.cale@ardot.gov**

---

### Q2

What is your State Designation?

State/Province **AR**

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### Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

NOT SURE, Please explain:  
Not as a regular practice but we have had a few on particular projects

---

### Q4

On what type of projects have you used NEBs?

Urban double round-a-bout and main lane widening project in a high density shopping area.

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### Q5

How is the NEBs Value determined?

I don't know specifics but in the case on the above project it likely took into consideration the impact to the public and the deadlines that the land developers had placed on opening up new shopping developments in the area.

---

### Q6

**Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

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## No Excuse Bonuses for Project Milestone Survey

**Q7**

Are the NEBs tied to Project Milestones or Project Completion?

Other (please specify):

The one that I am aware of was only tied to a project milestone. A certain portion of the roundabouts had to be open to traffic by a certain date.

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**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆

**Somewhat Effective**

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**Q9**

Have you received FHWA participation in the Bonus Value?

Other (please specify):

Not to my knowledge

---

**Q10**

Under what circumstances would a time extension be granted?

None for the project that I am familiar with.

---

**Q11**

**NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the determining authority.

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**Q12**

**YES,**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

If yes, please explain:

We have 30%, 60% and 90% plan-in-hand meetings to discuss all aspects of the plans.

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**Q13**

**NO**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

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**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

More projects would be required to develop.

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**Q15**

How do NEBs Projects change your approach to Contract Administration?

Not enough experience with them at this time.

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**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

Not enough experience with them at this time.

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**Q17**

How have the local utility providers responded to NEBs Projects?

Not enough experience with them at this time.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆ **Somewhat like NEBs**

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#5

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 9:37:52 AM  
**Last Modified:** Tuesday, May 26, 2020 9:43:15 AM  
**Time Spent:** 00:05:23  
**IP Address:** 159.39.101.2

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Page 1

**Q1**

What is your contact information?

Name	<b>Mike Vosburg</b>
Email Address	<b>mike.vosburg@la.gov</b>

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**Q2**

What is your State Designation?

State/Province	<b>LA</b>
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**Q3** **NO**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

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**Q4**

On what type of projects have you used NEBs?

NA

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**Q5**

How is the NEBs Value determined?

NA

---

**Q6** **Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

---

## No Excuse Bonuses for Project Milestone Survey

**Q7**

Are the NEBs tied to Project Milestones or Project Completion?

Other (please specify):

NA

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

**Respondent skipped this question**

**Q9**

Have you received FHWA participation in the Bonus Value?

Other (please specify):

NA

**Q10**

Under what circumstances would a time extension be granted?

NA

**Q11**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

If yes, please explain:

NA

**Q12**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

If yes, please explain:

NA

**Q13**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

**NO**

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

**Respondent skipped this question**

**Q15**

How do NEBs Projects change your approach to Contract Administration?

**Respondent skipped this question**

## No Excuse Bonuses for Project Milestone Survey

**Q16**

Respondent skipped this question

How do NEBs projects change your approach to Construction Engineering and Inspection?

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**Q17**

Respondent skipped this question

How have the local utility providers responded to NEBs Projects?

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**Q18**

Respondent skipped this question

How does the local construction industry view No Excuse Bonuses?

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#6

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 8:22:37 AM  
**Last Modified:** Tuesday, May 26, 2020 9:49:03 AM  
**Time Spent:** 01:26:25  
**IP Address:** 204.62.25.100

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Page 1

**Q1**

What is your contact information?

Name	<b>John Leonard</b>
Email Address	<b>jleonard@odot.org</b>

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**Q2**

What is your State Designation?

State/Province	<b>OK</b>
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**Q3**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

**NO**

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**Q4**

On what type of projects have you used NEBs?

**Respondent skipped this question**

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**Q5**

How is the NEBs Value determined?

**Respondent skipped this question**

---

**Q6**

If answer was yes above, would you attach a copy of your specification?

**Respondent skipped this question**

---

**Q7**

Are the NEBs tied to Project Milestones or Project Completion?

**Respondent skipped this question**

---



## No Excuse Bonuses for Project Milestone Survey

<b>Q8</b>	Respondent skipped this question
In your DOT's experience, how effective have these NEBs been for improving schedule performance?	
<b>Q9</b>	Respondent skipped this question
Have you received FHWA participation in the Bonus Value?	
<b>Q10</b>	Respondent skipped this question
Under what circumstances would a time extension be granted?	
<b>Q11</b>	Respondent skipped this question
Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.	
<b>Q12</b>	Respondent skipped this question
Is a constructability review performed when determining the project schedule? If so, what type of review is performed?	
<b>Q13</b>	Respondent skipped this question
On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?	
<b>Q14</b>	Respondent skipped this question
What actions does your DOT take to maintain quality of NEB Projects?	
<b>Q15</b>	Respondent skipped this question
How do NEBs Projects change your approach to Contract Administration?	
<b>Q16</b>	Respondent skipped this question
How do NEBs projects change your approach to Construction Engineering and Inspection?	

**Q17**

**Respondent skipped this question**

How have the local utility providers responded to NEBs Projects?

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**Q18**

How does the local construction industry view No Excuse Bonuses?

☆

**Dislike NEBs**

---

#7

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 9:48:59 AM  
**Last Modified:** Tuesday, May 26, 2020 9:58:20 AM  
**Time Spent:** 00:09:21  
**IP Address:** 156.63.69.14

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Page 1

**Q1**

What is your contact information?

Name **eric kahlig**  
Email Address **eric.kahlig@dot.ohio.gov**

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**Q2**

What is your State Designation?

State/Province **OH**

---

**Q3** **YES**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

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**Q4**

On what type of projects have you used NEBs?

Major reconstruction projects with high traffic counts and external schedule drivers.

---

**Q5**

How is the NEBs Value determined?

Evaluation of traffic impacts and coordination with Executive Management for funding availability.

---

**Q6**

If answer was yes above, would you attach a copy of your specification?

**PN122\_01182019\_for\_2019.pdf (353.2KB)**

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**Q7**

**PROJECT COMPLETION**

Are the NEBs tied to Project Milestones or Project Completion?

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**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Highly Effective**

---

**Q9**

**YES**

Have you received FHWA participation in the Bonus Value?

---

**Q10**

Under what circumstances would a time extension be granted?

Extra work (unanticipated work items which may add contract duration)

---

**Q11**

**NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

---

**Q12**

**YES,**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

If yes, please explain:  
CPM analysis, experinced construction manager review.

---

**Q13**

**YES**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

Ensuring proper project selection - minimal outside impact.

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

As the date is critical to the Department (or the note would not be used), we need to ensure responsiveness and cooperation.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

As the date is critical to the Department (or the note would not be used), we need to ensure responsiveness and cooperation.

---

**Q17**

How have the local utility providers responded to NEBs Projects?

Non issue - high utility impacts are not candidates.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆ **Somewhat like NEBs**

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#8

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 10:06:10 AM  
**Last Modified:** Tuesday, May 26, 2020 10:09:01 AM  
**Time Spent:** 00:02:51  
**IP Address:** 158.123.8.126

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Page 1

**Q1**

What is your contact information?

Name	<b>George Ley</b>
Email Address	<b>george.ley@dot.ri.gov</b>

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**Q2**

What is your State Designation?

State/Province	<b>RI</b>
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**Q3**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

**NO**

---

**Q4**

On what type of projects have you used NEBs?

n/a

---

**Q5**

How is the NEBs Value determined?

n/a

---

**Q6**

**Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

---

No Excuse Bonuses for Project Milestone Survey

**Q7**

Are the NEBs tied to Project Milestones or Project Completion?

Other (please specify):

n/a

---

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

**Respondent skipped this question**

---

**Q9**

Have you received FHWA participation in the Bonus Value?

Other (please specify):

n/a

---

**Q10**

Under what circumstances would a time extension be granted?

n/a

---

**Q11**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

If yes, please explain:

n/a

---

**Q12**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

If yes, please explain:

n/a

---

**Q13**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

**Respondent skipped this question**

---

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

n/a

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

n/a

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

n/a

---

**Q17**

How have the local utility providers responded to NEBs Projects?

n/a

---

**Q18**

Respondent skipped this question

How does the local construction industry view No Excuse Bonuses?

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#9

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 10:04:01 AM  
**Last Modified:** Tuesday, May 26, 2020 10:12:57 AM  
**Time Spent:** 00:08:55  
**IP Address:** 198.182.163.113

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Page 1

**Q1**

What is your contact information?

Name	<b>Devin Anderson</b>
Email Address	<b>devin.anderson@maine.gov</b>

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**Q2**

What is your State Designation?

State/Province	<b>ME</b>
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**Q3** **YES**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

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**Q4**

On what type of projects have you used NEBs?

Large Project where there is a benefit to the traveling public to have a task done by a certain date.

---

**Q5**

How is the NEBs Value determined?

Based on user cost.

---

**Q6** **Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

---

**Q7** **PROJECT MILESTONE**

Are the NEBs tied to Project Milestones or Project Completion?

---

**Q8**  
In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Somewhat Effective**

---

**Q9** **YES**

Have you received FHWA participation in the Bonus Value?

---

**Q10**  
Under what circumstances would a time extension be granted?

none

---

**Q11** **NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

---

**Q12** **YES,**  
If yes, please explain:  
to make sure the date is achievable

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

---

**Q13** **YES**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

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**Q14**  
What actions does your DOT take to maintain quality of NEB Projects?

Same as any project

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

they do not.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

they do not change any thing

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**Q17**

How have the local utility providers responded to NEBs Projects?

no problem

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆ **Somewhat like NEBs**

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# #10

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 10:50:24 AM  
**Last Modified:** Tuesday, May 26, 2020 10:51:40 AM  
**Time Spent:** 00:01:15  
**IP Address:** 167.131.0.194

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Page 1

## Q1

What is your contact information?

Name	<b>Joe Squire</b>
Email Address	<b>joe.squire@odot.state.or.us</b>

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## Q2

What is your State Designation?

State/Province	<b>OR</b>
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---

## Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

**NO**

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## Q4

On what type of projects have you used NEBs?

**Respondent skipped this question**

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## Q5

How is the NEBs Value determined?

**Respondent skipped this question**

---

## Q6

If answer was yes above, would you attach a copy of your specification?

**Respondent skipped this question**

---

## Q7

Are the NEBs tied to Project Milestones or Project Completion?

**Respondent skipped this question**

---

## No Excuse Bonuses for Project Milestone Survey

<b>Q8</b>	<b>Respondent skipped this question</b>
In your DOT's experience, how effective have these NEBs been for improving schedule performance?	
<b>Q9</b>	<b>Respondent skipped this question</b>
Have you received FHWA participation in the Bonus Value?	
<b>Q10</b>	<b>Respondent skipped this question</b>
Under what circumstances would a time extension be granted?	
<b>Q11</b>	<b>Respondent skipped this question</b>
Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.	
<b>Q12</b>	<b>Respondent skipped this question</b>
Is a constructability review performed when determining the project schedule? If so, what type of review is performed?	
<b>Q13</b>	<b>Respondent skipped this question</b>
On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?	
<b>Q14</b>	<b>Respondent skipped this question</b>
What actions does your DOT take to maintain quality of NEB Projects?	
<b>Q15</b>	<b>Respondent skipped this question</b>
How do NEBs Projects change your approach to Contract Administration?	
<b>Q16</b>	<b>Respondent skipped this question</b>
How do NEBs projects change your approach to Construction Engineering and Inspection?	

**Q17**

Respondent skipped this question

How have the local utility providers responded to NEBs Projects?

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**Q18**

Respondent skipped this question

How does the local construction industry view No Excuse Bonuses?

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# #11

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 10:12:29 AM  
**Last Modified:** Tuesday, May 26, 2020 11:32:00 AM  
**Time Spent:** 01:19:30  
**IP Address:** 198.238.213.156

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Page 1

## Q1

What is your contact information?

Name	Denys S. Tak
Email Address	TakD@wsdot.wa.gov

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## Q2

What is your State Designation?

State/Province	WA
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---

## Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

NO

---

## Q4

On what type of projects have you used NEBs?

Respondent skipped this question

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## Q5

How is the NEBs Value determined?

Respondent skipped this question

---

## Q6

If answer was yes above, would you attach a copy of your specification?

Respondent skipped this question

---

## Q7

Are the NEBs tied to Project Milestones or Project Completion?

Respondent skipped this question

---

## No Excuse Bonuses for Project Milestone Survey

<b>Q8</b>	<b>Respondent skipped this question</b>
In your DOT's experience, how effective have these NEBs been for improving schedule performance?	
<b>Q9</b>	<b>Respondent skipped this question</b>
Have you received FHWA participation in the Bonus Value?	
<b>Q10</b>	<b>Respondent skipped this question</b>
Under what circumstances would a time extension be granted?	
<b>Q11</b>	<b>Respondent skipped this question</b>
Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.	
<b>Q12</b>	<b>Respondent skipped this question</b>
Is a constructability review performed when determining the project schedule? If so, what type of review is performed?	
<b>Q13</b>	<b>Respondent skipped this question</b>
On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?	
<b>Q14</b>	<b>Respondent skipped this question</b>
What actions does your DOT take to maintain quality of NEB Projects?	
<b>Q15</b>	<b>Respondent skipped this question</b>
How do NEBs Projects change your approach to Contract Administration?	
<b>Q16</b>	<b>Respondent skipped this question</b>
How do NEBs projects change your approach to Construction Engineering and Inspection?	



**Q17**

Respondent skipped this question

How have the local utility providers responded to NEBs Projects?

---

**Q18**

Respondent skipped this question

How does the local construction industry view No Excuse Bonuses?

---

# #12

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, May 26, 2020 12:40:05 PM  
**Last Modified:** Tuesday, May 26, 2020 12:48:09 PM  
**Time Spent:** 00:08:03  
**IP Address:** 166.67.66.242

---

Page 1

## Q1

What is your contact information?

Name **Greg Henion**  
Email Address **gregory.henion@vdot.virginia.gov**

---

## Q2

What is your State Designation?

State/Province **VA**

---

## Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

**NOT SURE, Please explain:  
We have tried them out on a limited basis.**

---

## Q4

On what type of projects have you used NEBs?

Very large, very complex projects

---

## Q5

How is the NEBs Value determined?

Justification typically incorporates end user benefit costs.

---

## Q6

**Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

---

**Q7**

**PROJECT MILESTONE**

Are the NEBs tied to Project Milestones or Project Completion?

---

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆

**Non-Effective**

---

**Q9**

**YES**

Have you received FHWA participation in the Bonus Value?

---

**Q10**

Under what circumstances would a time extension be granted?

changes in scope of work and delays outside the control of the contractor.

---

**Q11**

**NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

---

**Q12**

**YES,**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

If yes, please explain:  
Regular constructability review.

---

**Q13**

**YES**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

No changes to quality requirements.

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

No significant changes.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

No significant changes

---

**Q17**

How have the local utility providers responded to NEBs Projects?

No significant issues

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆ **Somewhat like NEBs**

---

# #13

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, May 27, 2020 5:59:28 AM  
**Last Modified:** Wednesday, May 27, 2020 6:34:29 AM  
**Time Spent:** 00:35:01  
**IP Address:** 174.230.5.199

---

Page 1

## Q1

What is your contact information?

Name	<b>Brad Daavettila</b>
Email Address	<b>daavettilab2@michigan.gov</b>

---

## Q2

What is your State Designation?

State/Province	<b>MI</b>
----------------	-----------

---

## Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

NOT SURE, Please explain:  
Yes, we have used them, albeit rarely (less than 5 total). Rarely use a true "No Excuse" but many of incentive projects will include language that prevents weather as an excusable delay.

---

## Q4

On what type of projects have you used NEBs?

We rarely use a true "No Excuse" provision. The few times its been used have been for special circumstances i.e. Super Bowl.

---

## Q5

How is the NEBs Value determined?

Similar to all incentives, liquidated damages, etc.; usually determined by calculated User Delay Costs, impacts to traffic, and/or FHWA incentive limitations (certain % of overall contract).

---

## Q6

If answer was yes above, would you attach a copy of your specification?

**Innovative\_Construction\_Contracting\_340000\_7.pdf (2.4MB)**

---

## No Excuse Bonuses for Project Milestone Survey

**Q7**

Are the NEBs tied to Project Milestones or Project Completion?

Other (please specify):

Used in both instances. Usually tied to an interim completion date that requires the project be open to traffic and all contract work complete, except landscaping and watering seasons.

---

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆

**Somewhat Effective**

---

**Q9**

Have you received FHWA participation in the Bonus Value?

**YES**

---

**Q10**

Under what circumstances would a time extension be granted?

It would require special significant circumstances where there was no way that the risk/instance could have been foreseen or recovered by the contractor. We do not use these specifications very often, so they are sometimes very specific to the project.

---

**Q11**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

**NO**

---

**Q12**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

**YES,**

If yes, please explain:

Yes, one should be performed although not sure if we have followed this in the past.

---

**Q13**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

**YES**

---

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

Same as any regular project; Desire to have consistent qualified oversight, reasonable and feasible schedule, solid plans and specifications.

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

Relatively the same as all other projects, however the schedule should play a more prominent role. More focus and understanding on time administration and schedule discussions with Contractor.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

No real change vs standard projects.

---

**Q17**

How have the local utility providers responded to NEBs Projects?

Sorry, I don't have any good information to provide a response here. Definitely need to have utilities on-board and out of the way so they do not affect the project.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆ **Dislike NEBs**

---

# #14

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, May 27, 2020 6:47:34 AM  
**Last Modified:** Wednesday, May 27, 2020 6:50:54 AM  
**Time Spent:** 00:03:20  
**IP Address:** 146.243.255.248

---

Page 1

## Q1

What is your contact information?

Name	Michael McGrath
Email Address	michael.a.mcgrath@state.ma.us

---

## Q2

What is your State Designation?

State/Province	MA
----------------	----

---

## Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

NO

---

## Q4

On what type of projects have you used NEBs?

Respondent skipped this question

---

## Q5

How is the NEBs Value determined?

Respondent skipped this question

---

## Q6

If answer was yes above, would you attach a copy of your specification?

Respondent skipped this question

---

## Q7

Are the NEBs tied to Project Milestones or Project Completion?

Respondent skipped this question

---



## No Excuse Bonuses for Project Milestone Survey

<b>Q8</b>	<b>Respondent skipped this question</b>
In your DOT's experience, how effective have these NEBs been for improving schedule performance?	
<b>Q9</b>	<b>Respondent skipped this question</b>
Have you received FHWA participation in the Bonus Value?	
<b>Q10</b>	<b>Respondent skipped this question</b>
Under what circumstances would a time extension be granted?	
<b>Q11</b>	<b>Respondent skipped this question</b>
Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.	
<b>Q12</b>	<b>Respondent skipped this question</b>
Is a constructability review performed when determining the project schedule? If so, what type of review is performed?	
<b>Q13</b>	<b>Respondent skipped this question</b>
On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?	
<b>Q14</b>	<b>Respondent skipped this question</b>
What actions does your DOT take to maintain quality of NEB Projects?	
<b>Q15</b>	<b>Respondent skipped this question</b>
How do NEBs Projects change your approach to Contract Administration?	
<b>Q16</b>	<b>Respondent skipped this question</b>
How do NEBs projects change your approach to Construction Engineering and Inspection?	

**Q17**

Respondent skipped this question

How have the local utility providers responded to NEBs Projects?

---

**Q18**

Respondent skipped this question

How does the local construction industry view No Excuse Bonuses?

---

# #15

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, May 27, 2020 11:58:04 AM  
**Last Modified:** Wednesday, May 27, 2020 12:09:20 PM  
**Time Spent:** 00:11:15  
**IP Address:** 161.7.39.7

---

Page 1

## Q1

What is your contact information?

Name	<b>Jake Goettle</b>
Email Address	<b>jgoettle@mt.gov</b>

---

## Q2

What is your State Designation?

State/Province	<b>MT</b>
----------------	-----------

---

## Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

NOT SURE, Please explain:  
MT includes project specific incentives for some milestones. (Not sure if this is the same definition as No Excuse Bonuses.)

---

## Q4

On what type of projects have you used NEBs?

Complex projects with phased sequencing and a desire to expedite construction timing with certain phases.

---

## Q5

How is the NEBs Value determined?

Generally by Road User Cost.

---

## Q6

**Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

---

## No Excuse Bonuses for Project Milestone Survey

**Q7**

Are the NEBs tied to Project Milestones or Project Completion?

Other (please specify):

Incentives may be used for both of the above.

---

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Highly Effective**

---

**Q9**

Have you received FHWA participation in the Bonus Value?

**YES**

---

**Q10**

Under what circumstances would a time extension be granted?

Unforeseen and documented schedule impacts beyond the contractors control.

---

**Q11**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

**YES,**

If yes, please explain:

A disincentive is almost always used when an incentive is used. Disincentives have been challenged in the past through the claims process. Determination of claim has varied based on the merits of the specific situation.

---

**Q12**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

**YES,**

If yes, please explain:

Constructability reviews along with Transportation Management Plans and critical path method scheduling are developed for review.

---

**Q13**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**YES**

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

Same quality assurance and independent assurance required on all projects.

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

No change.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

No change.

---

**Q17**

How have the local utility providers responded to NEBs Projects?

Due to the complexity of these projects, utilities are generally addressed more aggressively in scheduling than non-milestone projects. This is a very general statement and very project specific.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆

**Like NEBs**

---

# #16

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, May 27, 2020 9:12:53 AM  
**Last Modified:** Wednesday, May 27, 2020 5:22:54 PM  
**Time Spent:** 08:10:01  
**IP Address:** 73.65.134.208

---

Page 1

## Q1

What is your contact information?

Name	<b>Robert Stewart</b>
Email Address	<b>rstewart@utah.gov</b>

---

## Q2

What is your State Designation?

State/Province	<b>UT</b>
----------------	-----------

---

<b>Q3</b>	<b>NO</b>
-----------	-----------

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

---

## Q4

On what type of projects have you used NEBs?

We haven't used them.

---

## Q5

How is the NEBs Value determined?

N/A

---

<b>Q6</b>	<b>Respondent skipped this question</b>
-----------	---

If answer was yes above, would you attach a copy of your specification?

---

## No Excuse Bonuses for Project Milestone Survey

<b>Q7</b>	<b>Respondent skipped this question</b>
Are the NEBs tied to Project Milestones or Project Completion?	
<b>Q8</b>	<b>Respondent skipped this question</b>
In your DOT's experience, how effective have these NEBs been for improving schedule performance?	
<b>Q9</b>	<b>Respondent skipped this question</b>
Have you received FHWA participation in the Bonus Value?	
<b>Q10</b>	<b>Respondent skipped this question</b>
Under what circumstances would a time extension be granted?	
<b>Q11</b>	<b>Respondent skipped this question</b>
Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.	
<b>Q12</b>	<b>Respondent skipped this question</b>
Is a constructability review performed when determining the project schedule? If so, what type of review is performed?	
<b>Q13</b>	<b>Respondent skipped this question</b>
On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?	
<b>Q14</b>	<b>Respondent skipped this question</b>
What actions does your DOT take to maintain quality of NEB Projects?	
<b>Q15</b>	<b>Respondent skipped this question</b>
How do NEBs Projects change your approach to Contract Administration?	

## No Excuse Bonuses for Project Milestone Survey

**Q16**

**Respondent skipped this question**

How do NEBs projects change your approach to Construction Engineering and Inspection?

---

**Q17**

**Respondent skipped this question**

How have the local utility providers responded to NEBs Projects?

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆

**Dislike NEBs**

---



# #17

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, May 28, 2020 12:12:10 PM  
**Last Modified:** Thursday, May 28, 2020 12:14:21 PM  
**Time Spent:** 00:02:10  
**IP Address:** 108.167.2.240

---

Page 1

## Q1

What is your contact information?

Name	Jim Knott
Email Address	jim.knott@nebraska.gov

---

## Q2

What is your State Designation?

State/Province	NE
----------------	----

---

## Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

NO

---

## Q4

On what type of projects have you used NEBs?

Respondent skipped this question

---

## Q5

How is the NEBs Value determined?

Respondent skipped this question

---

## Q6

If answer was yes above, would you attach a copy of your specification?

Respondent skipped this question

---

## Q7

Are the NEBs tied to Project Milestones or Project Completion?

Respondent skipped this question

---

## No Excuse Bonuses for Project Milestone Survey

<b>Q8</b>	Respondent skipped this question
In your DOT's experience, how effective have these NEBs been for improving schedule performance?	
<b>Q9</b>	Respondent skipped this question
Have you received FHWA participation in the Bonus Value?	
<b>Q10</b>	Respondent skipped this question
Under what circumstances would a time extension be granted?	
<b>Q11</b>	Respondent skipped this question
Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.	
<b>Q12</b>	Respondent skipped this question
Is a constructability review performed when determining the project schedule? If so, what type of review is performed?	
<b>Q13</b>	Respondent skipped this question
On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?	
<b>Q14</b>	Respondent skipped this question
What actions does your DOT take to maintain quality of NEB Projects?	
<b>Q15</b>	Respondent skipped this question
How do NEBs Projects change your approach to Contract Administration?	
<b>Q16</b>	Respondent skipped this question
How do NEBs projects change your approach to Construction Engineering and Inspection?	

**Q17**

Respondent skipped this question

How have the local utility providers responded to NEBs Projects?

---

**Q18**

Respondent skipped this question

How does the local construction industry view No Excuse Bonuses?

---

# #18

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, May 29, 2020 8:09:50 AM  
**Last Modified:** Friday, May 29, 2020 8:22:29 AM  
**Time Spent:** 00:12:39  
**IP Address:** 108.171.132.188

---

Page 1

## Q1

What is your contact information?

Name	Duane Milligan
Email Address	duane.milligan@txdot.gov

---

## Q2

What is your State Designation?

State/Province	TX
----------------	----

---

<b>Q3</b>	<b>YES</b>
-----------	------------

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

---

## Q4

On what type of projects have you used NEBs?

Typically larger projects with heavy impacts to the traveling public. They are not very commonly used though and there is no standard specification associated with them.

---

## Q5

How is the NEBs Value determined?

Traffic modeling is used to determine the cost impact to the traveling public.

---

<b>Q6</b>	<b>Respondent skipped this question</b>
-----------	---

If answer was yes above, would you attach a copy of your specification?

---

## No Excuse Bonuses for Project Milestone Survey

**Q7**

Are the NEBs tied to Project Milestones or Project Completion?

Other (please specify):

Could be either a milestone or completion based on the specifics of the project.

---

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆

**Somewhat Effective**

---

**Q9**

Have you received FHWA participation in the Bonus Value?

Other (please specify):

I'm not sure.

---

**Q10**

Under what circumstances would a time extension be granted?

None.

---

**Q11**

**NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

---

**Q12**

**NO**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

---

**Q13**

**YES**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

These are not frequently used and to my knowledge it has been quite a few years since we have done one.

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

Similar to A+B projects, time is even more critical than usual and timely decisions on the DOT's part are essential.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

None except for potentially a larger than usual staff due to the pace of the project.

---

**Q17**

How have the local utility providers responded to NEBs Projects?

I'm not sure.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆

**Neither like or dislike NEBs**

---

# #19

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, May 29, 2020 12:41:19 PM  
**Last Modified:** Friday, May 29, 2020 1:13:44 PM  
**Time Spent:** 00:32:25  
**IP Address:** 165.189.255.44

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Page 1

## Q1

What is your contact information?

Name	<b>Tom Buchholz</b>
Email Address	<b>tom.buchholz@dot.wi.gov</b>

---

## Q2

What is your State Designation?

State/Province	<b>WI</b>
----------------	-----------

---

## Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

NOT SURE, Please explain:  
We use incentive/disincentive bonus on very few projects across Wisconsin.

---

## Q4

On what type of projects have you used NEBs?

Mega/Major Reconstruction Projects with interchange closures.

---

## Q5

How is the NEBs Value determined?

We try to use vehicle delay costs as a basis but usually scale those numbers back down to more reasonable value.

---

## Q6

**Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

---

**Q7** **PROJECT MILESTONE**

Are the NEBs tied to Project Milestones or Project Completion?

---

**Q8**  
In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Somewhat Effective**

---

**Q9** **YES**

Have you received FHWA participation in the Bonus Value?

---

**Q10**  
Under what circumstances would a time extension be granted?

No excuses so no extensions would be granted

---

**Q11** **NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

---

**Q12** **YES,**  
If yes, please explain:  
We don't have a formal review process but do bring in industry experts and other key personnel to review prior to bidding.

**Q13** **YES**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**Q14**  
What actions does your DOT take to maintain quality of NEB Projects?

Continue critical inspection, project communication and partnering.

---



**Q15**

How do NEBs Projects change your approach to Contract Administration?

Require a more proactive communication early on the process with contractor. Require a more involved and detailed review of contractor's schedule and review of their progress.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

No change.

---

**Q17**

How have the local utility providers responded to NEBs Projects?

No change.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆

**Neither like or dislike NEBs**

---

# #20

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Monday, June 01, 2020 7:23:50 AM  
**Last Modified:** Monday, June 01, 2020 7:25:41 AM  
**Time Spent:** 00:01:50  
**IP Address:** 165.201.162.178

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Page 1

## Q1

What is your contact information?

Name	<b>Susan Eiseman</b>
Email Address	<b>susan.eiseman@ks.gov</b>

---

## Q2

What is your State Designation?

State/Province	<b>KS</b>
----------------	-----------

---

## Q3

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

**NO**

---

## Q4

On what type of projects have you used NEBs?

**Respondent skipped this question**

---

## Q5

How is the NEBs Value determined?

**Respondent skipped this question**

---

## Q6

If answer was yes above, would you attach a copy of your specification?

**Respondent skipped this question**

---

## Q7

Are the NEBs tied to Project Milestones or Project Completion?

**Respondent skipped this question**

---

## No Excuse Bonuses for Project Milestone Survey

<b>Q8</b>	<b>Respondent skipped this question</b>
In your DOT's experience, how effective have these NEBs been for improving schedule performance?	
<b>Q9</b>	<b>Respondent skipped this question</b>
Have you received FHWA participation in the Bonus Value?	
<b>Q10</b>	<b>Respondent skipped this question</b>
Under what circumstances would a time extension be granted?	
<b>Q11</b>	<b>Respondent skipped this question</b>
Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.	
<b>Q12</b>	<b>Respondent skipped this question</b>
Is a constructability review performed when determining the project schedule? If so, what type of review is performed?	
<b>Q13</b>	<b>Respondent skipped this question</b>
On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?	
<b>Q14</b>	<b>Respondent skipped this question</b>
What actions does your DOT take to maintain quality of NEB Projects?	
<b>Q15</b>	<b>Respondent skipped this question</b>
How do NEBs Projects change your approach to Contract Administration?	
<b>Q16</b>	<b>Respondent skipped this question</b>
How do NEBs projects change your approach to Construction Engineering and Inspection?	

**Q17**

Respondent skipped this question

How have the local utility providers responded to NEBs Projects?

---

**Q18**

Respondent skipped this question

How does the local construction industry view No Excuse Bonuses?

---

#21

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, June 02, 2020 1:16:03 PM  
**Last Modified:** Tuesday, June 02, 2020 1:21:17 PM  
**Time Spent:** 00:05:13  
**IP Address:** 160.93.18.2

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Page 1

**Q1**

What is your contact information?

Name	<b>Al Balluch</b>
Email Address	<b>al.balluch@dot.nj.gov</b>

---

**Q2**

What is your State Designation?

State/Province	<b>NJ</b>
----------------	-----------

---

**Q3** **NO**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

---

**Q4**

On what type of projects have you used NEBs?

We have written language into Contracts through a Change Order only.

---

**Q5**

How is the NEBs Value determined?

NA

---

**Q6** **Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

---

## No Excuse Bonuses for Project Milestone Survey

**Q7** Other (please specify):  
Substantial Completion and Completion

Are the NEBs tied to Project Milestones or Project Completion?

---

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Non-Effective**

---

**Q9** **NO,**

Have you received FHWA participation in the Bonus Value? Other (please specify):  
Because they were written into a Contractor after bid, the FHWA would not participate.

---

**Q10** **Respondent skipped this question**

Under what circumstances would a time extension be granted?

---

**Q11** **NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the determining authority.

---

**Q12** **NO**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

---

**Q13** **NO**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**Q14** **Respondent skipped this question**

What actions does your DOT take to maintain quality of NEB Projects?

---

**Q15** **Respondent skipped this question**

How do NEBs Projects change your approach to Contract Administration?

---

## No Excuse Bonuses for Project Milestone Survey

**Q16**

Respondent skipped this question

How do NEBs projects change your approach to Construction Engineering and Inspection?

---

**Q17**

Respondent skipped this question

How have the local utility providers responded to NEBs Projects?

---

**Q18**

Respondent skipped this question

How does the local construction industry view No Excuse Bonuses?

---

#22

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, June 04, 2020 12:19:29 PM  
**Last Modified:** Thursday, June 04, 2020 12:25:06 PM  
**Time Spent:** 00:05:36  
**IP Address:** 143.100.53.12

---

Page 1

**Q1**

What is your contact information?

Name	<b>John Hancock</b>
Email Address	<b>jhancock@dot.ga.gov</b>

---

**Q2**

What is your State Designation?

State/Province	<b>GA</b>
----------------	-----------

---

**Q3** **YES**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

---

**Q4**

On what type of projects have you used NEBs?

Projects with critical end dates or ones that that need to finish on time.

---

**Q5**

How is the NEBs Value determined?

by determining Road User Cost.

---

**Q6**

If answer was yes above, would you attach a copy of your specification?

**SP 108.07 Extension of Contract Time\_with Incintive.docx (21.2KB)**

---



**Q7** **PROJECT COMPLETION**

Are the NEBs tied to Project Milestones or Project Completion?

---

**Q8**  
In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Somewhat Effective**

---

**Q9** **YES**

Have you received FHWA participation in the Bonus Value?

---

**Q10**  
Under what circumstances would a time extension be granted?

Extension of the Contract Time will be granted ONLY for the following reasons:

- a. The Work has been delayed by any act or omission of the Department. This includes suspension of The Work when the suspension is not the fault of the Contractor.
  - b. Supplemental Agreements affecting The Work that results in additional time being required to complete The Work affected by the modifications or alternations to the original Contract.
  - c. In the event of a catastrophic natural event (i.e., hurricane), or a declared state of emergency, that directly and substantially affects the Contractor's operations on the Project, the Department will extend the number of proposed days as per Special Provision 103.01 on a day for day basis commensurate with the number of days that the Engineer determines the Project was impacted.
- 

**Q11** **NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

---

**Q12** **NO**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

---

**Q13** **YES**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

Proper inspection

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

Go extra step to make sure the project is properly documented.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

none

---

**Q17**

How have the local utility providers responded to NEBs Projects?

no different. - We have included the utility work in the contract when possible.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆ **Somewhat like NEBs**

---

#23

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, June 04, 2020 1:58:37 PM  
**Last Modified:** Thursday, June 04, 2020 2:01:43 PM  
**Time Spent:** 00:03:06  
**IP Address:** 98.235.59.229

---

Page 1

**Q1**

What is your contact information?

Name	<b>Michele Harter</b>
Email Address	<b>micharter@pa.gov</b>

---

**Q2**

What is your State Designation?

State/Province	<b>PA</b>
----------------	-----------

---

**Q3** **NO**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

---

**Q4**

On what type of projects have you used NEBs?

n/a

---

**Q5**

How is the NEBs Value determined?

n/a

---

**Q6** **Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

---

## No Excuse Bonuses for Project Milestone Survey

**Q7**

Are the NEBs tied to Project Milestones or Project Completion?

Other (please specify):

n/a

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

**Respondent skipped this question**

**Q9**

Have you received FHWA participation in the Bonus Value?

Other (please specify):

n/A

**Q10**

Under what circumstances would a time extension be granted?

n/a

**Q11**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

**NO**

**Q12**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

**YES,**

If yes, please explain:

we conduct constructability reviews on all of our projects

**Q13**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

**Respondent skipped this question**

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

n/a

**Q15**

How do NEBs Projects change your approach to Contract Administration?

n/a

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

n/a

---

**Q17**

How have the local utility providers responded to NEBs Projects?

n/a

---

**Q18**

Respondent skipped this question

How does the local construction industry view No Excuse Bonuses?

---

#24

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Monday, June 08, 2020 9:03:46 AM  
**Last Modified:** Monday, June 08, 2020 9:11:36 AM  
**Time Spent:** 00:07:50  
**IP Address:** 69.131.53.115

---

Page 1

**Q1**

What is your contact information?

Name	<b>Jeremy Reed</b>
Email Address	<b>Jeremy.Reed@Vermont.gov</b>

---

**Q2**

What is your State Designation?

State/Province	<b>VT</b>
----------------	-----------

---

**Q3**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

NOT SURE, Please explain:  
We use incentive/disincentive clauses for ABC

---

**Q4**

On what type of projects have you used NEBs?

Accelerated Bridge Construction bridge closure windows.

---

**Q5**

How is the NEBs Value determined?

User costs per FHWA

---

**Q6**

**Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

---

**Q7**

**PROJECT MILESTONE**

Are the NEBs tied to Project Milestones or Project Completion?

---

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Highly Effective**

---

**Q9**

**YES**

Have you received FHWA participation in the Bonus Value?

---

**Q10**

Under what circumstances would a time extension be granted?

I don't think we have granted a time extension. It would need to be done by the Secretary of Transportation

---

**Q11**

**NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

---

**Q12**

**NO**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

---

**Q13**

**NO**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

Vermont does not do anything different than a "normal" bridge project.

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

I don't think it does.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

We may staff the project more robustly so that we are not the cause of a delay during the bridge closure window.

---

**Q17**

How have the local utility providers responded to NEBs Projects?

We try to avoid them if possible.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆ **Somewhat like NEBs**

---



# #25

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, June 10, 2020 8:18:40 AM  
**Last Modified:** Wednesday, June 10, 2020 10:13:17 AM  
**Time Spent:** 01:54:37  
**IP Address:** 75.109.157.222

---

Page 1

## Q1

What is your contact information?

Name	<b>Steve Boggs</b>
Email Address	<b>Steve.D.Boggs@wv.gov</b>

---

## Q2

What is your State Designation?

State/Province	<b>WV</b>
----------------	-----------

---

<b>Q3</b>	<b>YES</b>
-----------	------------

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

---

## Q4

On what type of projects have you used NEBs?

To expedite construction. A few examples where we've used them are: short duration road closure (i.e. – 5 days); upon completion of phases of construction; early completion of project; completion of temporary detour; completion of portion of project.

---

## Q5

How is the NEBs Value determined?

Typically road user cost are used to calculate. Unique situations call for engineers estimate of value (these are coordinated with designer, construction, and/or management).

We always modify these for the specific project they are being added too... and use a project specific special provision for them that explains the circumstances and situation. A recent sample is attached with next question.

---

**Q6**

If answer was yes above, would you attach a copy of your specification?

**108\_20190406\_Incentive\_Dincentive\_WV7&CR857Intersection\_SProj.pdf (54.3KB)**

---

**Q7**

Are the NEBs tied to Project Milestones or Project Completion?

Other (please specify):

We have done it both by project milestone and project completion... depends on situation.

---

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Highly Effective**

---

**Q9**

**YES**

Have you received FHWA participation in the Bonus Value?

---

**Q10**

Under what circumstances would a time extension be granted?

We do not allow time extension on them.

---

**Q11**

**NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

---

**Q12**

**YES,**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

If yes, please explain:

Yes. Time table is coordinated with designer, construction, and/or management

---

**Q13**

**YES**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

Construction standards, specifications, and inspection are no different than on other projects.

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

It's another tool in our tool box. Helps to achieve timely construction that benefit all (agency, contractor, and public).

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

Same as #14. Construction standards, specifications, and inspection are no different than on other projects.

---

**Q17**

How have the local utility providers responded to NEBs Projects?

Same as #14. Construction standards, specifications, and inspection are no different than on other projects.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆ **Somewhat like NEBs**

---

# #26

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Monday, June 29, 2020 3:20:52 PM  
**Last Modified:** Monday, June 29, 2020 3:28:00 PM  
**Time Spent:** 00:07:08  
**IP Address:** 170.141.40.21

---

Page 1

## Q1

What is your contact information?

Email Address **chuck.graves@tn.gov**

---

## Q2

What is your State Designation?

State/Province **TN**

---

## Q3

**YES**

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

---

## Q4

On what type of projects have you used NEBs?

Used on large projects to minimize inconvenience with the traveling public and reduce the time for construction project completion.

---

## Q5

How is the NEBs Value determined?

NEB value has been determined using Federal Guidelines for determining max NEB value.  
Not a specification, Reference Federal Guidelines for NEB.

---

## Q6

**Respondent skipped this question**

If answer was yes above, would you attach a copy of your specification?

---

**Q7**

**PROJECT COMPLETION**

Are the NEBs tied to Project Milestones or Project Completion?

---

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Somewhat Effective**

---

**Q9**

**YES**

Have you received FHWA participation in the Bonus Value?

---

**Q10**

Under what circumstances would a time extension be granted?

Catastrophic events that directly and substantially affect the Contractor's operations on the project.

---

**Q11**

**NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

---

**Q12**

**YES**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

---

**Q13**

**YES**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

While not policy driven, TDOT has employed CEI inspection on NEB projects for added oversight and inspection.

---

**Q15**

How do NEBs Projects change your approach to Contract Administration?

Typically, the NEB projects have been administered the same as non-NEB projects.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

Increases inspection need and improved expedience with conflict resolution.

---

**Q17**

How have the local utility providers responded to NEBs Projects?

Historically used NEBs on projects with minimal impact from utilities. (large urban interstate projects, etc.)

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆

**Neither like or dislike NEBs**

---

#27

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, June 30, 2020 1:53:14 PM  
**Last Modified:** Tuesday, June 30, 2020 2:00:26 PM  
**Time Spent:** 00:07:12  
**IP Address:** 167.21.141.37

---

Page 1

**Q1**

What is your contact information?

Name	Chris Costello
Email Address	chris.costello@delaware.gov

---

**Q2**

What is your State Designation?

State/Province	DE
----------------	----

---

**Q3** YES

Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

---

**Q4**

On what type of projects have you used NEBs?

We use it on major projects on freeways. We've only used it twice. The first time, the bids came in very high and we had to throw all the bids out and rebid the contract as an A+B bid.

---

**Q5**

How is the NEBs Value determined?

Road user costs.

---

**Q6** Respondent skipped this question

If answer was yes above, would you attach a copy of your specification?

---

**Q7**

**PROJECT MILESTONE**

Are the NEBs tied to Project Milestones or Project Completion?

---

**Q8**

In your DOT's experience, how effective have these NEBs been for improving schedule performance?

☆ **Somewhat Effective**

---

**Q9**

**YES**

Have you received FHWA participation in the Bonus Value?

---

**Q10**

Under what circumstances would a time extension be granted?

A regional catastrophe, acts of public enemy, epidemic, earthquake.

---

**Q11**

**NO**

Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

---

**Q12**

**YES,**

Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

If yes, please explain:

Our construction, traffic and design sections meet to discuss alternatives to deliver the project on time

---

**Q13**

**YES**

On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

---

**Q14**

What actions does your DOT take to maintain quality of NEB Projects?

None

---



**Q15**

How do NEBs Projects change your approach to Contract Administration?

Hasn't changed anything yet. We've only used this on two projects.

---

**Q16**

How do NEBs projects change your approach to Construction Engineering and Inspection?

Not much. We still provide full time inspection and talk through all of the design issues with the contractor and designer.

---

**Q17**

How have the local utility providers responded to NEBs Projects?

Haven't had an issue yet. We generally would not pick a job with heavy utility involvement for an NEB.

---

**Q18**

How does the local construction industry view No Excuse Bonuses?

☆

**Neither like or dislike NEBs**

---

## Q1 What is your contact information?

Answered: 27 Skipped: 0

ANSWER CHOICES	RESPONSES	
Name	96.30%	26
Company	0.00%	0
Address	0.00%	0
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	0.00%	0
ZIP/Postal Code	0.00%	0
Country	0.00%	0
Email Address	100.00%	27
Phone Number	0.00%	0

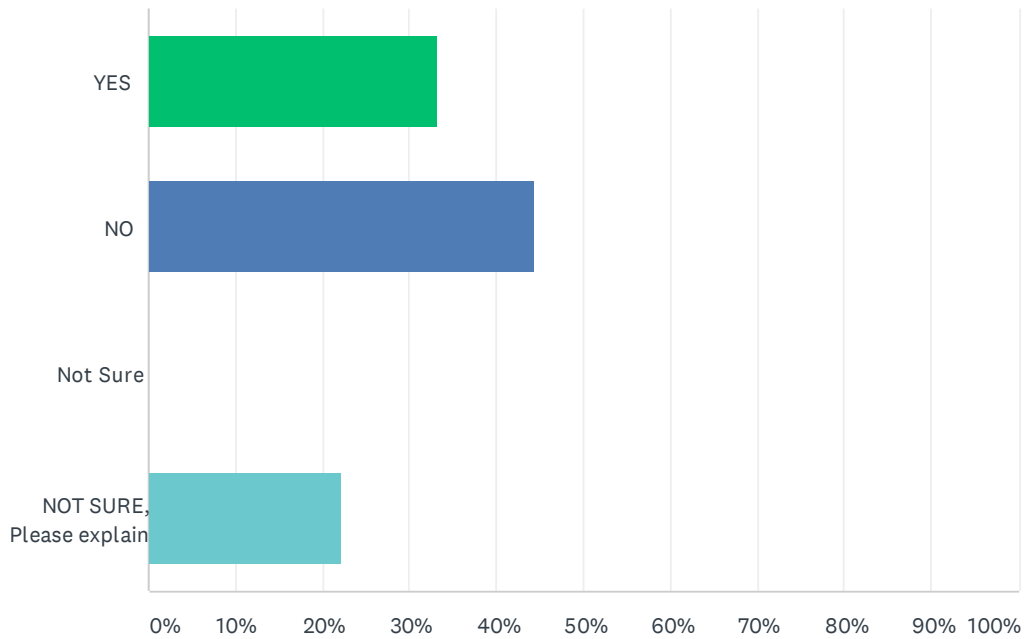
## Q2 What is your State Designation?

Answered: 27 Skipped: 0

ANSWER CHOICES	RESPONSES	
Name	0.00%	0
Company	0.00%	0
Address	0.00%	0
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	100.00%	27
ZIP/Postal Code	0.00%	0
Country	0.00%	0
Email Address	0.00%	0
Phone Number	0.00%	0

### Q3 Does your state DOT include No Excuse Bonuses (NEBs) for Project Milestones?

Answered: 27 Skipped: 0



ANSWER CHOICES	RESPONSES	
YES	33.33%	9
NO	44.44%	12
Not Sure	0.00%	0
NOT SURE, Please explain	22.22%	6
Total Respondents: 27		

## Q4 On what type of projects have you used NEBs?

Answered: 20 Skipped: 7

## Q5 How is the NEBs Value determined?

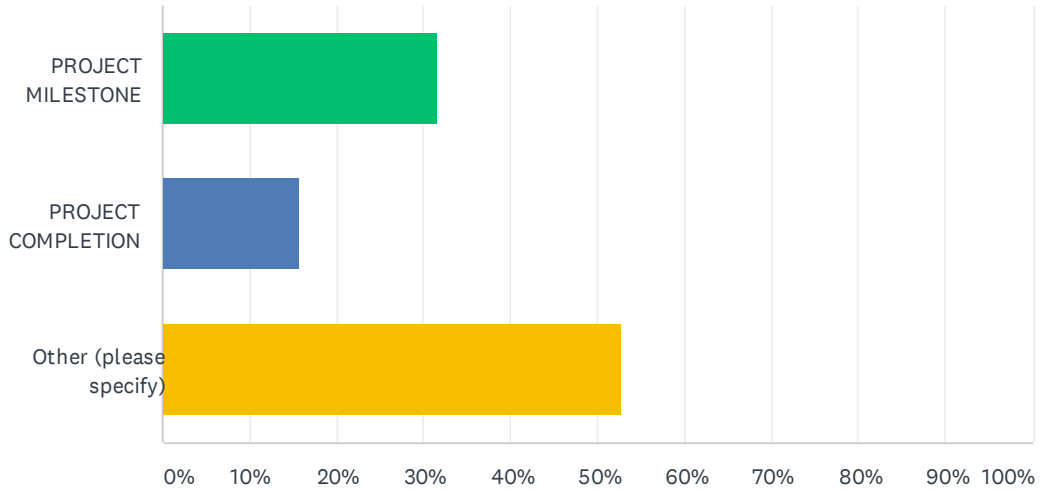
Answered: 20 Skipped: 7

Q6 If answer was yes above, would you attach a copy of your specification?

Answered: 5 Skipped: 22

## Q7 Are the NEBs tied to Project Milestones or Project Completion?

Answered: 19 Skipped: 8

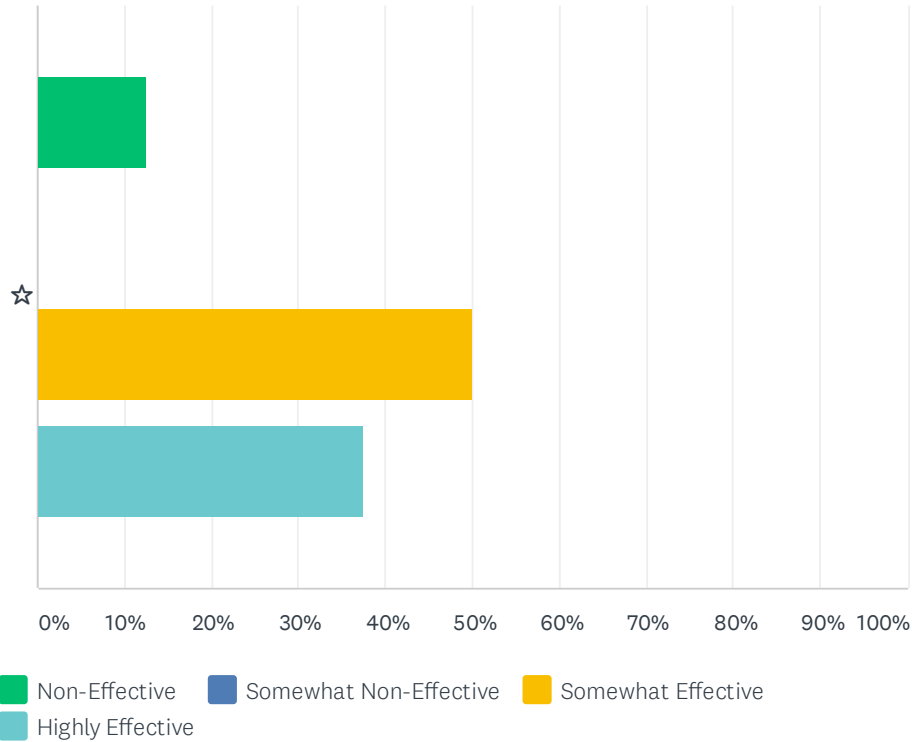


ANSWER CHOICES	RESPONSES	
PROJECT MILESTONE	31.58%	6
PROJECT COMPLETION	15.79%	3
Other (please specify)	52.63%	10
<b>TOTAL</b>		<b>19</b>



### Q8 In your DOT's experience, how effective have these NEBs been for improving schedule performance?

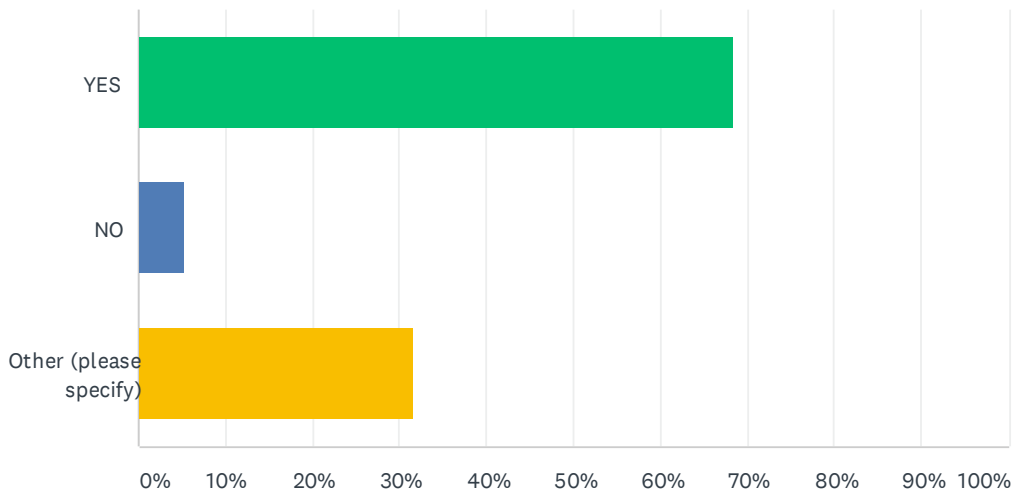
Answered: 16 Skipped: 11



	NON-EFFECTIVE	SOMEWHAT NON-EFFECTIVE	SOMEWHAT EFFECTIVE	HIGHLY EFFECTIVE	TOTAL	WEIGHTED AVERAGE
☆	12.50% 2	0.00% 0	50.00% 8	37.50% 6	16	3.50

## Q9 Have you received FHWA participation in the Bonus Value?

Answered: 19 Skipped: 8



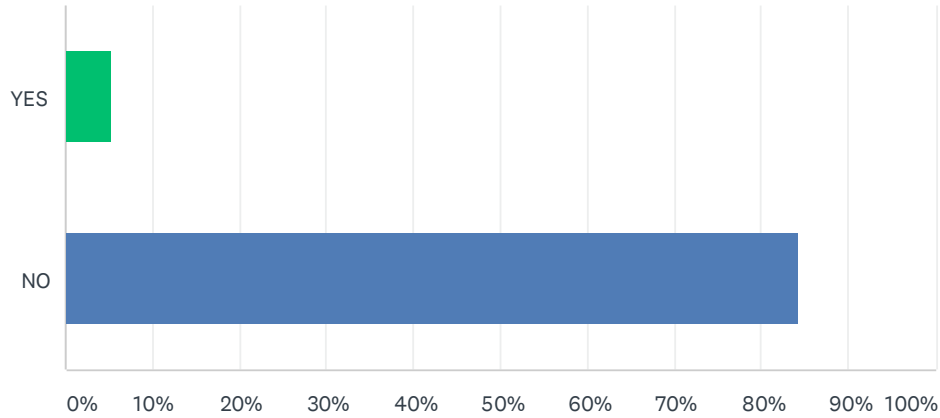
ANSWER CHOICES	RESPONSES	
YES	68.42%	13
NO	5.26%	1
Other (please specify)	31.58%	6
Total Respondents: 19		

## Q10 Under what circumstances would a time extension be granted?

Answered: 18 Skipped: 9

Q11 Has any aspect of a No Excuse clause been challenged in your State through the claims process or through litigation? If so, provide brief details and the determination made by the dertermining authority.

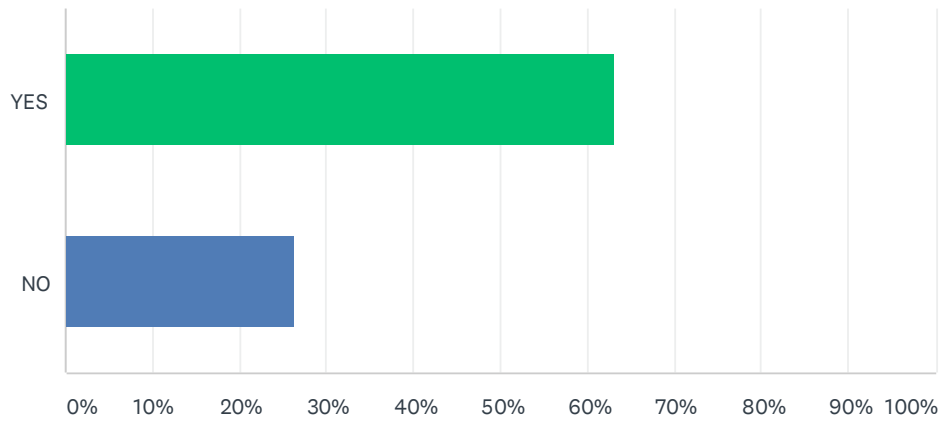
Answered: 19 Skipped: 8



ANSWER CHOICES	RESPONSES
YES	5.26% 1
NO	84.21% 16
Total Respondents: 19	

### Q12 Is a constructability review performed when determining the project schedule? If so, what type of review is performed?

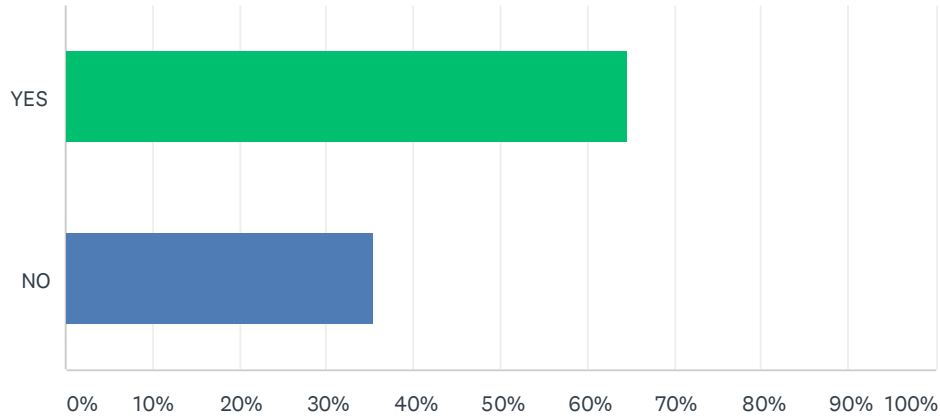
Answered: 19 Skipped: 8



ANSWER CHOICES	RESPONSES	
YES	63.16%	12
NO	26.32%	5
Total Respondents: 19		

### Q13 On Projects with NEBs, have you been able to implement owner-directed change orders / extra work orders without granting a Time Extension?

Answered: 17 Skipped: 10



ANSWER CHOICES	RESPONSES	
YES	64.71%	11
NO	35.29%	6
Total Respondents: 17		

## Q14 What actions does your DOT take to maintain quality of NEB Projects?

Answered: 17 Skipped: 10

## Q15 How do NEBs Projects change your approach to Contract Administration?

Answered: 17 Skipped: 10



## Q16 How do NEBs projects change your approach to Construction Engineering and Inspection?

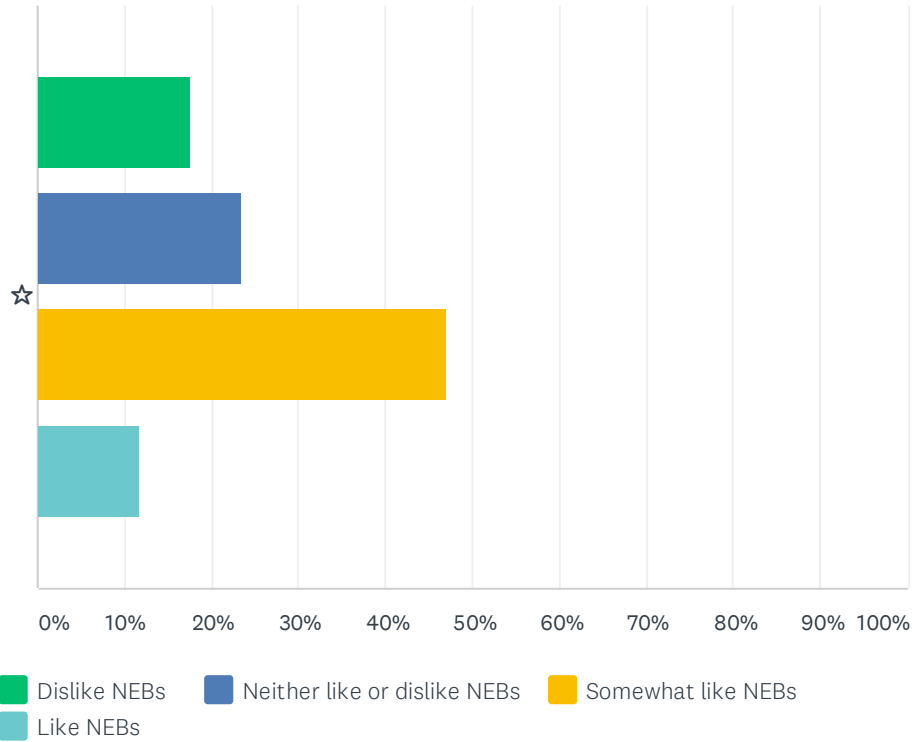
Answered: 17 Skipped: 10

## Q17 How have the local utility providers responded to NEBs Projects?

Answered: 17 Skipped: 10

## Q18 How does the local construction industry view No Excuse Bonuses?

Answered: 17 Skipped: 10



	DISLIKE NEBS	NEITHER LIKE OR DISLIKE NEBS	SOMEWHAT LIKE NEBS	LIKE NEBS	TOTAL	WEIGHTED AVERAGE
☆	17.65% 3	23.53% 4	47.06% 8	11.76% 2	17	2.53