



Jim Pillen, Governor

April 2, 2026

To: Design-Build Industry Partners
From: Nebraska Department of Transportation

Subject: Request for Industry Feedback – Draft Contract Documents

The Nebraska Department of Transportation (NDOT) is seeking industry feedback on draft Contract Documents for its Design-Build program. The purpose of this notice is to obtain input regarding the Design-Builder's contractual obligations, clarity, practicality, and risk allocation within the draft Contract Documents prior to finalization.

This request is for informational purposes only and does not constitute a solicitation, prequalification, nor is it part of any procurement or evaluation process. NDOT is under no obligation to issue a Request for Proposals (RFP) or to compensate respondents for their input.

NDOT is in the final stages of developing a Design-Build Agreement for the forthcoming I-80 50th Street to I-480 Design-Build Project and is providing select draft documents for review. Interested parties are invited to review and provide comments to assist in improving clarity, consistency, risk allocation, and overall deliverability prior to initiating a formal Project procurement process.

The draft Contract Documents are available at the following website:

<https://dot.nebraska.gov/business-center/alternative-delivery/50th-st-i-480-omaha-alt-delivery/>

The following draft documents will be provided for industry review:

- Design-Build Agreement (DBA)
 - Exhibit 1 – Definitions
- Design-Build Specifications – Modified Division 100
- Technical Provisions
 - 1 - General and Administrative Requirements
 - 2 – Quality Program
 - 3 – Project Schedule

Submittal Instructions

Interested parties are invited to submit written comments using the format described below.

- **Due Date:** April 21, 2026
- **Submission Method:** ndot.alternativedelivery@nebraska.gov
- **Subject Line:** *I-80 DB Project – Industry Review Comments*

NDOT reserves the right to consider, respond to, or decline to respond to any comments received. To facilitate efficient review, respondents shall provide comments using the Comment Log provided. NDOT encourages concise, actionable feedback that includes proposed revisions where possible. Use of the provided template is required to ensure consistency in review and response. NDOT anticipates providing comments and responses to all.

Vicki Kramer, Director

Department of Transportation

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Requested Areas of Feedback

NDOT welcomes feedback on all aspects of the draft Contract Documents; however, to focus input, NDOT is particularly interested in comments related to the following areas:

- **Clarity and Consistency**
Identification of ambiguities, conflicts, or unclear requirements.
- **Risk Allocation**
Appropriateness of risk distribution between NDOT and the Design-Builder, including provisions that may introduce disproportionate or unquantifiable risk. NDOT is particularly interested in feedback regarding the treatment of utility risk and identification of risks that may be difficult to quantify or price.
- **Commercial Terms**
Payment provisions, schedule requirements, liquidated damages, and other commercial conditions.
- **Technical Requirements**
Constructability, feasibility, and alignment with industry standards and best practices.

Respondents are encouraged to provide feedback on these topics, as well as any other provisions that may affect pricing or impact successful project delivery.

Disclaimer

All comments received may be used by NDOT in refining the contract documents. NDOT does not guarantee that any information submitted will be exempt from disclosure under applicable public records laws.

This request is issued solely for the purpose of obtaining industry input and does not constitute a solicitation. NDOT is not obligated to respond to comments or incorporate any feedback received. Respondents are advised not to rely on the draft documents.

Point of Contact

All communications shall be directed to:

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