



Department of Transportation & Public Facilities
Statewide Design & Engineering Services
Phone: 907-465-2960
Fax: 907-465-3124

TO: Distribution

DATE: May 28, 2025

FROM: Lauren Little, P.E. *LL*
Chief Engineer

SUBJECT: Chief Engineer's Directive:
Escrow for Bid Documentation
Special Provision

Use Special Provision HSP20-10 dated May 28, 2025, in highway construction contracts. HSP20-10 requires the low bidder to place bid preparation documents into an escrow depository for possible use during a claim or dispute. HSP20-10 Replaces ES 11.

This Special Provision may be used when the project meets certain criteria. Submit written requests to use this specification to the Chief Contracts Officer or delegated authority, in coordination with the Regional Chief of Contracts. Include project-specific justifications which address the following criteria:

1. High Cost. An engineers estimate which exceeds \$10 million. (A high cost estimate alone may not in and of itself necessitate the use of escrow.)
2. High Risk. Involves one or more of the following:
 - a. High probability of encountering hazardous materials or other differing site conditions.
 - b. Complex structures involving unique or state of the art designs.
 - c. Overlapping or close proximity projects.
 - d. Projects with third party involvement (governmental or private agency) subject to major change requests.
 - e. Other potential for major changes or claims.

Letters of Intent to Award, for projects using Escrow for Bid Documentation, must instruct the low bidder when and where to submit documents required under HSP20-10. Require the low bidder to submit the declaration regarding bid documentation to the Department along with the Contract, Bonds, and other pre-award documents. The Bid Documentation must be delivered to a depository which has been set up in advance. Require both to be submitted within the 15 days normally allowed for pre-award documents.

Alaska Standard Specifications for Highway Construction, Standard Modifications, and Statewide Special Provisions are available online at:
<https://dot.alaska.gov/stwddes/dcsspecs/index.shtml>

Attachments: HSP20-10

Distribution:

Ryan Anderson, P.E., Commissioner, Statewide
Judy Anunciacion, P.E., Construction Standards Engineer, Statewide
Al Beck, P.E., Preconstruction Engineer, Northern Region
Luke Bowland, P.E., Preconstruction Engineer, Central Region
Mike Chambers, Statewide Publications Specialist, Statewide
Leslie Daugherty, P.E., Chief Bridge Engineer, Statewide
Daniel Gibson, P.E., Director, Public Facilities
Chris Goins, P.E., Director, Southcoast Region
Emily Haynes, Engineering & Operations Team Lead, FHWA Alaska Division
Sean Holland, P.E., Director, Central Region
Jennifer Huntley, Chief of Contracts, Southcoast Region
Brandon Irvine, P.E., Preconstruction Standards Engineer, Statewide
Katherine Keith, Deputy Commissioner, Statewide
Kirk Miller, P.E., Preconstruction Engineer, Southcoast Region
Christine Langley, Director, DMIO
David Lowell, P.E., Construction Engineer, Southcoast Region
Mike Lund, P.E., Construction Engineer, Northern Region
Jason Sakalaskas, P.E., M&O Chief, Northern Region
Mike San Angelo, P.E., Materials Engineer, Statewide
Joel St. Aubin, P.E., Construction Engineer, Central Region
Sharon Smith, P.E., Chief of Contracts, Central Region
Barbara Tanner, P.E., Chief of Contracts, Northern Region
Craig Tornega, Director, AMHS
Kirk Warren, P.E., M&O Chief, Central Region
James Woods, Chief of Contracts, Statewide
Marcus Zimmerman, M&O Chief, Southcoast Region
Randy Warden, Division Administrator, FHWA Alaska Division
Listserv: dot-swdes-notice@list.state.ak.us