

# LETTERS OF PUBLIC INTEREST FINDING (LPIF) GUIDANCE



**Prepared by: ODOT Traffic-Roadway Section, Office  
of Project Letting**



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## **REVISION HISTORY**

### **August 2014**

Added Painting Coating Inspection Service to ODOT's programmatic agreement with the Federal Highway Administration (FHWA).

### **May 2014**

Added the requirement for the State Utility and Railroad Liaison to review and concur with all Programmatic Letters of Public Interest Findings (LPIF) for Utility Connections / Hookups and Railroad Flagging.

### **January 2014**

In accordance with RD07-05(B), the section about the Region Roadway Managers approving the LPIF for salvaged materials with a value of \$25,000 or less was removed

Added additional information on Salvaged Materials for Traffic Signals

### **December 2012**

Added a reference for the need to submit a LPIF for mandatory disposal and/or mandatory staging areas

### **October 2012**

Incorporated the guidance from FHWA on patented and proprietary products contained in [23 CFR 635.411](#)

Added ODOT's programmatic agreement with FHWA for the following five items:

- 1.) Use of APHIS for migratory bird monitoring
- 2.) Utility connections to existing facilities
- 3.) Public outreach – performed by ODOT
- 4.) Railroad flagging – performed by railroad forces and
- 5.) Monitoring archaeological sites – performed by approved forces

Added clarification on when to submit a LPIF to Office of Project Letting (OPL)

Added the requirements on posting LPIF's to EBIDS as bid reference documents

Added the requirements on posting LPIF's to OPL's website



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## Letters of Public Interest Finding (LPIF) Guidance

### 1. WHAT IS A LPIF?

A LPIF is a written document showing why it is in the public's best interest to not follow a Code of Federal Regulations (CFR) or State Statute.

### 2. REQUIREMENTS FOR FEDERALLY FUNDED PROJECTS

The Federal Highway Administration (FHWA) guidance document, 23 CFR 635.411, explains why and under what conditions ODOT is required to process LPIF's:

*Under 23 USC 112(a), "In all cases where the construction is to be performed by a State transportation department, or under its supervision, a request for submission of bids shall be made by advertisement unless some other method is approved by the Secretary. The Secretary shall require such plans and specifications and such methods of bidding as shall be effective in securing competition".*

FHWA has interpreted this clause to require competition not only for the award of the contract, but to also require competition for the various materials and processes involved in the work. Whenever competition for materials or processes is reduced or eliminated, a LPIF is required.

This guidance on LPIF requirements closely follows the guidance in the [FHWA Contract Administration Core Curriculum Guide, Section II.C](#). The federal requirements apply to any ODOT project containing federal or state funds, and may only be waived under specific conditions if it is found to be in the public interest or cost effective.

These conditions include:

**a) Publicly Owned Equipment** [CACC Sec II.C.4.a] - FHWA does not allow publicly owned equipment to compete with privately owned equipment on a project to be let to contract. If requested, the LPIF must clearly show it to be cost effective to use publicly owned equipment instead of privately owned equipment.

**b) Contractor Purchased Equipment for State Ownership** [CACC Sec II.C.4.b] – Items such as Variable Message Signs, Temporary Bridges and Architectural Treatment forms, can be purchased by the Contractor under the contract with ownership transferred to the Agency at the end of the project. It must be shown to be cost effective to have the Contractor purchase the equipment. If any federal funds are involved, please refer to the FHWA Contract Administration Core Curriculum Guide, Section II C.4.b for guidance on requesting FHWA participation. If the project needs to purchase equipment that will be transferred to the Agency, include FHWA in the conversation early in the project development process.

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**c) Patented / Proprietary Products [Including Sole Source]** [CACCC Sec II.C.5.b, [ORS 279C.345](#), [23 CFR 635.411](#)] – FHWA defines a Patented or Proprietary Product as a product, specification, or process identified in the Plans or Specifications as a brand or trade name (e.g. 3M, Corten). It may also be a product so narrowly specified that only a single provider can meet the Specification. In order for a Patented / Proprietary material, process or product to be specified in the contract it must be shown to be in the public’s best interest to do so. The Patented or Proprietary product must be shown to be either:

1. Necessary for **\*synchronization** with existing facilities; or
2. A unique product for which there is no equally suitable alternative.

23 CFR 635.411(a) (1) provides the regulator authority for FHWA’s participation in the cost of a Patented or Proprietary product. In November 2011, FHWA revised their guidance concerning the use of Patented and Proprietary Products. The updated guidance is posted on the FHWA website at:

<http://www.fhwa.dot.gov/programadmin/contracts/011106qa.cfm>.

In summary, this revised guidance:

- Clarifies that a DOT may specify Patented / Proprietary products when the DOT can certify that there is no suitable alternative product, or that the product is needed for **synchronization**.
- Clarifies that FHWA must approve, through a LPIF, the specification of a Proprietary Product when other equally suitable alternatives exist. *(NOTE: For ODOT, this FHWA approval is only required on full-federal oversight (FFO)-designated projects. ODOT retains the LPIF approval authority on non-FFO projects).*
- Clarifies that additional approvals are not required when Proprietary products are being evaluated in FHWA-sponsored programs such as Highways for Life, the Innovative Bridge Research and Deployment Program, and the Innovative Pavement Research and Deployment Program.
- Continues to support the principle of competition in the selection of materials whenever more than one equally suitable product exists to fulfill project requirements.

**\*Synchronization**, as used in 23 CFR 635.411, is defined as providing a product that matches specific current or desired characteristics of a project. Synchronization may be based on:

- Function – The Proprietary product is necessary for the satisfactory operation of the existing facility.
- Aesthetics – The Proprietary product is necessary to match the visual appearance of the existing facilities.
- Logistics – The Proprietary product is interchangeable with products in an Agency’s maintenance inventory.

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**Example #1:** A Rainbird pop-up spray head product is specified in a local agency construction contract as it is essential for **functional and logistical synchronization** with an existing landscaping system. The local agency maintains an existing supply of this specific product for maintenance of city landscaping. Any other product would not be compatible and would be expensive for the local agency to maintain. Therefore, it would be in the public's best interest to require a compatible proprietary or sole source item.

**Example #2:** As part of its Downtown Beautification Plan, a local agency specifies a specially designed and patented signal pole for all intersections in the downtown area. To ensure federal participation on the project the City would need to provide sufficient documentation to support **both functional and aesthetic synchronization**. These documents could include a statement from the State Historic Preservation Officer requiring that new light poles be similar in appearance to the existing light poles, or a planning document stating that the same signal poles were required on previous projects in the vicinity and that the signal pole is necessary for compatibility with those previously constructed projects.

**Example #3:** As part of a federally funded construction project, ODOT wants to specify the use of a propriety tubular marker. ODOT Maintenance maintains an inventory of these specific tubular markers so they can be replaced promptly when damaged. To ensure federal participation on the project, ODOT would need to sufficiently show that the use of this patented product is needed for **logistical synchronization**, and to ensure consistency of maintenance materials on the State Highway system.

*A LPIF is not required when three or more acceptable products are listed in the specifications.*

Products listed on the [ODOT Qualified Products List \(QPL\)](#) can be used on projects only when the QPL is referenced in the Specifications. Referencing a single product by name, even if the product is listed on the QPL, will require an approved LPIF.

Any patented/proprietary materials containing iron or steel, which are being incorporated into a federally funded project must comply with the Buy America requirements. FHWA does not allow any patented/proprietary products containing iron or steel not meeting the Buy America requirements to be incorporated into a federally funded project. If a local agency requires a non-compliant patented/proprietary item to be installed, typically to synchronize with an existing system, it must be procured and installed under a separate contract using local funds only.

**Example:** A local agency specifies a decorative, steel light pole be installed in order to match existing poles in an urban area. If the light pole is not made from domestic materials, the local agency cannot provide the materials for installation by the Contractor. The materials would need to be installed under a separate, local agency contract with no federal funds.

**d) Programmatic ITS Proprietary Products** [PS&E Delivery Manual Chapter 2.1.d] – ODOT has entered into a programmatic agreement with FHWA to either sole-source certain Intelligent Transportation System (ITS) and signal system proprietary components on projects, or to make the use of State-furnished ITS materials mandatory. This allows the Agency to specify the proprietary

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or State-furnished components in the contract without having to establish that it is in the public best interest to do so on a project-by-project basis.

The ODOT ITS Unit is responsible for administrating ITS networks statewide and supporting the networking of traffic signal systems. It is necessary to maintain state price agreement contracts to force product standardization so the ITS and traffic signal systems can be maintained by a small workforce. The ITS Unit maintains a list of state contracts for ITS and signal system components that must be used.

If the project development team determines that any of the ITS or signal system products listed on the most current programmatic agreement are required for the project, a request will need to be submitted directly to Doug Spencer, ITS Standards Engineer, for review. Doug will review the request to ensure the materials being requested for use are covered under a current approved ODOT ITS contract. Doug can also assist in determining the cost associated with the specified materials for the Anticipated Item request.

Once approved, Doug will submit a “LPIF and Anticipated Cost for ITS Project” letter to Office of Project Letting (OPL) for approval. This letter is used in lieu of the standard LPIF template for ITS materials only and satisfies both the LPIF and Anticipated Item Request needs. The project team does not need to submit a separate LPIF or Anticipated Item request.

The only exception to this process is projects that fall under the current City of Portland Programmatic Proprietary Items – Street Lighting and Signals agreement with FHWA.

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Example of an ITS  
LPIF/ Anticipated  
Item Request

	<h1>Oregon</h1> John A. Kitzhaber, MD, Governor	<b>Department of Transportation</b> <b>Intelligent Transportation Systems</b> 644 A Street Springfield, OR 97477 Phone (503)856-6528 Fax: (541)744-8088																																													
<p>To: Brenda Marcus Manager, Office of Project Letting</p> <p>From: Doug Spencer, PE ITS Standards Engineer </p> <p>Date: August 29<sup>th</sup>, 2012</p> <p>Subject: <i>Letter of Public Interest Finding and Anticipated Costs for ITS Project</i></p> <p>Project Name: <u>OR217: Active Traffic Management</u> Key No.: <u>16252</u></p> <p><b>Letter of Public Interest Finding</b> Per ODOT's ITS 2011 and 2012 authorization requests, FHWA's letter of approval dated July 14<sup>th</sup>, 2011 and August 8<sup>th</sup>, 2012 .</p> <p><b>State Supplied Items (ODOT ITS Contracts approved by FHWA)</b></p> <table border="0"> <tr> <td><i>Network Equipment</i> (Contract No. 2228)</td> <td>Yes <input checked="" type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td><i>Road and Weather Information Station</i> (Contract No. 30310)</td> <td>Yes <input type="checkbox"/></td> <td>No <input checked="" type="checkbox"/></td> </tr> <tr> <td><i>Variable Message Signs</i> (Contract No. 29871)</td> <td>Yes <input checked="" type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td><i>Rotating Drum Signs</i> (Contract No. 29872)</td> <td>Yes <input type="checkbox"/></td> <td>No <input checked="" type="checkbox"/></td> </tr> <tr> <td><i>Portable Signs</i> (Contract No. 28188)</td> <td>Yes <input type="checkbox"/></td> <td>No <input checked="" type="checkbox"/></td> </tr> <tr> <td><i>Digi Cellular Router</i></td> <td>Yes <input checked="" type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td><i>Highway Advisory Radio</i> (Contract No. 24147)</td> <td>Yes <input type="checkbox"/></td> <td>No <input checked="" type="checkbox"/></td> </tr> <tr> <td><i>Traffic Sensor Station</i> (Contract No. 29183)</td> <td>Yes <input checked="" type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td><i>Advanced Transportation Controller</i></td> <td>Yes <input type="checkbox"/></td> <td>No <input checked="" type="checkbox"/></td> </tr> <tr> <td><i>Advanced Transportation Controller Firmware</i></td> <td>Yes <input type="checkbox"/></td> <td>No <input checked="" type="checkbox"/></td> </tr> </table> <p><b>Anticipated Items</b></p> <table border="0"> <tr> <td><i>Network Equipment</i></td> <td>Cost</td> <td><u>\$55,437</u></td> </tr> <tr> <td><i>Road and Weather Information Station Equipment</i></td> <td>Cost</td> <td><u>                    </u></td> </tr> <tr> <td><i>Variable Message Signs</i></td> <td>Cost</td> <td><u>\$498,270</u></td> </tr> <tr> <td>    <i>Type 1 Signs</i></td> <td>Cost</td> <td><u>\$59,007</u></td> </tr> <tr> <td>    <i>Type 2 Signs</i></td> <td>Cost</td> <td><u>                    </u></td> </tr> </table>			<i>Network Equipment</i> (Contract No. 2228)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<i>Road and Weather Information Station</i> (Contract No. 30310)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<i>Variable Message Signs</i> (Contract No. 29871)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<i>Rotating Drum Signs</i> (Contract No. 29872)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<i>Portable Signs</i> (Contract No. 28188)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<i>Digi Cellular Router</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<i>Highway Advisory Radio</i> (Contract No. 24147)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<i>Traffic Sensor Station</i> (Contract No. 29183)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<i>Advanced Transportation Controller</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<i>Advanced Transportation Controller Firmware</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<i>Network Equipment</i>	Cost	<u>\$55,437</u>	<i>Road and Weather Information Station Equipment</i>	Cost	<u>                    </u>	<i>Variable Message Signs</i>	Cost	<u>\$498,270</u>	<i>Type 1 Signs</i>	Cost	<u>\$59,007</u>	<i>Type 2 Signs</i>	Cost	<u>                    </u>
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**e) State Owned / Furnished / Designated Materials** [CACC Sec II.C.5.d] – FHWA policy [23 CFR 635.407] The CFR requires the contractor to furnish all materials incorporated into the project and the Contractor shall be permitted to select the sources the materials are obtained from. Exceptions to this requirement can only be made if there is a definite finding that it is in the public's interest to require the Contractor to use materials or sources owned by or furnished by the Agency. These exceptions are broken down as follows:

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**1) Manufactured Materials** – Manufactured materials provided by the Agency must be “mandatory”. The “optional” use of State-furnished materials is in violation of the Federal policy prohibiting public agencies from competing with private firms. Manufactured materials provided by the agency must be acquired through competitive bidding unless there is a LPIF for another method. Any manufactured materials provided by the Agency, which contain iron or steel, and are being installed on a federally funded project, must comply with the Buy America requirements.

**Examples:** State-owned bridge beams (salvaged under a separate project), Variable Message Signs (VMS), Traffic Signal Components (salvaged or purchased through a state contract).

**2) Local Natural Materials** – When the agency owns or controls a local natural materials source such as a borrow pit or stockpile of salvaged material, the materials may be designated for either optional or mandatory use. Mandatory use will require a LPIF; optional use does not require a LPIF.

**Examples:** Mandatory use of state-owned aggregate stockpile (typically salvaged under a separate project).

**3) Mandatory Disposal Site** – Mandatory borrow sources and disposal sites are considered State-furnished materials and require an approved LPIF. Discussion of the mandatory use of a disposal site in the environmental document may serve as the basis for the LPIF.

**4) Mandatory Disposal and/or Staging Areas** - If the Agency elects to designate mandatory disposal and/or staging areas on federally funded projects, a LPIF is required. The Geo/Environmental Section is pursuing a single general LPIF for sites designated as mandatory according to the [GE08-04\(B\) - Designating Construction Staging and Disposal Sites](#) Bulletin. Which will be announced via the Project Delivery Leadership Team (PDLT) and an Advisory Bulletin.

*Also, refer to: [PD-10 Disposal of Excess Excavation Materials](#).*

**f) Salvaged Materials** [CACC Sec II.C.6 – Salvage Credits] – Salvage credits to Federal projects are governed by state procedures. Therefore, if a State has procedures that do not require credit to the project, then credit to a federal-aid project is also not required. If a state does not have procedures addressing salvage credit, then salvage credit is required unless the circumstances identified in the CACC, Sec II.C.6 are met.

ODOT has its own procedure governing the use of salvage materials – [TS Bulletin RD07-05\(B\) – Salvaging Features and Excess Materials associated with Transportation Projects by Contract Specification](#). This Technical Bulletin satisfies the FHWA requirement for ODOT to have a procedure that ensures the process of stewardship is clearly defined for salvaging materials related to federal-aid highway program activities. This bulletin applies when the Agency wants to salvage materials. Requiring the Contractor to transfer salvaged materials to a third party is not allowed. The Agency must take possession of the salvaged materials.

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RD07-05(B) establishes the process for salvaging features and excess materials when planned for at the time of project specification development. If the request for salvaged materials occurs after the bid let date, then the process described in the [ODOT Construction Manual, Chapter 33 – Materials Left Over or Produced for a Third Party](#) must be followed.

Salvageable Materials are defined as any permanent feature or material being removed due to construction of a project, and being considered for reuse by the Agency for maintenance activities or use on another project. This includes items such as:

- Asphalt Grindings
- Guardrail
- Bridge Rail
- Excess Soil and Rock
- Some Traffic Signal and Illumination *Components* – *contact the Traffic Signal Engineer for questions on salvageable and non-salvageable Traffic Signals and Illumination Components. Some examples of salvageable and non-salvageable Traffic Signal and Illumination Components are:*
  - Salvageable:
    - Service Cabinet & Controller Cabinet (including the control systems within)
    - Mast Arm Poles & Strain Poles
  - Not Salvageable:
    - Conduit & Junction Boxes
    - Wire & Cable

The guidelines used to identify the materials as salvageable are listed in TS Bulletin RD07-05(B). If the salvaged materials are considered for reuse on another project, a separate LPIF must be processed for that project to incorporate the salvaged materials as “State-Owned Materials”. If the salvaged materials contain any iron or steel, and are being considered for incorporation on a federally funded project, the materials must meet the Buy America requirements.

ODOT is allowed to salvage materials from construction projects with no project credit required for the value of the materials. On all projects, hauling costs incurred outside the project limits are paid for by the recipient of the material with a separate bid item established to capture the hauling costs.

**g) Separate Contracts** [CACC Sec III.A.3 – Method of Construction, ORS 279C.300] – One of the most basic tenets of Federal-aid contracting is that construction contracts are to be awarded competitively to the Contractor which submits the lowest responsive bid. However, there may be situations that support the use of a contracting method other than competitive bidding. Noncompetitive construction contracting or other unusual methods of construction may be approved only if it is proven to be more cost effective.

Instances where ODOT may choose to perform construction contract activities under a noncompetitive construction contracting method (separate contract) are for **Planting or Plant Establishment Work**. ODOT Environmental Section staff performing landscaping or landscape monitoring work. This is considered to be State forces performing “biddable work” which would

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normally be done by the Contractor under the contract. Typically, this is only allowed if permit language requires an extended plant establishment period (longer than 1-2 years) which would require the construction contract to remain open for an extended period, or if planting work is very special in nature. An option that should be considered if an extended plant establishment period is required is the use of a small business contract to do the planting/establishment work under a separate contract.

If the LPIF for planting or plant establishment work by State forces is approved, an Anticipated Item Request is required to establish a method of reimbursement.

**h) Programmatic Separate Contracts** – ODOT has entered into a programmatic agreement with FHWA for six work items that are consistently shown to be in the public’s best interest to be performed by forces other than the construction Contractor and with the services procured using non-competitive procurement methods. This programmatic agreement allows the Agency to issue separate contracts for these work items without having to establish that it is in the public best interest to do so on a project-by-project basis. These six work items covered by the programmatic agreement are:

**1.) Use of Animal and Plant Health Inspection Services (APHIS) for Migratory Bird Monitoring – Performed by APHIS Forces** – In order to comply with the Migratory Bird Treaty Act (MBTA), bird management activities are required to prevent birds from nesting or to remove successful nests in vegetation that will be removed as part of the project construction. Allowing the U.S. Department of Agriculture Animal and Plant Health Inspection Service (APHIS) to perform these activities is in the public’s best interest. APHIS is the only agency that currently has a “take” permit for birds, and will only agree to remove successful nests if they have been responsible for the bird management activities. If bird management activities were done by the construction Contractor, and birds were to establish a nest in the vegetation, the construction Contractor, by law, would not be permitted to remove the nest containing migratory birds. The construction Contractor would be required to postpone construction activities until the nest was abandoned, delaying construction and possibly missing the contract completion date.

**2) Utility Connections / Hookups – Performed by Utility Forces** – Many utility companies require connections or hookups to their facilities be performed with their own forces, and not by the construction Contractor. It is therefore in the best interest of the public to allow the utilities, when required, to perform the utility connection / hookup work on the project.

The State Utility and Railroad Liaison will need to review and concur with all Programmatic LPIF for Utility Connections / Hookups, prior to OPL approval. OPL staff will coordinate with the State Utility and Railroad Liaison for review and concurrence.

**3) Public Affairs / Public Outreach – Performed by ODOT Forces** – In certain instances ODOT may choose to perform the Public Affairs/Public Outreach functions on a project instead of having the Contractor do it under the construction contract. Politically sensitive projects which are considered high risk are best suited for handling by ODOT Public Affairs

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staff. The ODOT Public Affairs staff is usually involved in the public involvement process for these projects from project initiation and has developed relationships with the stakeholders and is aware of related issues. Allowing ODOT Public Affairs staff to perform the Public Affairs/Public Outreach functions on certain projects is in the public's best interest because of their familiarity with the stakeholders and issues related with the project.

**4) Railroad Flagging – Performed by Railroad Forces** – Construction activities that require the construction Contractor to work on active Railroad property must be included in the project special provisions. Prior to bid the ODOT Railroad Liaison consults with the Railroad regarding railroad agreements and flagging services needed for a project. The construction Contractor is required to contact the Railroad, who determines if railroad flagging or other safety measures are required to be performed by Railroad forces. Railroad agreements are established prior to project advertisement for bid. The Railroad reserves the right to decide who will perform Railroad flagging on active Railroad property. Allowing the Railroad to perform the railroad flagging services on a project is in the best interest of the public because it is required by the Railroad agreement for the project.

The State Utility and Railroad Liaison will need to review and concur with all Programmatic LPIF for railroad flagging, prior to OPL approval. OPL staff will coordinate with the State Utility and Railroad Liaison for review and concurrence.

**5) Archaeological Monitoring** - Frequently archaeological monitoring is required during construction due to a variety of factors such as the presence of existing cultural material within construction boundaries or highly sensitive areas that may reveal buried archaeological deposits not identified during project development. ODOT maintains contracts with the University of Oregon's Museum of Natural and Cultural History (MNCH) and Southern Oregon University's Lab of Archaeology (SOULA) to provide cultural resource evaluations including archaeological monitoring. In addition, ODOT maintains agreements with several of Oregon's Federally recognized Tribes to perform cultural resource evaluations and archaeological monitoring. This monitoring and oversight ensures any artifacts discovered during construction activities are handled only by qualified people. Having the oversight and monitoring performed by MNCH, SOULA, and Tribal partners when construction activities are ongoing is in the public's best interest because of the sensitivity associated with archaeological monitoring.

If archaeological monitoring is determined necessary after the project has been awarded, see [\*Section 5 - LPIF'S Requests after Project Bid Let Date\*](#) for guidance.

**6) Paint Coating Inspection Service** - Third Party Inspection for bridge protective coating has been proven to be more cost effective for the Agency. Coating inspection is a highly specialized discipline that requires regular testing, training and certifications. ODOT has determined that this discipline be part of all bridge painting projects throughout the state. The required specific skills and ongoing nationwide certifications of coatings inspections can be expensive for ODOT project management staffs due to the out-of-state classroom and off-site testing. ODOT has successfully used independent 3rd Party Inspection services in past

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bridge painting projects and determines that it is an effective measure to reduce risk to construction engineering budgets and to minimize expensive contractor claims.

Costs for the third party inspection services will be paid out of the anticipated item. ODOT will use a separate sole source contract administered through a separate construction engineering work order contract (WOC) for the procurement of these services.

The Programmatic LPIF / Anticipated Item Request template must be used to request approval for these six work items. A separate Anticipated Item request is not required to be submitted as this information has been incorporated into the programmatic template.

### **3. WHEN TO SUBMIT A LPIF**

LPIF's must be submitted to the Office of Pre-Letting email box at: [ODOTPre-Letting@odot.state.or.us](mailto:ODOTPre-Letting@odot.state.or.us) as early in the project development process as possible. LPIF's are required on all projects (*when applicable*) regardless of funding source, including Local Agency projects developed and procured under the Local Agency Certification Program (i.e., Certified projects).

Draft LPIF's may be submitted to the Office of Pre-Letting email box for review and comment by the project Quality Assurance (QA) Reviewer. Please allow a minimum of 2 weeks for processing draft LPIF's by OPL

Final LPIF's should be submitted to Office of Pre-Letting email box for review and comment by the project QA Reviewer, and FHWA if the project is a FFO project. Please allow a minimum of 30 days prior to PS&E, for processing final LPIF's by OPL, and FHWA if the project is a FFO project.

Project development teams need to keep in mind that denial of a submitted LPIF would likely require modifications to the Plans, Specification and Estimate (PS&E) package, so early submittal is encouraged.

### **4. HOW TO SUBMIT A LPIF**

#### **a) Non-ITS or Signal System Projects**

LPIF's must be completed using the LPIF template forms available on the OPL website: [http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals\\_forms\\_etc.aspx#Templates](http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals_forms_etc.aspx#Templates)

The LPIF must include all of the information asked for on the template.

If an Anticipated Item is also required, it can either be submitted at the same time as the LPIF, or after the LPIF is approved.

The QA Reviewer assigned to the project will review the submitted LPIF for completeness, and will work with the submitter to obtain any additional information or clarification if needed. Once the

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QA Reviewer has completed the QA review on the request, OPL will obtain the required OPL Manager and FHWA approvals (for FFO projects).

Once all approval signatures are obtained, a PDF copy of the signed LPIF will be returned to the submitter.

All approved LPIF's must be loaded into Electronic Bidding Information System (eBIDS) as a Bid Reference Document prior to the PS&E submittal due date. Loading of Bid Reference Documents can only be completed by internal-ODOT system users.

In order to enhance transparency and meet the intent of a Public Interest Finding, OPL is now posting all approved LPIF's on the OPL Public Interest Findings website at:  
<http://www.oregon.gov/ODOT/HWY/OPL/Pages/Public-Interest-Findings.aspx>

This information is now available to the general public once the contract has been awarded. LPIF's are available to registered plan holders during the advertisement period on eBIDS. The LPIF documents will remain on the OPL website until the contract is complete at which time it will be archived and will only be available upon request.

**b) ITS or Signal System Projects**

LPIF's for materials or work related to ITS or Signal Systems, must be processed through the ODOT ITS Unit (Doug Spencer). Doug will submit the ITS/Signal System LPIF request to the OPL for approval. The project team is not required to submit a separate LPIF or Anticipated Item request.

**5. LPIF'S REQUESTS AFTER PROJECT BID LET DATE**

LPIF's are still required to be submitted and approved after the project bid let date if any of the conditions listed in Section 2 above are added to the contract by Change Order. The LPIF needs to be submitted and approved prior to execution of the related Contract Change Order, Extra Work Order or State Force Order.

The differences between a LPIF requested prior to the bid let date and one requested after the bid let date are:

**a) Salvage Materials** – If the request for salvageable materials occurs after the bid let date, then the process described in the ODOT Construction Manual, Chapter 33 – Materials Left Over or Produced for a Third Party, shall be used.

**b) LPIF Approval** – LPIF requests submitted after the project bid let date are submitted to the ODOT Construction Section for approval (not the OPL). Copies of LPIF requests approved after the project bid let date do not need to be submitted to the OPL.

**c) LPIF Template** – The OPL has provided a LPIF Template for requests submitted after the project bid let date. The use of this template is optional, but encouraged.

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## **6. RESOURCES**

[PS&E Delivery Manual](#)

[FHWA Contract Administration Core Curriculum Guide, Section II.C](#)

[TS Bulletin RD07-05\(B\) – Salvaging Features and Excess Materials associated with Transportation Projects by Contract Specification](#)

[ODOT Construction Manual](#)

[Oregon Revised Statutes – Chapter 279C – Public Contracting, Public Improvements and Related Contracts \(2011 Edition\)](#)

[ODOT Local Agency Guidelines](#)

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**1. LPIF Template** – Use for all LPIF request except for Programmatic Separate Contracts, Salvage Materials, Programmatic ITS Proprietary Products and Post Award LPIF.

**INSERT REGION / LOCAL AGENCY LETTERHEAD**  
(This document is maintained by OPL's Pre-Letting unit. E-mail update and change requests to: [OPR2@oregonroadsandairports.gov](mailto:OPR2@oregonroadsandairports.gov))

**DATE:** January 9, 2013

**TO:** Brenda S. Marcus  
Office of Project Letting Manager

**FROM:** [REDACTED]

**SUBJECT:** LETTER OF PUBLIC INTEREST FINDING  
Request Type: [REDACTED]  
Project Name: [REDACTED]  
Highway: [REDACTED]  
County: [REDACTED]  
Key Number: [REDACTED] Control Number (OPL use only): \_\_\_\_\_  
PS&E Date: [REDACTED] Bid Date: [REDACTED]

Anticipated Item Request Required? Yes  No

**Project Description** – Give a brief description of the project including the purpose, general location and other key details.  
[REDACTED]

**Exemption Description** – What exemption to the existing CFR or Statute is being requested?  
[REDACTED]

**Public Interest** – Clearly describe how the request to not follow an existing CFR or Statute is in the public's best interest.  
[REDACTED]

**Associated Costs** – Include the cost(s) associated with this request. If there will be a cost savings to the project, clearly detail how the savings will be realized.  
[REDACTED]

**Procurement Method** – Describe how the material(s) or work will be procured; bid/able work in the construction contract, Contract Change Order, separate sole source contract, Agency-supplied material(s) or labor, etc.  
[REDACTED]

**Alternatives** – If the LPIF is not approved, what alternatives can be used to obtain the material(s), or perform the work? If there are no alternatives available, please describe why.

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LPIF Template Page 1 of 2 Revised October 2012

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**Buy America** – Describe how conformance to Buy America requirements have been confirmed for any iron or steel material(s) (applies to federally funded projects only). If Buy America requirements do not apply, please describe why.



Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, Title*

Concurred By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, Area Manager*

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Brenda S. Marcus, OPL Manager*

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, FHWA Area Engineer (FFO Projects Only)*

cc.: *Name, Email Address (for non-ODOT employees only)*

**Template available at:**

[http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals\\_forms\\_etc.aspx#Templates](http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals_forms_etc.aspx#Templates)

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**2. LPIF Programmatic Separate Contract Template**

**INSERT REGION / LOCAL AGENCY LETTERHEAD**

(This document is maintained by OPL's Pre-Letting unit. E-mail update and change requests to: [ODOTPre-Letting@odot.state.or.us](mailto:ODOTPre-Letting@odot.state.or.us))

**DATE:** August 26, 2014

**TO:** Brenda S. Marcus  
Office of Project Letting Manager

**FROM:** [REDACTED]

**SUBJECT:** PROGRAMMATIC LETTER OF PUBLIC INTEREST FINDING and  
ANTICIPATED ITEM REQUEST  
Project Name: [REDACTED]  
Highway: [REDACTED]  
County: [REDACTED]  
Key Number: [REDACTED] Control Number (OPL use only): \_\_\_\_\_  
PS&E Date: [REDACTED] Bid Date: [REDACTED]

Per ODOT's 2014 programmatic LPIF request and FHWA's letter of approval dated July 30, 2014 the following item(s) of work are requested for this project:

- APHIS Migratory Bird Monitoring (by APHIS forces)  Anticipated Item Amt: [REDACTED]
- Utility Connection / Hookup (by Utility forces)  Anticipated Item Amt: [REDACTED]  
Utility Name: [REDACTED]
- Public Outreach / Public Affairs (by ODOT forces)  Anticipated Item Amt: [REDACTED]
- Railroad Flagging (by Railroad forces)  Anticipated Item Amt: [REDACTED]
- Monitoring of Archaeological Sites (by third party)  Anticipated Item Amt: [REDACTED]
- Paint Coating Inspection Service (by third party)  Anticipated Item Amt: [REDACTED]

**Project Description** – Give a brief description of the project including the project purpose, general location and other key details.

[REDACTED]

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name, Title

Concurred By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name, Area Manager

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Concurred By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Heather C. Howe, State Utility and Railroad Liaison  
(Required for Utility Connections / Hookups and Railroad Flagging Only)*

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Brenda S. Marcus, OPL Manager*

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, FHWA Area Engineer (FFO Projects Only)*

cc.: *Name, Email Address (for non-ODOT employees only)*

**Template available at:**

[http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals\\_forms\\_etc.aspx#Templates](http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals_forms_etc.aspx#Templates)

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**3. LPIF Salvage Materials Template**

**INSERT REGION / LOCAL AGENCY LETTERHEAD**  
(This document is maintained by ODOT's Project Letting unit. E-mail update and change requests to: [ODOTProjectLetting@odot.state.or.us](mailto:ODOTProjectLetting@odot.state.or.us))

**DATE:** September 26, 2013

**TO:** Brenda S. Marcus  
Office of Project Letting Manager

**FROM:** [REDACTED]

**SUBJECT:** LETTER OF PUBLIC INTEREST FINDING  
Request Type: [REDACTED]  
Project Name: [REDACTED]  
Highway: [REDACTED]  
County: [REDACTED]  
Key Number: [REDACTED] Control Number (for use only): \_\_\_\_\_  
PS&E Date: [REDACTED] Bid Date: [REDACTED]

Refer to [ODOT Technical Bulletin RD07-05\(B\)](#). Use this template all Salvage Material Requests. Submit a copy to the [Office of Project Letting](#) for approval and reporting purposes.

**Project Description** – Brief description of the project including the project purpose, general location, and other key details.  
[REDACTED]

**Description of the item(s) being proposed for salvage** – Clearly describe the material(s) being salvaged.  
[REDACTED]

**Justification for the proposed salvaging** – Why is the material(s) being salvaged instead of remaining the property of the Contractor? Is there intent to reuse the material(s)? If so, how?  
[REDACTED]

**Value of Materials** – What is the estimated the value of the proposed salvageable material(s).  
[REDACTED]

**Materials Hauling and Storage** – Clearly describe how the material(s) will be transported, and where the material(s) will be stored. Describe any associated hauling and/or storage costs.  
[REDACTED]

---

LPIF Template – Salvage Materials Page 1 of 2 Revised July 2013

**OREGON DEPARTMENT OF TRANSPORTATION  
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**Buy America** – Describe how conformance to Buy America requirements have been confirmed for any salvaged material(s) containing iron or steel (applies to federally funded projects only). If Buy America requirements do not apply, please describe why.

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, Title*

Concurred By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, Area Manager*

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Brenda S. Marcus, OPL Manager*

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, FHWA Area Engineer (FFO Projects Only)*

cc.: *Name, Email Address (for non-ODOT employees only)*

**Template available at:**

[http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals\\_forms\\_etc.aspx#Templates](http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals_forms_etc.aspx#Templates)

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**4. LPIF Post Award Template**

**INSERT REGION / LOCAL AGENCY LETTERHEAD**

(This document is maintained by OR's Pre-Letting unit. E-mail update and change requests to: [ODOTPre-Letting@odot.state.or.us](mailto:ODOTPre-Letting@odot.state.or.us))

**DATE:** January 9, 2013

**TO:** Steve Cooley  
Contract Administration Engineer

**FROM:** [REDACTED]

**SUBJECT:** LETTER OF PUBLIC INTEREST FINDING  
Request Type: [REDACTED]  
Project Name: [REDACTED]  
Highway: [REDACTED]  
County: [REDACTED]  
Key Number: [REDACTED] Contract Number: [REDACTED]

Use this template only for conditions listed in Section 2 of the LPIF Guidance are added to the contract by Contract Change Order. LPIF requests submitted after the project bid let date are submitted and approved by the ODOT Construction Section. A copy of the approved LPIF is not submitted to Office of Project Letting.

**Project Description** – Give a brief description of the project including the project purpose, general location and other key details.

[REDACTED]

**Exemption Description** – What exemption to the existing CFR or Statute is being requested?

[REDACTED]

**Public Interest** – Clearly describe how the request to not follow an existing CFR or Statute is in the public's best interest.

[REDACTED]

**Associated Costs** – Include the cost(s) associated with this request. If there will be a cost savings to the project, clearly detail how the savings will be realized.

[REDACTED]

**Procurement Method** – Describe how the material(s) or work will be procured; bladdable work in the construction contract, Contract Change Order, separate sole source contract, Agency-supplied material(s) or labor, etc.

[REDACTED]

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**Alternatives** – If the LPIF is not approved, what alternatives can be used to obtain the material(s), or perform the work? If there are no alternatives available, please describe why.

█

**Buy America** – Describe how conformance to Buy America requirements have been confirmed for any iron or steel material(s) (applies to federally funded projects only). If Buy America requirements do not apply, please describe why.

█

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, Title*

Concurred By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, Area Manager*

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Steve Cooley, Contract Administration Engineer*

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, FHWA Area Engineer (FFO Projects Only)*

cc.: *Name, Email Address (for non-ODOT employees only)*

**Template available at:**

[http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals\\_forms\\_etc.aspx#Templates](http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals_forms_etc.aspx#Templates)

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**A. LPIF EXAMPLE Sole Source Materials (page 1 of 3)**

			
		<small>375 NE 15TH ST BEND, OR 97701 (541) 317-3009 TEL (541) 389-2246 FAX www.ci.bend.or.us</small>	
	<b>DATE:</b>	February 22, 2011	
<b>JEFF EAGER</b> <i>Mayor</i>	<b>TO:</b>	Brenda S. Marcus Office of Project Letting Manager	
<b>JODIE BARRAM</b> <i>Mayor Pro Tem</i>	<b>FROM:</b>	Robin Lewis, P.E. Local Agency Project Manager	
<b>MARK CAPELL</b> <i>City Councilor</i>	<b>SUBJECT:</b>	LETTER OF PUBLIC INTEREST FINDING Request Type: <b>Sole Source Materials</b> Project Name: NE Daggett Lane: Pedestrian Crossing & Speed Reduction	
<b>JIM CLINTON</b> <i>City Councilor</i>	Proj		
<b>SCOTT RAMSAY</b> <i>City Councilor</i>		Highway: N/A - City of Bend Local Street County: Deschutes Key Number: 17045 PS&E Date: 4-22-11	Bid Date: 6-9-11
<b>TOM GREENE</b> <i>City Councilor</i>		Anticipated Item Request Required? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>KATHIE ECKMAN</b> <i>City Councilor</i>	<b>Project Description</b>	- Give a brief description of the project including the name, project purpose, general location and other key details.	
<b>ERIC KING</b> <i>City Manager</i>		The City of Bend was awarded a Safe Routes to Schools (SRTS) grant for a vehicle speed reduction and pedestrian safety project located on NE Daggett Lane in Bend, Oregon. This project includes proposed vehicle speed reduction and pedestrian safety improvements to an existing City of Bend local street. Of particular interest in this justification for sole sourcing is that this project modifies landscaping and irrigation located in the public right-of-way, but owned and maintained by the adjacent private property owners.	
<b>SONIA ANDREWS</b> <i>Finance Director</i>	<b>Exemption Description</b>	- What exemption to the existing CFR or Statute is being requested?	
<b>SANDRA L. BAKIER</b> <i>Police Chief</i>		This request is to allow the use of sole source materials, specifically Rain Bird manufactured pop-up spray heads. There are no products on the ODOT Qualified Products list for this category.	
<b>LARRY HUHN</b> <i>Fire Chief</i>	<b>Public Interest</b>	- Clearly describe how the request to not follow an existing CFR or Statute is in the public's best interest.	
<b>PATRICIA STELL</b> <i>City Recorder</i>		This project includes a small amount of landscape irrigation modifications to existing systems owned, maintained, and operated by two adjacent land owners: the Bend LaPine School District and the Bend Parks and Recreation District. Both districts own and operate numerous existing irrigation systems and require Rain Bird products per their standards and specifications. This allows for consistency in materials and	
	LPIF Template	Page 1 of 3	February 2012

**OREGON DEPARTMENT OF TRANSPORTATION  
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**A. LPIF EXAMPLE – Sole Source Materials (page 2 of 3)**

replacement by existing inventories versus different manufacturers, which reduces maintenance costs over time. The existing irrigation systems modified by this project include Rain Bird products. Both organizations require Rain Bird products to match system operation.

**Associated Costs** – Describe the costs associated with the request. If there will be a cost savings to the project, clearly detail how the savings will be realized.

The Rain Bird pop-up spray heads are incidental and part of the irrigation bid item which is listed as lump sum for "Adjust Irrigation System". These spray heads are also competitively priced as compared o other industry options. The cost of a single spray head is approximately \$20, while the percent differential to other competitors is approximately 20% for a cost differential of \$4 each. There are 33 spray heads on the project. The increased cost could be as much as \$132. It is unlikely that specifying this product would encourage favoritism in the award of the public contract or substantially diminish competition since the product will be available to all bidders.

**Procurement Method** – Describe how the materials or work will be procured; biddable work in the construction contract, Contract Change Order, separate sole source contract, Agency-supplied materials or labor, etc.

The Contractor will procure these items in a competitive bid process. The specific materials will be Rain Bird pop-up spray heads as procured by the Contractor from local material suppliers. Payment is covered by a bid item in the contract.

**Alternatives** – If the LPIF is not approved, what alternatives can be used to obtain the materials, or perform the work? If there are no alternatives available, please state.

If this request is not approved, the organizations will experience much higher maintenance and replacement costs and may be forced to accept a product that does not match existing irrigation systems. For these reasons it is in the best interest of the public that this request be approved.

**Buy America** – Describe how conformance to Buy America requirements have been confirmed for any iron or steel materials (applies to federally funded projects only).

Quality compliance documentation provided by the Rain Bird manufacturer confirms all steel materials are of domestic materials and are manufactured in the United States. All requirements of Buy America will be conformed to with the use of this product.

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**A. LPIF EXAMPLE – Sole Source Materials (page 3 of 3)**

Submitted By: Robin Lewis Date: April 14, 2011  
Robin Lewis  
Local Agency Project Manager

Concurred By: Stephanie Serpico Date: 04.14.11  
Stephanie Serpico  
Area Manager

Approved By: Brenda A. Marcus Date: 4-19-11  
Brenda Marcus  
Office of Project Letting Manager

cc.: Darrell Newton, ODOT - Local Agency Liaison  
John Condon, ODOT - Local Agency Liaison  
Chris Chambers, DevTech Engineering, LLC - Design Engineer  
Susan Duncan, City of Bend – Accessibility Program Manager

**Example available at:**

[http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals\\_forms\\_etc.aspx#Templates](http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals_forms_etc.aspx#Templates)

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**B. LPIF EXAMPLE – State Supplied Materials (page 1 of 2)**



**Oregon**  
Theodore G. Kuforogun, Governor

**Department of Transportation**  
Region 3  
3500 NW Stewart Parkway  
Roseburg, OR 97470  
Telephone (541) 957-3500  
FAX (541) 957-3547

**DATE:** November 14, 2012

**TO:** Brenda S. Marcus  
Office of Project Letting Manager

**FROM:** Elizabeth Stacey  
Project Leader

**SUBJECT:** LETTER OF PUBLIC INTEREST FINDING  
Request Type: **State Supplied Materials (Seed Mix, Straw, Timber Rails)**  
Project Name: OR138E: Tioga Bridge, Trail & Susan Cr-Steamboat Pave  
Highway: North Umpqua Highway (Hwy 138)  
County: Douglas  
Key Number: 17385  
PS&E Date: 2-27-12                      Bid Date: 4-12-12

Anticipated Item Request Required? Yes  No

**Project Description** – Give a brief description of the project including the name, project purpose, general location and other key details.

The OR138E: Tioga Bridge Trail & Susan Creek-Steamboat Pave project is located on OR138E between milepoints 27.9 and 38.70. The project has two distinct portions; at MP 27.9 the project will consist of construction of a bridge substructure, bridge abutments and approach ramps, a pedestrian trail, roadway and drainage improvements. Between MP 34.15 and 38.70 the project will include a 2" grind/inlay of the roadway surface. KN17385 is the second of two key numbers associated with the construction of a pedestrian bridge in this location. The overall project also includes the Design-Build Low Bid contract awarded to Timber Mountain Construction under KN17512 to design, supply and install a timber pedestrian bridge and design and supply timber bridge rails. The overall project estimate for the OR138E: Tioga Bridge Trail & Susan Creek-Steamboat Pave project (KN17385) is approximately [REDACTED].

**Exemption Description** – What exemption to the existing CFR or Statute is being requested?

Region 3 is requesting the use of State-Supplied seed mix, straw mulch and timber pedestrian rails for this project. This action is in the best interest of the public as further described below:

**Public Interest** – Clearly describe how the request to not follow an existing CFR or Statute is in the public's best interest.

The Bureau of Land Management (BLM) has strict requirements regarding the management of forest vegetation. They have identified a specific seed mix which includes native species cultivated by BLM. BLM has stipulated the use of seed mix and straw mulch supplied by their agency for this project. In order to comply with these conditions, laid out in BLM's environmental documents, ODOT is required to use the seed mix and straw mulch supplied by BLM.

**OREGON DEPARTMENT OF TRANSPORTATION  
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**B. LPIF EXAMPLE – State Supplied Materials (page 2 of 2)**

**Associated Costs** – Describe the costs associated with the request. If there will be a cost savings to the project, clearly detail how the savings will be realized.

The costs for the seed mix and straw mulch are broken out as follows:

12 lbs seed mix @ \$ [redacted] /lb: = \$ [redacted]  
10 bales straw mulch @ \$ [redacted] /bale = \$ [redacted]

As stated above, the construction of the project is taking part in two contracts: a Design-Build Low Bid (DBLB) under KN17512 (C14354) and a Design-Bid-Build under this KN17385. Under the DBLB contract, it was specified in Section 00140.05(c) that the pedestrian rails for the approach ramp would be designed and supplied for installation. The approach ramp is being constructed by the Contractor for KN17385. Per the DBLB contract, the timber rails will be transferred to State ownership and will be available on site for the Contractor to install on the approach ramp as shown on the contract plans. The estimated cost for the state-supplied pedestrian hand rails is \$ [redacted].

Total value of the State-Supplied items: \$ [redacted].

**Procurement Method** – Describe how the materials or work will be procured; biddable work in the construction contract, Contract Change Order, Agency procurement (describe method), Agency-supplied materials or labor, etc.

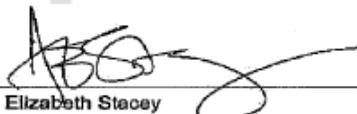
The seed mix, straw mulch and pedestrian hand rails are listed in the project Special Provisions as State-Supplied items for this contract. The contractor will be paid for installation costs of the State-Supplied items under bid items in the contract.

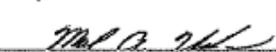
**Alternatives** – If the LPIF is not approved, what alternatives can be used to obtain the materials, or perform the work? If there are no alternatives available, please state.

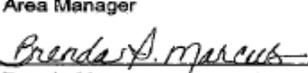
There are no alternatives to these state-supplied materials.

**Buy America** – Describe how conformance to Buy America requirements have been confirmed for any iron or steel materials (applies to federally funded projects only).

Buy America does not apply to the State-Supplied materials covered by this request.

Submitted By:  Date: 2/3/12  
Elizabeth Stacey  
Project Leader

Approved By:  Date: 2-3-12  
Mark Usselman  
Area Manager

Approved By:  Date: 2-7-12  
Brenda Marcus  
Manager, Office of Pre-Letting

Example available at:  
[http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals\\_forms\\_etc.aspx#Templates](http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals_forms_etc.aspx#Templates)

OREGON DEPARTMENT OF TRANSPORTATION  
OFFICE OF PROJECT LETTING

**C. LPIF EXAMPLE – Paint Coating Inspection Service (page 1 of 2)**

	<b>Oregon</b> John A. Kitzhaber, M.D., Governor	Department of Transportation Region 1 Headquarters 123 NW Flanders Street Portland, Oregon 97209-4012 Phone: (503) 731-8200 Fax: (503) 731-8531
<b>DATE:</b> August 1, 2014		<b>FILE CODE:</b>
<b>TO:</b>	Brenda S. Marcus Office of Project Letting Manager	
<b>FROM:</b>	Kyle Crate Region 1 Project Leader, Metro East	
<b>SUBJECT:</b>	<b>PROGRAMMATIC LETTER OF PUBLIC INTEREST FINDING and ANTICIPATED ITEM REQUEST</b> Project Name: US26: Willamette River (Ross Island) Bridge Highway: Mt Hood Highway County: Multnomah County Key Number: 17523      Control Number (PL use only): 17523-01 & 02 PS&E Date: 8/18/14      Bid Date: 10/16/14	
<b>Per ODOT's 2014 programmatic LPIF request and FHWA's letter of approval dated July 30, 2014 the following item(s) of work are requested for this project:</b>		
APHIS Migratory Bird Monitoring (by APHIS forces)	<input checked="" type="checkbox"/>	Anticipated Item Amt: \$20,000
Utility Connection / Hookup (by Utility forces) Utility Name:	<input type="checkbox"/>	Anticipated Item Amt:
Public Outreach / Public Affairs (by ODOT forces)	<input checked="" type="checkbox"/>	Anticipated Item Amt: \$95,000
Railroad Flagging (by Railroad forces)	<input type="checkbox"/>	Anticipated Item Amt:
Monitoring of Archaeological Sites (by third party)	<input type="checkbox"/>	Anticipated Item Amt:
Paint Coating Inspection Service (by third party)	<input checked="" type="checkbox"/>	Anticipated Item Amt: \$1,500,000
<b>Project Description</b> – Give a brief description of the project including the project purpose, general location and other key details.		
This project is located on the Mt Hood Highway, US26, in the city of Portland Oregon. Bridge #05054, locally known as the Ross Island Bridge, was built in 1926 and is a steel span bridge with a 535ft center steel arch, two 644ft steel approaches and 29 reinforced concrete approaches.		
K17523, US26: Willamette River (Ross Island) Bridge_LPIF/AI – Programmatic      Page 1 of 2      Revised August 2014		

**OREGON DEPARTMENT OF TRANSPORTATION  
OFFICE OF PROJECT LETTING**

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**C. LPIF EXAMPLE – Paint Coating Inspection Service (page 2 of 2)**

This project will include complete paint removal and repainting of the three steel arch spans. Structural steel repairs (rivet replacement, etc.) will be address if encountered during the paint removal process.

Submitted By: Kyle Cratt Date: 8/1/14  
*Kyle Cratt, Region 1 Project Leader*

Concurred By: Rich Watanabe Date: 8/1/14  
*Rich Watanabe, Region 1 Area Manager*

Concurred By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Heather C. Howe, State Utility and Railroad Liaison  
(Required for Utility Connections / Hookups and Railroad Flagging Only)*

Approved By: Brenda S. Marcus Date: 8-4-14  
*Brenda S. Marcus, OPI Manager*

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
*Name, FHWA Area Engineer (FFO Projects Only)*

**Example available at:**

[http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals\\_forms\\_etc.aspx#Templates](http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals_forms_etc.aspx#Templates)

OREGON DEPARTMENT OF TRANSPORTATION  
OFFICE OF PROJECT LETTING

**D. LPIF EXAMPLE – Salvaged Materials (page 1 of 3)**



**Oregon**  
Theodore R. Kulongoski, Governor

Department of Transportation  
Major Projects Branch  
880 College St. NE  
Salem, Oregon 97301-2412  
Phone: (503) 986-4446  
Fax: (503) 986-4469

**DATE:** August 24, 2009

**TO:** Eryca McCartin  
Office of Project Letting Manager

**FROM:** Steve Turner  
Asst. Project Manager

**SUBJECT:** LETTER OF PUBLIC INTEREST FINDING – USE OF SALVAGED MATERIALS  
Project Name: I-5: Willamette River Bridge - Bundle 220  
Highway: I-5 Pacific Highway  
County: Lane  
Key Number: 14259 Project Cost: [REDACTED]  
PS&E Date: n/a Bid Date: n/a

Refer to [ODOT Technical Bulletin RD07-05\(B\)](#). Use this template all Salvage Material Requests. Submit a copy to the [Office of Project Letting](#) for approval and reporting purposes.

**Project Description** – Brief description of the project including the name, cost, project purpose, general location, bid date, PS&E due date, and other key details.

The I-5 Willamette River Bridge project (Bundle 220) will construct new twin structures to replace the temporary detour structure that carried I-5 traffic over the Willamette River since 2004. The project was procured under the Construction Manager/General Contractor (CM/GC) process and is being constructed in phases. When completed in late 2013, its final construction cost will be in the range of [REDACTED]. As an alternative contract, there is no PS&E due date or bid date.

**Description of the item(s) being proposed for salvage** – Clearly describe the item(s) being salvaged.

The temporary Willamette River detour bridge #19620 will be demolished under this contract. It will be possible to salvage nine 62-inch structural steel plate girders from the south end of the detour bridge during demolition.

**Justification for the proposed salvaging** – Why is the item being salvaged instead of remaining the property of the Contractor? Is there intent to reuse the item(s)? If so, how?

This request is seeking approval to salvage the steel girders for possible use on the following projects:

**OREGON DEPARTMENT OF TRANSPORTATION  
OFFICE OF PROJECT LETTING**

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***D. LPIF EXAMPLE – Salvaged Materials (page 2 of 3)***

1. OR58: Salt Creek Tunnel and Half Viaducts - Bundle 257 (five girders)
2. OR213: Butte (Jacks Creek) Bridge (four girders)

Each of the above projects would entail a separate contract for refurbishing and modifying the girders as needed for that project, apart from the construction contract. The work would be done by a steel fabrication firm. The girders could be stored at the fabricator's premises for the relatively short time between refurbishing and re-use.

**Value of Materials** – *Estimate the value of the proposed salvageable material.*

It is estimated that each of the projects would incur a cost of approximately \$200,000 for the modification, refurbishing and transportation associated with re-using the salvaged steel girders. Each project would stand to save approximately \$885,000 by not having to purchase new girders. It is believed that the cost impact to the 4-girder and 5-girder projects would be roughly equal because of the differences in transportation distance.

**Materials Hauling and Storage** – *Clearly describe how the materials will be transported, and where the materials will be stored. Describe any associated hauling and/or storage costs.*

The Willamette River Bridge contract will require the CM/GC Contractor to deliver the nine steel girders to the Knife River plant in Eugene, Oregon. The CM/GC Contractor is responsible for all transportation costs from the project site to the storage site. Knife River will store the materials until they are ready for refurbishing and transportation to the two new bridge projects. The Agency is responsible for all storage costs under a separate agreement with Knife River.

**Buy America** – *Describe how conformance to Buy America requirements have been confirmed for any salvaged materials containing iron or steel (applies to federally funded projects only).*

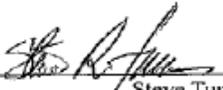
Quality compliance documents are on file from when the steel girders were installed under the temporary bridge contract in 2004. The documents confirm all girder materials are of domestic origin and that the steel girders were manufactured in the United States. All Buy America requirements will be met with the incorporation of these steel girders into the two subject projects.

**Alternatives** – *If the LPIF is not approved, what alternatives can be used to obtain the materials, or perform the work? If there are no alternatives available, please state.*

If this salvage materials request is not approved, the most likely alternative outcome will be that all girders taken from the demolished bridge will be removed from the site and sold for scrap. The projects hoping to use these girders would then need to purchase new ones, at an estimated cost to each project as stated above. We believe it is in the best interest of the public and the Agency to encourage efficient re-use of the materials and to make substantial cost reductions possible on the two upcoming bridge projects.

OREGON DEPARTMENT OF TRANSPORTATION  
OFFICE OF PROJECT LETTING

**D. LPIF EXAMPLE – Salvaged Materials (page 3 of 3)**

Submitted By:  Date: Aug 24, 2009  
Steve Turner, Assistant PM B220 WRB

Concurred By:  Date: 8/24/09  
Dick Upton, Major Projects Unit Manager

Approved By:  Date: 8/26/09  
Eryca McCartin, Manager, Office of Project Letting

Approved By: **Anthony Boesen** Digitally signed by Anthony Boesen  
DN: cn=Anthony Boesen,  
o=Oregon DOT, ou=DOT,  
c=US  
Date: 2009.08.25 13:33:06 -07'00' Date: \_\_\_\_\_  
FHWA Area Manager

- cc.:
- John Parsons, OBEC Engineering
  - Larry Fox, PE OBEC Engineering
  - Brian Copeland, PE DKS Associates
  - John Horn, PE, OBDP

Example available at:

[http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals\\_forms\\_etc.aspx#Templates](http://www.oregon.gov/ODOT/HWY/OPL/Pages/manuals_forms_etc.aspx#Templates)