



Letters of Public Interest Finding (LPIF)

Interfacing with certified local agencies.....



October 15, 2018

Agenda

- What is a LPIF
- Requirements for Federally Funded Projects
- When to Submit
- How to Submit
- Examples



What is a LPIF

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.

Requirements for Federally Funded Projects

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.

LPIF Guidance

LETTERS OF PUBLIC INTEREST FINDING (LPIF) GUIDANCE

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Types of LPIFs

- Programmatic Agreements
 - a) Animal & Plant Health Inspection Services (APHIS)
 - b) Utility Connections/Hookups-Performed by Utility Forces
 - c) Public Affairs/Public Outreach-Performed by ODOT forces
 - d) Railroad Flagging-Performed by Railroad Forces
 - e) Archeological Monitoring
 - f) Paint Coating Inspection Services
 - g) ITS Proprietary Products



Types of LPIFs

- Patented/Proprietary Products
 - a) Synchronization
 - 1) Function – Necessary for the satisfactory operation of the existing facility.
 - 2) Aesthetics – Necessary to match the visual appearance of the existing facilities.
 - 3) Logistics – Product is interchangeable with products in an Agency's maintenance inventory.



Types of LPIFs

- State Owned/Furnished/Designated Materials
 - a) Manufactured Materials
 - b) Local Natural Materials
 - c) Mandatory Disposal Site
 - d) Mandatory Staging Areas



Types of LPIFs

- Salvaged Materials
- Donations (Replacement Parts)
- Equipment
 - a) Publicly Owned Equipment
 - b) Contractor Purchased Equipment for State Ownership



When to Submit a LPIF



As early as possible in the project development process

Denial of a LPIF will likely require modifications to PS&E package



LPIF Requests After Bid Let

Processed as part of a
CCO through Agency
Construction Admin

Utilization of templates in
LPIF guidance is
recommended



Local Agency LPIF Example

- City of Gresham Kane Drive Culvert Replacement
 - ER Project
 - LPIF for “State Furnished Materials”
 - Allowed for advance procurement and construction led by the City of Gresham





Questions