



April 26, 2013

Kevin McLaury  
Montana Division Administrator  
Federal Highway Administration  
585 Shepherd Way  
Suite 2  
Helena, MT 59601

Subject: Finding of Public Interest  
State Furnished Concrete Barrier

Pursuant to 23 CFR 635.407, we are requesting the Federal Highways Administration's Findings of Public Interest approval to require the contractor to use State-furnished tall wall median concrete barrier on the following project.

Retaining Wall – East of Ward Creek  
IM 90-1(198)22  
UPN 5832002

#### **Background Information**

The subject project involves the repair of a retaining wall. The existing tall wall median concrete barrier will be removed under the subject project to construct a temporary median crossover. The existing barrier has a two-loop connection, and as a consequence will be replaced with new approved crash-worthy barrier. The Montana Department of Transportation (MDT) has 65 sections of approved 3-loop tall wall median concrete barrier stockpiled at the MDT Maintenance facility in Saint Regis, approximately 12 miles from the project. The subject project requires 41 sections of new tall wall barrier.

#### **Justification**

The tall wall median concrete barrier was purchased with State funds for the Taft – West project to replace damaged median barrier. Due to an over-estimation of the amount of damaged barrier, MDT has a surplus of the tall wall barrier. We believe it is in the public interest to use of this State-furnished material, since it meets all of the requirements for crash-worthy barrier and has already been purchased for use on the State transportation system

Federal participation will be limited to installation costs.

#### **Conclusion**

We believe that the use of the MDT-owned barrier will result in reduced material and shipping costs and overall lower bid for installation. Consequently, we believe a "finding of public interest" is justified for this product.

We will not extend the proprietary item status of this surplus barrier to subsequent projects without initiating a separate evaluation.



Paul Ferry, P.E.  
Highways Engineer

FHWA Concurrence JK Hawthorne Date 4/26/13

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cc: Dwane Kailey – Acting Chief Engineer, MDT  
James Walther, MDT  
Ed Toavs –Missoula District Administrator, MDT  
MDT Highways File

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