

## ● Public Interest / Cost Effectiveness Findings

### References:

- 23 U.S.C. 112
- 23 CFR 635.106(a), 635.204, 635.205, 635.407(a), 635.411(c)

### Applicability:

Applies to all Federal-aid highway construction projects.

In the subsequent sections, several requirements (e.g., use of a proprietary product, use of public equipment, or contract award based on other than competitive bidding) may be waived under specific conditions if it is found to be in the public interest or cost effective. These findings should be used sparingly since such a determination is an acknowledgment that the needs of the public will be better met by not following the general rules. Since the general requirement addresses a specific issue or concern, waiving that requirement should be done only after careful consideration of the effect or precedent that will be set.

The actual cost effectiveness / public interest finding will consist of a written document outlining the basis for the request and any supporting documentation such as a cost/benefit analysis; discussion of product compatibility; logistical concerns; etc.

The cost effectiveness / public interest finding is generally approved by the Division Administrator for Interstate and NHS projects, and the appropriate STA official for all other projects; however, the specific conditions of approval authority should be described in the oversight agreement between the FHWA Division Office and the STA. This agreement should address the appropriate approval levels for public interest findings related to different oversight levels. Note that some issues may require the DA's concurrence regardless of oversight levels; among these issues are DBE requirements, and method of construction.

SAMPLE PIF:

## **PUBLIC INTEREST FINDING**

Planning and design work for this project will be performed by the Cass County Highway Department. The City of Federal Dam will contract with the Cass County Highway Department to provide planning, coordination, public information, design services, and construction administration. This working relationship permits the most effective way to coordinate the planning and design activities as well as the most effective use of the delegated funding for the City of Federal Dam.

The City of Federal Dam will determine which city streets have the most need to be reconstructed. They will instruct the Cass County Highway Department which streets have the highest priority and those which they feel could use reconstructing, but are not necessary if there is not enough money. The Cass County Highway Department will utilize the monies as effectively as possible in order to reconstruct all those city streets that the City of Federal Dam deems absolutely necessary.

The Cass County Highway Department will provide project development and construction services to the City of Federal Dam. Anticipated services will include:

- Coordination of planning and design activities
- Evaluation and selection of the streets to be reconstructed
- Evaluation and selection of reconstruction and design alternatives
- Facilitation of public information meetings
- Preparation of Project Memorandum addenda
- Survey and information gathering
- Preliminary and final design
- Plan and proposal preparation
- Construction oversight and inspection

The Cass County Highway Department will perform or otherwise direct all work requiring professional certification.