CHAPTER 12, APPENDIX 12-4
EXAMPLE PUBLIC INTEREST FINDING LETTERS
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EXAMPLE REQUEST LETTER BY MUNICIPAL SPONSOR TO NYSDOT

[Date]

[Name of Regional Contact]
[Title of Regional Contact]
[Name of Region]
[Address of Region]
[City], New York [Zip Code]

RE: [Name of Municipal Sponsor] Request to [Type of Project], PIN [Project Identification Number]

Dear [Regional Contact]:

Project Description: This project consists of construction of a [describe project] and continuing along the [more description of the project], connecting to the [sidewalk system] on the [more description of the project].

Proposed Action: The [Name of Municipal Sponsor], [if applicable, a co-sponsor] of this federal [Federal Fund Source] funded project, proposes to build a [describe project]. Based on a comparison of our Town Forces construction cost estimates to our project design consultants and general contractor estimates, we believe we can construct the project for [percent] or [dollar value] less (please attach a spreadsheet with the [number of items] showing the cost comparison). The proposed construction work consists of [describe work activity].

Town Forces Qualifications: The [Name of Municipal Sponsor] has [available equipment] which would be used for [equipment use]. We have a staff of [number] people experienced in [detail experience]. We have [brief history of experience]. We expect to be able to complete this work during the [construction season of 20___].
EXAMPLE LETTER OF NYSDOT’S RESPONSE TO MUNICIPAL SPONSOR

[Date]

[Responsible Official]
[Title of Responsible Official]
[Name of Municipal Sponsor]
[City] New York [Zip-Code]

RE: [Name of Municipal Sponsor] Request to [Type of Project], PIN [Project Identification Number]

Dear [Responsible Official]:

Responding to [responsible official] [date] letter regarding the above subject, we hereby approve your request to proceed with the use of Town Forces for the construction of the subject [description of project]. Please note that construction may only commence after your project [if applicable name of co-sponsor] has approved the entire project's plans, specifications, estimates and its contract documents.

NYSDOT provides the [Name of Municipal Sponsor] with this force account work approval based on our existing [Name of Federal Agreement] with the Federal Highway Administration dated [date].

NYSDOT’s approval of your request is based on the following factors:

1. That it is more cost effective for your Town Forces to perform this [project type] construction work compared to the competitive bidding process,
2. That you have adequate resources - staff, equipment and the financial resources to purchase the required [project type], and
3. The [Name of Municipal Sponsor], based on its existing laws, has the legal right to progress this construction work.

Additionally, before the [Name of Municipal Sponsor] begins construction, you must enter into an [if necessary inter-municipal agreement] with [Name of co-sponsor] (e.g. project co-sponsor, SEQR Lead Agency and contract owner) for this is a 'co-sponsor' of this Federal-aid [Name of Federal fund source] funded project. The inter-municipal agreement will address payment, operation and maintenance of the [name of project].

Per your Town's [date of town’s letter] to NYSDOT, the estimated construction cost of this force account work is [dollar value].

If you have any questions or concerns about this matter please contact [regional contact] at [telephone] or @ [e-mail]
NYSDOT’S REQUEST TO THE FEDERAL HIGHWAY ADMINISTRATION

To: [Name of Division Administrator]
Federal Highway Administration
Leo W. O’Brien Federal Building, 7th Floor
Clinton Avenue & North Pearl Street
Albany, New York 12207

Re: Project: XXXX.XX, DXXXXXX
Description of Project:
Location of Project:

The above listed contract is a project authorized under the Federal-aid Program. [Project Description] The project is being administered by the [Name of Municipal Sponsor] and includes construction of a (what). Work involves removal of (what is being removed) and placement of (new item). The total estimated cost is (put dollar amount here), with (put dollar amount here) being eligible for Federal reimbursement.

As allowed by 23 CFR Subpart B, we are requesting that construction work be performed by force account, rather than by competitive bidding. [Reason Force Account is cost effective – efficient use of labor, equipment, materials and supplies to ensure lowest cost] By using Town forces, construction can start earlier and be completed prior to (place date here). Mention of lack of bids in the past??? Mention mobilization??? Mention [Proof that the organization is qualified to perform the work in a satisfactory manner]
The [Name of Municipal Sponsor] is equipped to construct [description]

We are seeking FHWA’s approval for the use of force account procedures for construction of this project. If you have any questions about this request, please contact your Regional Local Projects Liaison, (RLPL).

Regional Local Projects Liaison

cc: Project File