

**COLORADO DEPARTMENT OF TRANSPORTATION
 PROPRIETARY ITEM – FINDING IN THE PUBLIC INTEREST (FIPI)**

INSTRUCTIONS;

A specific patented or proprietary material, specification, or process shall not be required on a contract except as permitted in Section 8.16 of the Project Development Manual (PDM). Use this form to obtain approval of the use of a proprietary feature on a project or group of projects.

PROPRIETARY ITEM OR PROCESS:

Name of proprietary item or process: ULTRA Guard	Manufacturer name, address & phone No.: Potters Industries, Inc. Peter W. Odenbach Regional Sales Manager 1400 Ticonderoga Drive Fort Collins, CO 80525 T (970) 481-7191 F (970) 282-7351 Peter.Odenbach@PottersBeads.com
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NEED FOR PROPRIETARY ITEM:

Check only one	LOCATION
<input type="checkbox"/> Project Specific	Provide Project No., Project Code, and Location:
<input type="checkbox"/> Corridor Specific	Provide Corridor Description:
<input type="checkbox"/> Region-wide	Identify CDOT Region:
<input checked="" type="checkbox"/> Statewide	
For a corridor, region-wide, or statewide request, a finding in the public interest will have a term of: (Check only one)	
<input checked="" type="checkbox"/> 3 Years (maximum allowable)	Specify dates of term: April 1, 2009 to March 31, 2012
<input type="checkbox"/> Other (specify term)	Specify dates of term:

CERTIFICATION

I hereby certify that it is in the public interest to specify the above named proprietary item or process for the following reasons: (Check all that apply)

- It is essential for synchronization.
- No equally suitable alternative exists.
- It will be used for research or experimental purposes on short sections of road. (Such use must be processed through the Research Branch of DTD. Attach documentation from DTD.)

JUSTIFICATION (required). Justification consists of information that documents the reasons marked above for use of the proprietary item or process. For research or experimentation include a work plan that describes how the research or experimental feature will be used and evaluated. Attach additional pages and documentation as necessary.

ULTRA Guard is a reflective product that can be applied on bridges, guardrails, barriers, and work zones. Some of the benefits of this product are, it allows driver more time to react and avoid collision, alerts drivers more effectively to changes in road direction, and it is durable.

CDOT is submitting a statewide "Finding in the Public Interest" to allow ULTRA Guard to appear on barriers and guardrails when the need of delineation of in and out curves exists on roadways or ramps. Please consider this form by CDOT because no similar alternative application exists for the ULTRA Guard. We find that the public's interest would be best served by specifying this product until other equivalent components are available. We request your approval in this finding as required by 23 CFR 635.411.

APPLICANT SIGNATURE

Name	Title (CDOT Project Engineer, Branch Manager, or Program Engineer as appropriate; see flowchart in section 8.16 of the PDM):	Signature
Clark Roberts	Resident Engineer	

APPROVAL SIGNATURES:

Signature	CDOT Resident Engineer (Required on project specific or corridor FIPs)	Date
Signature	CDOT Research Engineer (Required for research and experimentation FIPs)	Date
Signature <i>Marcee Allen</i>	FHWA Operations Engineer (Required for all region-wide and statewide FIPs and FHWA oversight project level FIPs)	Date <i>1/21/09</i>
Signature	Other (specify)	Date

COPIES OF APPROVED FORM TO (as appropriate):

CDOT Project Engineer: Azeb Hailu / Mat Flores	CDOT Resident Engineer: Clark Roberts / Bryan Allery
CDOT Program Engineer: Bernie Guevara / Gabriela Vida / Rick Gabel	CDOT Research Engineer:
CDOT Standards and Specifications Engineer (all, with draft of any required specification change): Larry Brinck	FHWA Operations Engineer: Marcee Allen