



October 22, 2014

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SUBJECT: **Project Delivery Memo # 14-01 – ET 31 and ET Plus Guardrail
Terminal Moratorium**

PURPOSE AND DIRECTION

Background

ET 31 and ET-Plus guardrail terminals manufactured by Trinity Industries is a FHWA approved guardrail terminal. It's among the non-flared terminals on the state's Qualified Products List (QPL), and was therefore eligible for use on Washington State highways.

By the direction contained in this memorandum, WSDOT is rescinding its acceptance of the ET 31 and ET Plus guardrail terminal systems and is issuing a moratorium on future installations due to litigation related to these systems.

Projects Affected

This policy change affects all active and future contracts where a non-flared guardrail end terminal is to be installed.

Direction

Effective immediately and until further notice, there is a moratorium on new installations of the ET 31 and ET-Plus guardrail end treatments manufactured by Trinity Highway Products on WSDOT projects and on WSDOT facilities, except as provided in the final paragraph of this section below.

WSDOT has issued this moratorium due to litigation regarding these systems. During this moratorium, the ET-Plus and ET 31 guardrail end treatments will not be available on the WSDOT Qualified Products List. There is another non-flared system currently available that meets applicable NCHRP 350 standards. Efforts are currently underway to add more options to the QPL.

A revised Standard Plan for non-flared guardrail terminals is being issued immediately.

Existing, undamaged installations of the ET 31 and ET-Plus systems may remain in place. Existing installations of the ET 31 and ET-Plus systems that are damaged by crashes or other means shall be replaced with a qualified guardrail end treatment system other than the ET 31 or ET-Plus systems, regardless of the extent of the damage. No in-kind repairs of existing installations of these systems will be allowed, except as provided below.

WSDOT may allow staff who are unable to obtain other qualified guardrail end treatment systems to install or repair an ET 31 or ET-Plus system in locations that require immediate installations or repairs. Such installations or repairs must be pre-approved by the WSDOT Development Division and shall be limited to those situations where installing or repairing an ET 31 or ET-Plus system end treatment is the only feasible alternative.

ACTIONS REQUIRED

Construction Division

Provide clear contractual direction and authority to Regions to allow the incorporation of the revised Standard Plan related to ET 31 and ET Plus guardrail terminal systems.

Immediately remove the ET 31 and ET Plus guardrail end terminal systems from the Qualified Products List in accordance with the revised Standard Plan.

Development Division

Continue to monitor the national discussion related to the ET 31 and ET Plus and support Regions in this moratorium implementation. Immediately change any Standard Plan referencing the use of ET 31 or ET Plus guardrail end terminal systems.

Maintenance and Operations

Support the Development Division and the Regions in the implementation and monitoring of this moratorium.

Regions

For projects currently on Ad, issue an informative addendum notifying bidders that the ET Plus and ET 31 are no longer available on the QPL. The addendum should also include the modified standard plan references to the ET Plus and ET 31 terminals.

On active construction contracts with planned end terminal installations where they have not yet been installed, do not install an ET 31 or ET Plus system. Installed ET 31 or ET Plus systems may remain in place. Work with your Assistant State Construction Engineer for solutions to your project specific circumstance.

Maintenance staff shall replace end terminals with the guidance above and notify the HQ Development Division whenever an end terminal is replaced. Staff shall also track all of the costs associated with the replacements of these end terminals.

Area maintenance staff will analyze their inventory of end terminal replacement parts, confer with suppliers and report on how this direction will be implemented.

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