

TRANSMITTAL OF RULES ADOPTED

FROM: County Road Administration Board
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules , being Order No. 27
Emergency rules

relating to (Name of rules or description of subject matter)

Administration of county constructed projects, including definitions of terms, procedures for programming, initiating and record keeping, and penalties for violations.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 5611 ^① filed with the code reviser on Dec. 2, 1975 ^② were regularly adopted as permanent rules of this agency at Olympia, Washington on 1/9/76 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be 1/9/76 ^③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order, that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at _____ on _____ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this 9th day of January 1976.

County Road Administration Board
(AGENCY)

Ernst Geisler
By
Administrative Engineer
Title

STATE OF WASHINGTON
FILED
JAN 27 1976
CODE REVISER'S OFFICE
DOCKET # 905 FILE # 1

① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)
② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)
③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing: RCW 34.04.040. Leave this space blank except in such special cases.
[Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

COUNTY ROAD ADMINISTRATION BOARD

REGULATION NO. 27

REGULATION OF THE COUNTY ROAD ADMINISTRATION BOARD
ESTABLISHING A STANDARD OF GOOD PRACTICE REGARDING
ADMINISTRATION OF COUNTY CONSTRUCTED PROJECTS.

WHEREAS, Chapter 120, Laws of 1965, First Extraordinary Session, created the County Road Administration Board to formulate and adopt uniform and general practices relating to the administration of county roads for the several counties of the state, and

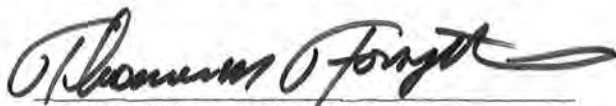
WHEREAS, the Board deems it to be good practice for all counties to administer county constructed projects in a manner that will assure compliance with statutory limitations, now therefore,

BE IT ESTABLISHED BY THE COUNTY ROAD ADMINISTRATION BOARD:

Section 1. The standard of good practice regarding administration of county constructed projects, designated WAC 136-22, attached hereto, be and the same is hereby adopted and established for the county road departments in the several counties of the state of Washington,

Section 2. The standard as adopted hereby shall become effective immediately and shall apply to all counties in the state.

Established and adopted by the Board this 9 day of January, 1976, at a hearing held pursuant to notice given as required by law.



THOMAS M. FORSYTHE

WAC 136-18

ADMINISTRATION OF COUNTY CONSTRUCTED PROJECTS

WAC 136-18-010 PURPOSE. The laws of the state of Washington (RCW 36. 77. 060) require that all construction on county roads be done by contract, except that minor projects whose estimated cost is less than the legally prescribed limit may be done by day labor. The purpose of this Standard of Good Practice is to assure that all day labor construction work is accomplished within statutory limitations.

WAC 136-18-020 DEFINITIONS. For purposes of implementing the requirements of RCW, the following definitions shall apply:

- (1) Construction - includes all activities listed in the account definitions in the BARS Manual under account numbers 541. 30, 541. 40, 541. 50, 541. 60, 541. 70 and 541. 80.
- (2) Construction costs - the estimated or actual cost associated with completion of each of the activities defined in subsection (1).
- (3) Day labor - any construction activity performed by a county road department by means other than by contract as specified in RCW 36. 77. 020 through 040.
- (4) Project - any combination of construction activities as defined herein whose completion will result in a facility capable of accommodating normal traffic.
- (5) Staging - the construction of a project by day labor by division thereof into units of work or classes of work.

WAC 136-18-030 PROGRAMMING PROCEDURES. Every proposed construction project shall be a part of the county's annual construction program as defined in RCW 36, 81, 130 and WAC 136-16-020. Additions to the program, and/or substitutions in the program, may be made by unanimous action of the Board of County Commissioners at any time as provided in RCW 36, 81, 130. No construction work shall be done on any project until it has been authorized by resolution of said Board. The resolution shall include (a) a brief description of the project, (b) a vicinity map showing the location of the project and its limits, provided that in lieu of individual vicinity maps, a single vicinity map showing the location of all projects may be included with the resolution adopting the annual program, (c) identification of the project in terms of the officially adopted annual program, (d) an engineer's estimate of construction costs prepared pursuant to the completion of such preliminary engineering and construction plans as shall be necessary and sufficient.

WAC 136-18-040 LOCATION OF PROJECTS. Once a day labor project has been authorized by resolution of the Board of County Commissioners as herein provided, no additional day labor project of a similar nature whose project limits fall within one mile of the original project and on the same road shall be authorized during the same calendar year, if the combined work would exceed the statutory limit.

WAC 136-18-050 CONSTRUCTION LIMITATIONS. Day labor projects shall be limited to construction projects that can be completed and opened to traffic within 12 months of the date that they are initiated. Any construction work of a similar nature done within the project limits during that period shall be considered as part of the day labor project and shall be charged accordingly. Staging of any work within the project limits to circumvent the day labor limitation shall be prohibited.

WAC 136-18-060 PROJECT RECORDS. All project cost records shall be kept in the manner prescribed by the BARS Manual. Records of quantities shall be kept in a manner consistent with original project estimates.

WAC 136-18-070 RECORDS TO CRAB. Each county engineer shall submit to CRAB a copy of each resolution initiating a day labor construction project whose estimated construction cost exceeds 75 per cent of the day labor limit. Upon completion of each of these projects, or no later than March 1 of the succeeding year, the county engineer shall furnish to CRAB a copy of the record of actual construction costs. On any project where actual costs have exceeded the statutory day labor limit, the engineer shall also provide to CRAB an explanation of the circumstances resulting in such over-expenditure.

WAC 136-18-080 REVIEW OF CRAB. The CRAB engineer shall have authority to investigate cases of apparent violations and shall prepare a listing of all day labor projects for which actual expenditures have exceeded the statutory day labor limit during the previous calendar year for review by the County Road Administration Board at its quarterly meeting in April.

WAC 136-18-090 ACTION BY CRAB. Determination by the County Road Administration Board that a violation of RCW 36, 77, 060 has occurred shall be cause for issuance of a Conditional Certificate of Good Practice by the Board on behalf of the county in which the violation occurred. The first condition of such a Conditional Certificate of Good Practice shall be that the county be required, at the next regular or special meeting of the County Road Administration Board, to show cause why a Certificate of Good Practice should not be denied to that county. Immediate notification of the Board's findings shall be given to the Highway Commission for further possible action pursuant to RCW 47, 08, 100.