

WAC 173-95A-120 Projects ineligible for centennial program funding. While it is impossible to list every project or project element that is not eligible, some examples of ineligible projects include:

- (1) **Abandonment** or demolition of existing structures;
- (2) **Commercial, institutional or industrial** wastewater pretreatment;
- (3) **Compensation** or damages for any claim or injury of any kind arising out of the project, including any personal injury, damage to any kind of real or personal property, or any kind of contractual damages, whether direct, indirect, or consequential;
- (4) **Cost-plus-a-percentage-of-cost contracts** (also known as multiplier contracts), time and materials contracts, and percent-of-construction contracts in facilities projects a negotiated fee in general contractor/construction manager contracts is not a cost-plus-a-percentage-of-cost contract);
- (5) **Facilities** intended solely to control, transport, treat, dispose, or otherwise manage commercial, institutional, or industrial wastewater;
- (6) **Fines and penalties** due to violations of or failure to comply with federal, state, or local laws;
- (7) **Flood control**, projects or project elements intended solely for flood control;
- (8) **Funding application preparation** for loans or grants;
- (9) **Interest** on bonds, interim financing, and associated costs to finance projects;
- (10) **Landscaping** for aesthetic reasons;
- (11) **Legal expenses** associated with claims and litigation;
- (12) **Lobbying** or expenses associated with lobbying;
- (13) **Monitoring equipment** for sampling and analysis of commercial, institutional, or industrial discharges;
- (14) **Office furniture** not included in the recipient's indirect rate;
- (15) **Operating expenses** of local government, such as the salaries and expenses of a mayor, city councilmember, and city attorney;
- (16) **Operation and maintenance** costs for work not performed by contract and that is performed on a regularly scheduled basis (e.g., daily, weekly, monthly, seasonally, semiannually, but not less frequently than once per year), to service, check, or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary;
- (17) **Overtime** differential paid to employees of a public body to complete administrative or force account work;
- (18) **Permit fees** not directly required for the completion of the project;
- (19) **Professional dues**;
- (20) **Reclamation** of abandoned mines;
- (21) **Refinance** of existing debt;
- (22) **Rework costs** or previously funded objectives;
- (23) **Solid or hazardous waste**;
- (24) **Utility local improvement district** formation;
- (25) **Vehicle purchase**, except for vehicles intended for the transportation of liquid or dewatered sludge or septage; and
- (26) **Water quantity** or other water resource projects that solely address water quantity issues such as reservoirs and dams.

[Statutory Authority: Chapters 90.50A and 70.146 RCW. WSR 17-17-040 (Order 16-04), § 173-95A-120, filed 8/9/17, effective 9/9/17. Statutory Authority: Chapter 90.50A RCW, RCW 90.48.035, and 43.21A.080. WSR 11-20-036 (Order 10-14), § 173-95A-120, filed 9/27/11, effective 10/28/11. Statutory Authority: RCW 90.48.035. WSR 07-14-096 (Order 05-16), § 173-95A-120, filed 6/29/07, effective 7/30/07.]