

State of Washington

COUNTY ROAD ADMINISTRATION BOARD

(name of governing body)

(agency name, if applicable)

Resolution No. _____

Administrative Order No. 38 S.C.

(1) Be it resolved by the County Road Administration Board, acting at Olympia, Washington, (place)

that it does promulgate and adopted the annexed rules relating to:

Procedures for Preparation of the Annual Program

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 80-06-126 filed with the code reviser on 6-2-80. Such rules shall take effect:

- [X] pursuant to RCW 34.04.040(2).
[] at a later date, such date being _____

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, _____, find that an emergency exists and that the foregoing order 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 public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

- [] (a) This rule is promulgated pursuant to RCW _____ and is intended to administratively implement that statute.
[] (b) This rule is promulgated pursuant to RCW _____ which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

- [X] (c) This rule is promulgated under the general rule-making authority of the County Road Administration Board

(agency)

as authorized in RCW 36.78

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

STATE OF WASHINGTON

This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1 12 WAC.

APPROVED AND ADOPTED July 16, 1980

JUL 22 1980

By [Signature] Director

DIRECTOR

Title

CODE REVISER'S OFFICE

WSR 80-09-084

COUNTY ROAD ADMINISTRATION BOARD

STATEMENT REGARDING THE PROCEDURES FOR PREPARATION OF THE ANNUAL PROGRAM

I. NAME OF AGENCY: COUNTY ROAD ADMINISTRATION BOARD

DESCRIPTION OF RULES: Under the authority of Chapter 120, Laws of 1965, Ex. Sess., the County Road Administration Board is authorized to formulate and adopt rules relating to the administration of planning and programming of county roads.

II. SUMMARY OF RULES:

WAC 136-16-020 Changes requirements of previous items to be included in the Annual Program in that it requires that construction engineering be included in the cost of the project and preliminary engineering and right of way acquisition be shown and that a combined project be divided showing cost of each type of work.

WAC 136-16-022 Details the statutory day labor limit computations.

WAC 136-16-025 Sets the mode for indicating alternate projects and sets limits for miscellaneous unspecified items.

WAC 136-16-042 Changes the term "Board" to "legislative authority" and requests that CRAB be sent a copy of any modification of the Annual Program within thirty days.

WAC 136-16-050 Changes time frame for construction report to be sent to CRAB from March 1 to April 1.

III. STATUTORY AUTHORITY: RCW 36.78

The County Road Administration Board has the responsibility for drafting, implementing and enforcing these rules. The Director is Ernest Geissler, 6730 Martin Way N.E., Olympia, WA 98504. Telephone: (206) 753-6578.

IV. These rules were proposed by the Board. Comments and testimony were received from the Chairman of the WSACE Day Labor Committee and King and Pend Oreille Counties and incorporated by the Board into the Standard. SUBMITTED in accordance with Chapter 84, Laws of 1977 1st Ex. Sess. this 16th day of July, 1980.



ERNEST GEISSLER, DIRECTOR
County Road Administration Board

COUNTY ROAD ADMINISTRATION BOARD

REGULATION NO. 38

REGULATION OF THE COUNTY ROAD ADMINISTRATION BOARD AMENDING THE STANDARD OF GOOD PRACTICE REGARDING PROCEDURES FOR PREPARATIONS OF THE ANNUAL ROAD PROGRAM.

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 a standard of good practice that all counties shall submit to the Board a recommended annual program showing preliminary engineering, right of way acquisition and the sum of all other costs of the project, now, therefore,

BE IT ESTABLISHED BY THE COUNTY ROAD ADMINISTRATION BOARD:

Section 1. The standard of good practice regarding procedures for preparation of the annual road program, which is designated WAC 136-16, 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 be adhered to by all counties in the state.

Established and adopted by the Board this 16 day of July, 1980, at a hearing held pursuant to notice given as required by law.



Ray Christensen

AMENDATORY SECTION

(Amending Order #29, adopted 7/23/76)

WAC 136-16-020 CONTENTS OF ANNUAL PROGRAM. The adopted annual program shall include, but not be limited to (1) a line item for estimated preliminary engineering costs, (2) a line item for estimated right of way acquisition costs; and (3) a listing of all proposed construction work for the year giving a very brief description of the work, the name, number and functional classification of the road, an estimate of the total cost of each project, including construction engineering but excluding preliminary engineering and right of way acquisition, and a notation as to whether construction work on each project is to be done by contract or day labor or both. ((The total estimated cost of all projects in the annual program shall be approximately equal to the amount budgeted for construction in the annual road budget. All projects, including FAS, shall be shown, provided, however, that the program may include an item for miscellaneous projects in any amount up to 10 per cent of the total estimated program cost, and provided further, that the program may also include a list of alternate or additional projects totalling not more than 15 per cent of the basic program to allow for substitution in the event of unforeseen delays in projects on the basic program.)) When a project involves both contract and day labor work the estimate shall be divided to show the estimated cost of each type of work. The sum of all construction costs shall be approximately equal to the amount included in the road fund construction budget for construction work. All construction projects shall be shown, regardless of funding source, including any projects previously authorized and under way on which expenditures are anticipated during the program year. Projects previously authorized on which construction work is contemplated shall also be listed showing the estimated costs of work during the program year.

NEW SECTION

WAC 136-16-022 DAY LABOR LIMIT. The statutory day labor limit shall be computed in the following manner:

- (1) When the sum of all construction costs is in excess of four million dollars the day labor limit is eight hundred thousand dollars or fifteen per cent of said sum, whichever is greater.
- (2) When the sum of all construction costs is in excess of one million five hundred thousand dollars and less than four million dollars the day labor limit is five hundred twenty five thousand dollars or twenty five per cent of said sum, whichever is greater.
- (3) When the sum of all construction costs is in excess of five hundred thousand dollars and less than one million five hundred thousand dollars the day labor limit is two hundred and fifty thousand dollars or thirty five per cent of said sum, whichever is greater.
- (4) When the sum of all construction costs is less than five hundred thousand dollars the day labor limit shall be two hundred and fifty thousand dollars, unless the legislative authority, by resolution, elects the alternate procedure. When such alternate procedure is chosen, an individual project limit of thirty five thousand dollars shall apply, and each project shall be administered in accordance with WAC 136-18.

NEW SECTION

WAC 136-16-025 MISCELLANEOUS AND ALTERNATE PROJECTS. The adopted program may include an item for miscellaneous unspecified projects in a dollar amount not to exceed ten per cent of the total. The adopted program may also include a separate section for alternate projects which shall be listed in the same manner as required for regular program projects. No construction work shall be done on any alternate project until it has been authorized by resolution. Said resolution shall clearly identify the project as an alternate project, and shall specify which project or projects are being deferred or deleted in order that adequate funding be available for the alternate.

AMENDATORY SECTION

(Amending Order #29, Adopted 7/23/76)

WAC 136-16-042 ((REVISION)) MODIFICATION OF PROGRAM. The adopted final program may not be changed, ((or)) revised or increased except by unanimous vote of the members of the ((Board)) legislative authority who are present when the vote is taken. ((Changes or revisions)) Such modifications shall be by resolution of the ((Board)) legislative authority, ((giving for)) listing each changed, revised or added project. ((the same information required for all original program projects-)) A copy of each ((change)) such resolution shall be forwarded to the County Road Administration Board within thirty days of its adoption.

AMENDATORY SECTION

(Amending Order #2, Adopted 12/1/67)

WAC 136-16-050 ((FORWARDING OF COMPLETED PROGRAMS)) ANNUAL CONSTRUCTION REPORT. At any time prior to ((March)) April 1 of the year following the program year, the county engineer shall submit ((another copy of the adopted)) an annual ((pre-program-for-the-previous-year)) construction report to the County Road Administration Board, ((in which shall be shown the projects actually completed, the equipment actually bought, and the amounts actually expended during the program year-)) The construction report shall show actual expenditures for all construction work including construction engineering done during the previous budget year.