

State of Washington
COUNTY ROAD ADMINISTRATION BOARD

(name of governing body)

(agency name, if applicable)

Resolution No. _____

Administrative Order No. 39

County Road Administration Board

(1) Be it resolved by the acting at Ellensburg, Washington

(place)

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

Administration of county constructed projects (WAC 136-18)

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

This action is taken pursuant to Notice No. 80-12-054 filed with the code reviser on 9/3/80. Such rules shall take effect:

- 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)¹ 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)

- (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).

(5) This order after being first recorded in the order register of this governing body is herewith transmitted to the State Register for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON
APPROVED AND ADOPTED
FILED

October 17, 19 80

OCT 29 1980

By Ernest Gessler

DIRECTOR

Title

CODE REVISER'S OFFICE
WSR 80-16-019

COUNTY ROAD ADMINISTRATION BOARD

REGULATION NO. 39

REGULATION OF THE COUNTY ROAD ADMINISTRATION BOARD AMENDING THE STANDARD OF GOOD PRACTICE REGARDING THE 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 a standard of good practice that all counties shall operate in accordance with existing law, namely, Chapter 40, Laws of 1980, now, therefore,

BE IT ESTABLISHED BY THE COUNTY ROAD ADMINISTRATION BOARD:

Section 1. The standard of good practice regarding the administration of county constructed projects, which is designated WAC 136-18, 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 17th day of October, 1980, at a hearing held pursuant to notice given as required by law.



Ray W. Christensen

AMENDATORY SECTION

(Amending Order #27, filed 1-27-76)

WAC 136-18-010 PURPOSE. The laws of the state of Washington RCW 36.77(~~(-069)~~), 065 (~~require~~) provide that (~~all~~) construction on county roads may be done by contract and/or day labor. (~~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.

AMENDATORY SECTION

(Amending Order #35, filed 1-3-79)

WAC 136-18-020 DEFINITIONS. For purposes of implementing the requirements of RCW relative to day labor construction work, the following definitions shall apply:

- (1) Construction - the building of a new road facility or improvement of an existing facility to a higher geometric or structural standard.
- (2) Day labor construction - construction work performed by personnel carried on the county payroll using county owned, leased or rented equipment.
- (3) Authorization date - the date that construction is authorized.
- (4) Start of construction - the date that construction work commences.
- (5) End of construction - the date that construction work is completed.
- (6) Completion date - the date on which a county road project is closed in the accounting records.
- (7) Estimated construction costs - the county engineer's estimate of the cost of contemplated construction work, not including preliminary engineering and right of way acquisition costs.
- (8) Estimated project costs - the county engineer's estimate of the cost of engineering, right of way acquisition, and construction.
- (9) True and complete construction costs - the accounting record of all construction costs attributed to a county road project from the authorization date to the completion date.
- (10) True and complete project costs - the accounting record of all engineering, right of way acquisition, and construction costs attributed to a county road project from the authorization date to the completion date.
- (11) (~~Project--any combination of construction activities whose completion will result in a facility with independent utility.~~) Day labor county road project - day labor construction authorized by action of the county legislative authority in those counties where a cumulative dollar limit applies to all day labor construction.
- (12) (~~County road project--a road project possessing independent utility and authorized by action of the county legislative authority.~~) Special day labor county road project - day labor construction which will result in a facility with independent utility, authorized by action of the county legislative authority in those counties where the total construction budget is less than five hundred thousand dollars and the legislative authority has by resolution elected to perform day labor construction in an amount not to exceed thirty-five thousand dollars on any one project. The following types of (~~county road projects~~) construction will normally have sufficient independent utility to constitute separate projects within the meaning of RCW 36.77(~~(069)~~)065:

- Type I Roadway construction - a project which includes units of work or classes of work such as clearing, grading, drainage, base, gravel surfacing, traffic and pedestrian services (except street lighting and electrical traffic control devices), roadside development and ancillary operations.
- Type II High type surfacing - a project which includes units of work or classes of work such as surfaces of light bituminous, road mix, gravel plant mix, pug mill mix, hot plant mix and concrete.
- Type III Structures - bridges over 20 feet in length, tunnels, sea walls, irrigation canals, and livestock crossings.
- Type IV Street lighting and electrical traffic control devices.

(13) (~~Day labor county road project—a county road project having an estimated construction cost less than the statutory day labor limit,—which the county legislative authority determines should be performed by day labor construction—~~)

AMENDATORY SECTION

(Amending Order #35, filed 1-3-79)

WAC 136-18-030 AUTHORIZATION OF PROJECTS. Every proposed day labor county road project and special day labor county road 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 county legislative authority 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 authority. The resolution shall include (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) the county road engineer's estimate of construction costs prepared pursuant to the completion of such preliminary engineering and construction plans as shall be necessary and sufficient.

AMENDATORY SECTION

(Amending Order #35, filed 1-3-79)

WAC 136-18-070 RECORDS TO CRAB. Each county engineer shall submit to CRAB a copy of each resolution authorizing a special day labor county road 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 true and complete construction costs. On any project where true and complete construction 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.

AMENDATORY SECTION

(Amending Order #27, filed 1-27-76)

WAC 136-18-080 REVIEW BY CRAB. The CRAB engineer shall have authority to investigate cases of apparent violations and shall prepare a listing of all special 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.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

- (1) WAC 136-18-050 CONSTRUCTION LIMITATIONS.