



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: County Road Administration Board Administrative Order 82

- Permanent Rule
 Emergency Rule

(1) Date of adoption: October 5, 1990

(2) Purpose: Adopts permanent rule revisions to modify RATA matching ratio in the Southwest Region (SWR), add right of way eligibility for the Southeast Region (SER), modifying limits on sizes of submitted projects for the Puget Sound (PSR), Southwest (SWR) and Northwest (NWR) regions, permitting interim submittals of Northeast Region (NER) category 1 bridge projects,

(3) Citation of existing rules affected by this order: and minor editorial corrections.

Repealed: None

Amended: WAC 136-030 thru-070; WAC 136-160-050 & -060; WAC 136-220-020 and -030.

Suspended: None

(4) Authority for adoption:

Statute: Chapter 49, Laws of 1983, Extraordinary Session (RCW 36.79.060)

Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR ~~90-16-025~~ 90-17-093 on August 20, 1990 (date).

Describe any changes other than editing from proposed to adopted version:

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

Emergency Rules

31 days after filing

Immediately

Other (specify) _____ *

Later (specify) _____

* (If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

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STATE OF WASHINGTON
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NOV 06 1990

2:12

90-22-083

NAME (TYPE OR PRINT)

Eric Berger

SIGNATURE

Administrative Engineer

DATE 11/06/90

AMENDATORY SECTION (Amending Order 61, filed 2/20/86)

WAC 136-130-030 PROJECT PRIORITIZATION IN PUGET SOUND REGION (PSR). Each county in the PSR (~~[region]~~) may submit (~~up-to-three~~) projects requesting RATA funds not to exceed \$400,000 per project. Each project shall be rated in accordance with the PSR RAP rating procedures. PSR RAP rating points shall be assigned on the basis of 50 points for traffic volume, 50 points for accident history, 45 points for structural condition, 45 points for geometric condition, and 10 points for special use and need. Prioritization of PSR projects shall be on the basis of total PSR RAP rating points shown on the project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

WAC 136-130-040 PROJECT PRIORITIZATION IN NORTHWEST REGION (NWR). Each county in the NWR may submit projects requesting RATA funds not to exceed (~~two~~) five hundred (~~fifty~~) thousand dollars per project and (~~seven-hundred-fifty-thousand-dollars~~) forty percent of the regional allocation total. No bridge replacement projects will be funded. Each project shall be rated in accordance with the NWR RAP rating procedures. NWR RAP rating points shall be assigned on the basis of forty points for structural condition, forty points for geometrics, ten points for traffic volume and ten points for traffic accidents and five points for any project on a major collector (07). Prioritization of NWR projects shall be on the basis of total NWR RAP rating points shown on the project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending Order 69, filed 6/1/88)

WAC 136-130-050 PROJECT PRIORITIZATION IN NORTHEAST REGION (NER). Each county in the NER may submit projects requesting RATA funds not to exceed 30% (~~[per-county]~~) of the NER biennial apportionment. Each project shall be rated in accordance with the NER RAP rating procedures. The NER biennial apportionment shall be divided into the following categories at the percentages shown, provided sufficient projects are submitted for prioritization in each category:
 Category 1 - 10% for bridge projects where RATA funds are used as a match for federal bridge replacement funds;
 Category 2 - 45% for reconstruction of rural collectors; and
 Category 3 - 45% for resurfacing, restoration, rehabilitation (3R) type projects of rural collectors.

In the event that no projects or an insufficient number of projects are submitted in any of the above categories to utilize the RATA funds set aside for the category, all remaining funds in that category or categories shall be divided among the remaining categories as the CRABOARD deems appropriate. The intent is to divide all available funds into categories having a sufficient number of submitted projects to fully utilize the funds available at each allocation during the biennium.

Bridge projects may be submitted requesting RATA funds under one of the following conditions:

1. Bridges must be approved for federal bridge replacement funding and RATA funds shall be used only as a match for such federal funding. Bridges will be ranked for RATA funding using the WSDOT priority list and may be added to the NER Category 1 priority array at any time during the biennium upon approval of the Bridge for Federal--Bridge Replacement funding.

2. A stand-alone bridge project may be submitted as an ordinary RAP project provided that its priority rating has been computed by the bridge rating method in the NER RAP rating procedures. Such projects shall not be considered for funding from the bridge reserve described above.

3. A RAP project may include a bridge when the cost of the bridge does not exceed 20% of the total project cost.

NER RAP rating points for reconstruction projects, 3R projects or non-federal bridge replacement projects shall be assigned on the basis of 100 points for a condition rating and 50 points for a service rating. The priority rating equals two and one half times the product of the service rating to the 1.25 power and the common logarithm of the number obtained by dividing 100 by the condition rating. Prioritization of NER projects shall be on the basis of total NER RAP rating points shown on the appropriate project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending Order 68, filed 2/16/88)

WAC 136-130-060 PROJECT PRIORITIZATION IN SOUTHEAST REGION (SER). Each county in the SER may submit projects requesting RATA funds not to exceed 30% per county of the SER biennial apportionment. Each project shall be rated in accordance with the SER RAP rating procedures. 10% of the SER biennial apportionment shall be reserved for stand-alone bridge projects (~~(in each biennium)~~). Whatever part of the bridge reserve that is not allocated to bridge projects (~~(in each biennium)~~) shall be available for allocation to other RAP projects. SER RAP rating points shall be assigned on the basis of 40 points for structural condition, 30 points for geometrics, 20 points for traffic volume and 10 points for traffic accidents. Prioritization of SER projects shall be on the basis of total SER RAP rating points shown on the project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending Order 68, filed 2/16/88)

WAC 136-130-070 PROJECT PRIORITIZATION IN SOUTHWEST REGION (SWR). Each county in the SWR may submit projects requesting RATA funds not to exceed (~~(\$200,000 per project and \$8000,000) (\$800,000 per county)~~) 30% of the SWR biennial apportionment. No bridge replacement projects will be funded. Each project shall be rated in accordance with the SWR RAP rating procedures. SWR RAP rating points shall be assigned on the basis of 25 points for structural condition, 25 points for road surface condition, 30 points for geometrics, 10 points for traffic volume and 10 points for traffic accidents, except that Portland cement surfaces and asphalt surfaces with cement concrete bases shall have 50 points for road surface condition and no points for structural condition. Prioritization of SWR projects shall be on the basis of total SWR RAP rating points shown on the project worksheets and the prospectus form of the (~~(project)~~) application. (Amended 2-13-86)

AMENDATORY SECTION (Amending Order 68, filed 2/16/88)

WAC 136-160-050 PROJECT APPROVAL AND RATA FUND ALLOCATION. The CRABoard will meet as soon as feasible after (~~the~~) the passage of each biennial budget by the Legislature to approve RAP projects and allocate RATA funds. RAP projects shall be approved (~~in each~~ ~~by~~) by region(~~s~~) in order of their regional priority and RATA funds shall be allocated up to a cumulative dollar amount no greater than 90% of the RATA construction appropriation included in the biennial budget; provided, however, that no county shall receive a total RATA fund allocation greater than the following amounts in the respective regions: NWR, (~~\$500,000~~) 20% of the regional apportionment; NER, 15% of the regional apportionment; SER, 15% of the regional apportionment; and SWR, (~~\$400,000~~) 15% of the regional apportionment. The remaining construction appropriation may be allocated to approved projects later in the biennium at a time deemed appropriate by the CRABoard.

AMENDATORY SECTION (Amending Order 68, filed 7/25/88)

WAC 136-160-060 LIMITATION ON USE OF RATA FUNDS. The RATA funds requested in the project application are intended to reimburse a county for 80% of its RAP (~~project~~) construction costs up to the amount of the CRAB/county contract in the PSR(~~er~~) and NWR(~~er~~ and SWR) and 90% in the SWR, NER and SER. (~~RAP-project~~) RATA funds may be used to reimburse a county for 80% of its RAP project preliminary engineering costs in the PSR and 90% in the NER and SER. RATA funds may (~~not~~) be used for right-of-way acquisition in (~~any-region~~) the SER only and be reimbursed at 90%.

AMENDATORY SECTION (Amending Order 68, filed 7/25/88)

WAC 136-220-020 ESTABLISHMENT OF MATCHING REQUIREMENTS. Counties will be required to match RATA funds with a minimum of 20% matching funds in the PSR(~~(7)~~) and NWR(~~(7-and-SWR)~~) and 10% matching funds in the SWR, NER and SER.

AMENDATORY SECTION (Amending Order 68, filed 7/25/88)

WAC 136-220-030 USE OF RATA FUNDS TO MATCH OTHER FUNDS. A county with an approved RAP project may use RATA funds to match any applicable funds available for such project, provided that the county will be required to match any RATA funds (~~([for])~~) allocated to the project with a minimum of 20% matching funds in the PSR(~~(7)~~) and NWR(~~(7-and-SWR)~~) and 10% matching funds in the SWR, NER and SER. Projects involving federal highway program funds will be administered through the state aid division of WSDOT except that reimbursement of RATA funds will be through the CRABoard.