

State of Washington

County Road Administration Board

(name of governing body)

(agency name, if applicable)

Resolution No. 35 MLR

Administrative Order No. 35 MLR

(1) Be it resolved by the County Road Administration Board acting at Town Plaza, Yakima, Washington (place) that it does promulgate and adopted the annexed rules relating to:

the administration of county construction projects (WAC 136-18)

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

This action is taken pursuant to Notice No 78-09-117 filed with the code reviser on 9/6/78. 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).

(5) This order and its contents are 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 October 20, 1978

JAN 3 1979

STATE OF WASHINGTON FILED
CODE REVISER'S OFFICE WSR 79-01-098

By [Signature] Director

Title

REGULATION 35

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 in the state, and

WHEREAS, the Board has previously adopted a rule concerning the Administration of County Constructed Projects, Codified as WAC 136-18, and,

WHEREAS, the Board now finds the need for clarification of WAC 136-18, now therefore,

BE IT ESTABLISHED BY THE COUNTY ROAD ADMINISTRATION BOARD:

Section 1. In the Standard of Good Practice regarding the administration of county constructed projects, WAC 136-18, sections -020, -030, 050, -060, -070 are hereby amended. Section -040 is hereby repealed.

Established and adopted by the Board this 20 day of October 1978, at a hearing held pursuant to notice given as required by law.



ERNEST GEISSLER, Director

STATEMENT REGARDING THE ADMINISTRATION OF COUNTY CONSTRUCTED PROJECTS

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 136-18-020 Changes previous definitions of construction, construction costs, day labor, project and staging and adds definitions for project costs, county road project and day labor county road project.

WAC 136-18-030 Changes the term "Board of County Commissioners" to "county legislative authority" and also changes "engineer" to "county road engineer".

WAC 136-18-040 Relating to the location and timing of a second day labor county road project is repealed.

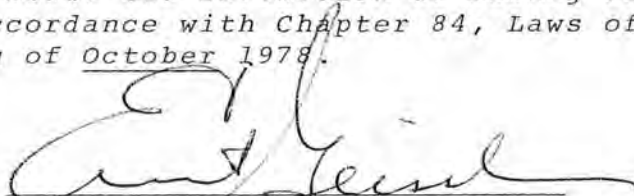
WAC 136-18-050 Limits county road day labor projects to those which possess independent utility and which include only the classes or units of work of a particular type.

WAC 136-18-060 Makes editorial changes in the text concerning records to be submitted to the County Road Administration Board.

STATUTORY AUTHORITY: RCW 36.78

III. 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. Support for the rules was expressed by the Chairman of County Engineers Association Day Labor Committee. Opposition was expressed by representatives of the Associated General Contractors about the definition of county road project types. SUBMITTED in accordance with Chapter 84, Laws of 1977 1st Ex. Sess this 20th day of October 1978.


ERNEST GEISSLER, Director
County Road Administration Board

CHAPTER 18. REGARDING THE ADMINISTRATION OF COUNTY CONSTRUCTED PROJECTS

AMENDATORY SECTION

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

WAC 13-18-020 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)) the building of a new road facility or improvement of an existing facility to a higher geometric or structural standard.

(2) ((Construction-costs---the-estimated-or-actual-cost-associated-with-completion-of-each-of-the-activities-defined-in-sub-section-(1)-)) Day labor construction - construction performed by personnel carried on the county payroll using county owned, leased, or rented equipment.

(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)) Authorization date - the date that construction is authorized.

(4) ((Project---any-combination-of-construction-activities-as-defined-herein-whose-completion-will-result-in-a-facility-capable-of-accommodating-normal-traffic)) Start of construction - the date that construction work commences.

(5) ((Staging---the-construction-of-a-project-by-day-labor-by-division-thereof-into-units-of-work-or-classes-of-work)) 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 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.

(12) County road project - a road project possessing independent utility and authorized by action of the county legislative authority. The following types of county road projects will normally have sufficient independent utility to constitute separate projects within the meaning of RCW 36.77.060:

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, travel 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 27, filed 12-2-75)

WAC 136-18-030 ((PROGRAMMING-PROCEDURES.)) AUTHORIZATION OF PROJECTS. Every proposed ~~((construction))~~ 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 ((Board of County Commissioners)) 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 ((Board)) authority. 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)) 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.

REPEALER SECTION

(Repealing Order 27, filed 1-22-75)

The following section of the Washington Administration Code is repealed.

(1) WAC 136-18-040 LOCATION OF PROJECTS.

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.~~) County road day labor projects shall be limited to those construction activities which possess independent utility and which include only classes or units of work of a particular type, as set forth in WAC 136-18-020 (12).

AMENDATORY SECTION

(Amending Order 27, filed 12-2-75)

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. The project records shall contain, but shall not be limited to, the following: (a) dated authorizing resolution, (b) vicinity map showing project location and limits, (c) county road engineer's estimate, (d) affidavit of preconstruction publication required by RCW 36.77.070, (e) documentation of start and end of construction dates, (f) affidavit of post-construction publication showing true and complete project cost.

AMENDATORY SECTION

(Amending Order 27, filed 12-2-75)

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