

trict president, shall be the "responsible official" for carrying out this policy.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-325-010, filed 5/25/01, effective 6/25/01.]

Title 136 WAC COUNTY ROAD ADMINISTRATION BOARD

Chapters

- 136-16** **Standard of good practice—Annual road program, construction report, and day labor limits.**
- 136-18** **Standard of good practice—Day labor construction.**
- 136-130** **Regional prioritization of RAP projects.**
- 136-150** **Eligibility for rural arterial trust account funds.**
- 136-161** **Project submittal, selection and initial allocation of RATA funds to projects.**
- 136-163** **Allocation of RATA funds to emergent and emergency projects.**
- 136-167** **Withdrawals, early termination, and lapsing of approved projects.**
- 136-170** **Execution of a CRAB/county contract.**
- 136-210** **Design standards for rural arterial program projects.**

Chapter 136-16 WAC

STANDARD OF GOOD PRACTICE—ANNUAL ROAD PROGRAM, CONSTRUCTION REPORT, AND DAY LABOR LIMITS

WAC

136-16-022 Day labor limit.

WAC 136-16-022 Day labor limit. The statutory day labor limit shall be computed in accordance with RCW 36.77.065 in the following manner for counties with populations equal to or exceeding 50,000:

(1) When the total annual county road construction budget is four million dollars or more, the day labor limit is eight hundred thousand dollars or fifteen percent of the total annual county road construction budget, whichever is greater.

(2) When the total annual county road construction budget is one million five hundred thousand dollars or more and less than four million dollars, the day labor limit is five hundred twenty-five thousand dollars or twenty percent of the total annual county road construction budget, whichever is greater.

(3) When the total annual county road construction budget is five hundred thousand dollars or more and less than one million five hundred thousand dollars, the day labor limit is two hundred and fifty thousand dollars or thirty-five percent of the total annual county road construction budget, whichever is greater.

(4) When the total annual county road construction budget is less than five hundred thousand dollars, the day labor limit shall be two hundred and fifty thousand dollars, unless

the county legislative authority, by resolution, elects the alternate procedure set forth in RCW 36.77.065. 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 chapter 136-18 WAC.

(5) The statutory day labor limit shall be computed in accordance with RCW 36.77.065 in the following manner for counties with populations less than 50,000:

(a) When the total annual county road construction budget is four million dollars or more, the day labor limit is eight hundred eighty thousand dollars or twenty-five percent of the total annual county road construction budget, whichever is greater.

(b) When the total annual county road construction budget is one million five hundred thousand dollars or more and less than four million dollars, the day labor limit is five hundred seventy-seven thousand dollars or thirty percent of the total annual county road construction budget, whichever is greater.

(c) When the total annual county road construction budget is five hundred thousand dollars or more and less than one million five hundred thousand dollars, the day labor limit is two hundred seventy-five thousand dollars or forty-five percent of the total annual county road construction budget, whichever is greater.

(d) When the total annual county road construction budget is less than five hundred thousand dollars, the day labor limit shall be two hundred seventy-five thousand dollars, unless the county legislative authority, by resolution, elects the alternate procedure set forth in RCW 36.77.065. When such alternate procedure is chose, an individual project limit of thirty-eight thousand five hundred dollars shall apply, and each project shall be administered in accordance with chapter 136-18 WAC.

Determination by the county road administration board that a violation of RCW 36.77.065 has occurred shall be cause for issuance of a conditional certificate of good practice by the board as specified in WAC 136-04-060 on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county.

[Statutory Authority: Chapter 36.79 RCW and SSB 5733. 01-24-074, § 136-16-022, filed 12/3/01, effective 1/3/02. Statutory Authority: Chapter 36.79 RCW. 99-01-021, § 136-16-022, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-16-022, filed 8/12/96, effective 9/12/96. Statutory Authority: RCW 36.78.070. 90-07-076 (Order 76), § 136-16-022, filed 3/21/90, effective 4/21/90. Statutory Authority: Chapter 36.78 RCW. 80-16-020 (Order 40), § 136-16-022, filed 10/29/80; 80-09-084 (Order 38), § 136-16-022, filed 7/22/80.]

Chapter 136-18 WAC

STANDARD OF GOOD PRACTICE—DAY LABOR CONSTRUCTION

WAC

136-18-020 Definitions.

Chapter 136-130 WAC

REGIONAL PRIORITIZATION OF RAP PROJECTS

WAC

136-130-030	Project prioritization in Puget Sound region (PSR).
136-130-040	Project prioritization in northwest region (NWR).
136-130-050	Project prioritization in northeast region (NER).
136-130-060	Project prioritization in southeast region (SER).
136-130-070	Project prioritization in southwest region (SWR).

WAC 136-130-030 Project prioritization in Puget Sound region (PSR). Each county in the PSR may submit projects requesting RATA funds not to exceed 80% of the forecasted regional apportionment. Each project shall be rated in accordance with the PSR RAP rating procedures. The PSR funding period shall allot a minimum of 25% of the forecasted regional apportionment to projects on roads classified as major collectors (07) or minor collectors (08). PSR RAP rating points shall be assigned on the basis of twenty points for traffic volume, twenty-five points for accident history, fifteen points for structural condition, twenty-five points for geometric condition, and fifteen 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.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-130-030, filed 2/8/01, effective 3/11/01; 99-01-021, § 136-130-030, filed 12/7/98, effective 1/7/99; 98-09-070, § 136-130-030, filed 4/20/98, effective 5/21/98. Statutory Authority: RCW 36.79.060. 92-13-038 (Order 88), § 136-130-030, filed 6/10/92, effective 7/11/92. Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-130-030, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 86-06-005 (Order 61), § 136-130-030, filed 2/20/86; 84-16-065 (Order 56), § 136-130-030, 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 five hundred thousand dollars per project and fifty percent of the forecasted regional apportionment. 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, ten points for traffic accidents, five points for any project on a major collector (07), and ten points for any project on a rural principal arterial (02) or a rural minor arterial (06). 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.

[Statutory Authority: Chapter 36.79 RCW. 01-09-077, § 136-130-040, filed 4/17/01, effective 5/18/01; 99-01-021, § 136-130-040, filed 12/7/98, effective 1/7/99; 98-09-070, § 136-130-040, filed 4/20/98, effective 5/21/98. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-130-040, filed 8/12/96, effective 9/12/96. Statutory Authority: RCW 36.79.060. 94-10-022, § 136-130-040, filed 4/27/94, effective 5/28/94. Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-130-040, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-130-040, filed 7/30/84.]

WAC 136-130-050 Project prioritization in northeast region (NER). Each county in the NER may submit projects requesting RATA funds not to exceed twenty-five percent of the forecasted NER biennial apportionment. Each project

WAC 136-18-020 Definitions. For purposes of implementing statutory requirements 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) 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) 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:

(a) With populations equal to or exceeding 50,000 and 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 including labor, equipment and materials on any one project.

(b) With populations less than 50,000 and 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-eight thousand five hundred dollars including labor, equipment and materials on any one project.

[Statutory Authority: Chapter 36.79 RCW and SSB 5733. 01-24-074, § 136-18-020, filed 12/3/01, effective 1/3/02. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-18-020, filed 8/12/96, effective 9/12/96. Statutory Authority: Chapter 36.78 RCW. 80-16-019 (Order 39), § 136-18-020, filed 10/29/80; 79-01-098 (Order 35), § 136-18-020, filed 1/3/79; Order 27, § 136-18-020, filed 1/27/76.]

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 - Ten percent for bridge projects where RATA funds are used as a match for federal bridge replacement funds;
- Category 2 - Forty-five percent for reconstruction of rural collectors; and
- Category 3 - Forty-five percent for resurfacing, restoration, rehabilitation (3R) type projects on 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 county road administration board 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 twenty percent of the total project cost.

NER RAP rating points for reconstruction projects, 3R projects or nonfederal bridge replacement projects shall be assigned on the basis of one hundred points for a condition rating and fifty points for a service rating. The priority rating equals the sum of 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 one hundred by the condition rating. A total of ten points representing local significance may be added to one project included in each county's biennial submittal. A total of up to ten points representing missing links definition may also be added to one project included in each county's biennial submittal. 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.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-130-050, filed 2/8/01, effective 3/11/01; 99-16-038, § 136-130-050, filed 7/29/99, effective 8/29/99; 99-01-021, § 136-130-050, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.79.060. 92-13-038 (Order 88), § 136-130-050, filed 6/10/92, effective 7/11/92. Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-130-050, filed 11/6/90, effective

12/7/90. Statutory Authority: Chapter 36.78 RCW. 88-12-080 (Order 69), § 136-130-050, filed 6/1/88; 86-21-076 (Order 63-P), § 136-130-050, filed 10/15/86; 86-06-005 (Order 61), § 136-130-050, filed 2/20/86; 84-16-065 (Order 56), § 136-130-050, filed 7/30/84.]

WAC 136-130-060 Project prioritization in southeast region (SER). Each county in the SER may submit projects requesting RATA funds not to exceed twice the per county limit of the forecasted SER biennial apportionment which is listed as follows:

Asotin County	ten percent
Benton County	fourteen percent
Columbia County	eleven percent
Franklin County	thirteen percent
Garfield County	ten percent
Kittitas County	thirteen percent
Klickitat County	fourteen percent
Walla Walla County	fourteen percent
Yakima County	twenty percent

Each project shall be rated in accordance with the SER RAP rating procedures. Ten percent of the forecasted SER biennial apportionment shall be reserved for bridge projects. Federally funded bridges for which counties are seeking matching funds shall receive first consideration for these funds, ranked against each other according to the WSDOT priority array. Bridges receiving federal funding may be added to this list at any time during the biennium. Stand-alone bridges may compete for funds in this reserve that remain after all bridges seeking match for federal funds have been funded. These bridges will be rated against each other according to their total points assigned from the RAP Rating Worksheets for the SER. Whatever part of the bridge reserve that is not allocated to bridge projects shall be available for allocation to other RAP projects.

SER RAP rating points shall be assigned on the basis of forty-five points for structural condition, thirty points for geometrics, twenty-two points for traffic volume, five points for traffic accidents. A total of twenty points representing local significance may be added to one project in each county's biennial submittal. 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.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-130-060, filed 2/8/01, effective 3/11/01; 99-01-021, § 136-130-060, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.79.060. 97-06-006, § 136-130-060, filed 2/24/97, effective 3/27/97; 94-10-020, § 136-130-060, filed 4/27/94, effective 5/28/94; 92-13-038 (Order 88), § 136-130-060, filed 6/10/92, effective 7/11/92. Statutory Authority: RCW 36.79.060 and 1983 1st ex.s. c 49. 90-22-083 (Order 82), § 136-130-060, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 88-05-040 (Order 68), § 136-130-060, filed 2/16/88; 84-16-065 (Order 56), § 136-130-060, filed 7/30/84.]

WAC 136-130-070 Project prioritization in southwest region (SWR). Each county in the SWR may submit projects requesting RATA funds not to exceed thirty percent of the forecasted 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 fifty road condition points, consisting of twenty-five points for

structural condition and twenty-five points for surface condition, fifty points for geometrics, ten points for traffic volume and ten points for traffic accidents, except that portland cement concrete surfaces and asphalt surfaces with cement concrete bases shall have fifty points for road surface condition and no points for structural condition and except that gravel roads shall have thirty-five points maximum for surface condition, and fifteen points maximum for roadbed width in geometrics and no other geometric points. 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.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-130-070, filed 2/8/01, effective 3/11/01; 99-24-057, § 136-130-070, filed 11/29/99, effective 12/30/99; 99-01-021, § 136-130-070, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.79.060. 92-13-038 (Order 88), § 136-130-070, filed 6/10/92, effective 7/11/92. Statutory Authority: RCW 36.79.060 and 1983 1st ex.s.c 49. 90-22-083 (Order 82), § 136-130-070, filed 11/6/90, effective 12/7/90. Statutory Authority: Chapter 36.78 RCW. 88-05-040 (Order 68), § 136-130-070, filed 2/16/88; 86-06-005 (Order 61), § 136-130-070, filed 2/20/86; 84-16-065 (Order 56), § 136-130-070, filed 7/30/84.]

Chapter 136-150 WAC

ELIGIBILITY FOR RURAL ARTERIAL TRUST ACCOUNT FUNDS

WAC

136-150-020	Implementing the eligibility requirement.
136-150-022	Ascertaining the expenditures for traffic law enforcement.
136-150-023	Identifying eligible counties.
136-150-024	Constraint of contract execution.
136-150-030	Certification required.
136-150-040	Post audit penalty.

WAC 136-150-020 Implementing the eligibility requirement. The county road administration board will ascertain the amount of the total road levy fixed in each county and the amount diverted, if any, for any services to be provided in the unincorporated area of the county in accordance with RCW 36.33.220.

[Statutory Authority: Chapter 36.79 RCW. 01-17-104, § 136-150-020, filed 8/21/01, effective 9/21/01; 99-01-021, § 136-150-020, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-150-020, filed 8/12/96, effective 9/12/96. Statutory Authority: Chapter 36.78 RCW. 87-21-046 (Order 66), § 136-150-020, filed 10/15/87; 86-06-005 (Order 61), § 136-150-020, filed 2/20/86; 84-16-065 (Order 56), § 136-150-020, filed 7/30/84.]

WAC 136-150-022 Ascertaining the expenditures for traffic law enforcement. In those counties in which diverted road levy or transfer of road funds has been budgeted for traffic law enforcement, the county sheriff shall submit a certification showing the actual expenditure for traffic law enforcement in the previous budget year, provided that counties with a population of less than eight thousand shall be exempt from this requirement. Such certification shall be submitted to the county road administration board no later than March 15 of each year.

[Statutory Authority: Chapter 36.79 RCW. 01-17-104, § 136-150-022, filed 8/21/01, effective 9/21/01; 00-18-021, § 136-150-022, filed 8/28/00, effective 9/28/00; 99-01-021, § 136-150-022, filed 12/7/98, effective 1/7/99; 97-24-069, § 136-150-022, filed 12/2/97, effective 1/2/98. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-150-022, filed 8/12/96,

effective 9/12/96. Statutory Authority: Chapter 36.78 RCW. 87-21-046 (Order 66), § 136-150-022, filed 10/15/87.]

WAC 136-150-023 Identifying eligible counties.

Counties eligible to receive RATA funds shall be:

(1) Those in which there has been no diversion of the county road levy;

(2) Those in which the actual expenditures for traffic law enforcement have been equal to or greater than either the amount of diverted road levy budgeted for traffic law enforcement or the amount of road funds transferred to current expense to fund traffic law enforcement;

(3) Those in which road funds have been transferred to other funds and have been used for legitimate road purposes;

(4) Those with a population of less than eight thousand; and

(5) Those expending revenues collected for road purposes only on other governmental services after authorization from the voters of that county under RCW 84.55.050.

[Statutory Authority: Chapter 36.79 RCW. 01-17-104, § 136-150-023, filed 8/21/01, effective 9/21/01; 99-01-021, § 136-150-023, filed 12/7/98, effective 1/7/99; 97-24-069, § 136-150-023, filed 12/2/97, effective 1/2/98. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-150-023, filed 8/12/96, effective 9/12/96. Statutory Authority: Chapter 36.78 RCW. 87-21-046 (Order 66), § 136-150-023, filed 10/15/87.]

WAC 136-150-024 Constraint of contract execution.

The county road administration board shall not execute a contract with any county for any RAP project unless the appropriate certifications have been submitted and unless the county has been identified as being eligible to receive RATA funds.

[Statutory Authority: Chapter 36.79 RCW. 01-17-104, § 136-150-024, filed 8/21/01, effective 9/21/01; 99-01-021, § 136-150-024, filed 12/7/98, effective 1/7/99. Statutory Authority: Chapter 36.78 RCW. 87-21-046 (Order 66), § 136-150-024, filed 10/15/87; 86-06-005 (Order 61), § 136-150-024, filed 2/20/86.]

WAC 136-150-030 Certification required. The contract between the county road administration board and a county relative to a RAP project shall contain a certification, signed by the county executive or chair of the board of county commissioners, as appropriate, that the county is in compliance with the provisions of this chapter.

[Statutory Authority: Chapter 36.79 RCW. 01-17-104, § 136-150-030, filed 8/21/01, effective 9/21/01; 99-01-021, § 136-150-030, filed 12/7/98, effective 1/7/99. Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-150-030, filed 7/30/84.]

WAC 136-150-040 Post audit penalty. Every RAP project shall be subject to final examination and audit by the state auditor. In the event such an examination reveals an improper certification on the part of a county relative to compliance with provisions of this chapter, the matter shall be placed on the agenda of the next meeting of the county road administration board and may be cause for the board to withdraw or deny the certificate of good practice of that county. The board may also require that all or part of the RATA funds received by the county be returned to the county road administration board.

[Statutory Authority: Chapter 36.79 RCW. 01-17-104, § 136-150-040, filed 8/21/01, effective 9/21/01; 99-01-021, § 136-150-040, filed 12/7/98, effective 1/7/99.]

tive 1/7/99. Statutory Authority: Chapter 36.78 RCW. 86-06-005 (Order 61), § 136-150-040, filed 2/20/86; 84-16-065 (Order 56), § 136-150-040, filed 7/30/84.]

Chapter 136-161 WAC

PROJECT SUBMITTAL, SELECTION AND INITIAL ALLOCATION OF RATA FUNDS TO PROJECTS

WAC

136-161-020	RAP program cycle—General.
136-161-030	RAP program cycle—Preliminary prospectus.
136-161-040	RAP program cycle—Field review by county road administration board.
136-161-050	RAP program cycle—Final prospectus.
136-161-070	RAP program cycle—Selection and approval of projects for RATA funding.

WAC 136-161-020 RAP program cycle—General.

The RAP biennial program cycle consists of the following basic steps:

(1) The CRABoard establishes a funding period if it determines that sufficient future RATA funds are available to provide for new RAP projects. This determination takes place during the CRABoard's regularly scheduled fall meeting in odd-numbered years.

(2) Each county prepares and submits a preliminary prospectus to the county road administration board;

(3) County road administration board staff conducts a field review of each preliminary prospectus and provides to each submitting county an evaluation and scoring of all priority elements which are based on a visual examination, using that region's priority rating process;

(4) Each county prepares and submits a final prospectus to the county road administration board;

(5) For each final prospectus submitted, county road administration board staff computes the total priority rating score and assembles all projects into rank-ordered arrays by region; and

(6) The county road administration board reviews the rank-ordered arrays in each region and, based upon the RATA funds projected to be allocable for the next project program period (see WAC 136-161-070), selects and approves specific projects for RATA funding.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-161-020, filed 2/8/01, effective 3/11/01; 99-01-021, § 136-161-020, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.79.060. 94-16-111, § 136-161-020, filed 8/2/94, effective 9/2/94.]

WAC 136-161-030 RAP program cycle—Preliminary prospectus.

By March 1st of each even-numbered year prior to a funding period, each eligible county shall, for each project for which it seeks RATA funds estimated to be available in the next project program period, submit a preliminary prospectus to the county road administration board. The format and content of the preliminary prospectus shall be prescribed by the county road administration board. Each preliminary prospectus shall be signed by the county engineer. The number of preliminary prospectuses submitted and the total amount of RATA funds requested by each eligible county shall be sufficient to assure that, based upon such prospectuses, each county will be able to compete up to its county limit within its region.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-161-030, filed 2/8/01, effective 3/11/01; 99-01-021, § 136-161-030, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.79.060. 94-16-111, § 136-161-030, filed 8/2/94, effective 9/2/94.]

WAC 136-161-040 RAP program cycle—Field review by county road administration board.

After all preliminary prospectuses are received, the county road administration board will schedule and conduct an on-site field review of each project. During the field review, conducted jointly with the county engineer or his/her designee (unless waived by the county engineer), the assigned county road administration board staff person will review the overall project scope with the county representative and, using that region's priority rating process, determine the rating score of all priority elements which are based on a visual examination. To ensure both uniformity and professional judgment in the visual ratings, the assigned county road administration board staff person shall be a licensed professional civil engineer in the state of Washington, and the same person shall review and rate all projects within a region. All field reviews will be completed, and the visual rating scores returned to each submitting county, by July 1st of each even-numbered year prior to a funding period.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-161-040, filed 2/8/01, effective 3/11/01; 99-01-021, § 136-161-040, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.79.060. 94-16-111, § 136-161-040, filed 8/2/94, effective 9/2/94.]

WAC 136-161-050 RAP program cycle—Final prospectus.

By September 1st of each even-numbered year prior to a funding period, each eligible county shall submit a final prospectus for each project for which it seeks RATA funds. Each final prospectus shall be submitted on forms provided by the county road administration board and shall include a vicinity map, a typical cross-section (existing and proposed), and, if a design deviation is required, an evaluation and determination by the county engineer. If a project is for the improvement of a road which continues into an adjacent county and the project terminus is within one thousand feet of the county line, the prospectus shall include a statement signed by the county engineer of the adjacent county certifying that the adjacent county will cooperate with the applicant county to the extent necessary to achieve a mutually acceptable design. All final prospectuses shall indicate that the construction of the project shall begin not later than six years from the date of project approval by the county road administration board. All final prospectuses shall come from the pool of preliminary prospectuses submitted and field reviewed as specified in WAC 136-161-030 and 136-161-040.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-161-050, filed 2/8/01, effective 3/11/01; 99-01-021, § 136-161-050, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.79.060. 94-16-111, § 136-161-050, filed 8/2/94, effective 9/2/94.]

WAC 136-161-070 RAP program cycle—Selection and approval of projects for RATA funding.

(1) At its last regular meeting before the beginning of each biennium, the county road administration board will select projects and allocate anticipated RATA funds to projects in each region. The preliminary priority arrays as developed in WAC 136-

161-060 will be updated to exclude any county which is ineligible under chapter 136-150 WAC, and projects will be selected from these arrays. Selections will be made in each region in declining priority rank order, provided that:

(a) No county shall be allocated RATA funds in excess of its regional county limit as specified in WAC 136-161-080; and

(b) Any projects which were partially funded in the prior biennium shall, unless otherwise requested by the county, be fully funded before new projects are selected. Ties in total rating points will be broken by the county road administration board in favor of the county having the lesser total amount of previously allocated RATA funds.

(2) The statewide net amount of RATA funds available for allocation to projects in the funding period will be based on the most recent state fuel tax revenue forecast prepared quarterly by the department of transportation, less estimated administrative costs, and less any amounts set aside for emergent projects as described in WAC 136-163-020. The total amount of RATA funds available for allocation to projects in a region (i.e., "forecasted regional apportionment amount") will be based on the regional apportionment percentages of the statewide net amount as determined in chapter 136-100 WAC.

(3) For the funding period beginning July 1, 1995, the project program period will be the next four state fiscal years (1996, 1997, 1998 and 1999, beginning July 1, 1995, and ending June 30, 1999). For the funding period beginning July 1, 1997, the project program period will begin July 1, 1999 and end June 30, 2001.

(4) The RATA amounts allocated to projects in the first year of the biennium are limited to no more than ninety percent of the net amount estimated to be allocable to each region for the project program period, with the remaining percentage allocated at such time as deemed appropriate by the county road administration board.

(5) Acceptance of the RATA allocation for a project by the full execution of a CRAB/county contract as described in chapter 136-170 WAC constitutes agreement to complete the project in compliance with the scope, design and project limits in the final prospectus. All material changes to the scope, design or project limits must be approved by the county road administration board prior to commencement of construction.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-161-070, filed 2/8/01, effective 3/11/01; 99-01-021, § 136-161-070, filed 12/7/98, effective 1/7/99; 98-09-070, § 136-161-070, filed 4/20/98, effective 5/21/98. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013; § 136-161-070, filed 8/12/96, effective 9/12/96. Statutory Authority: RCW 36.79.060. 94-16-111, § 136-161-070, filed 8/2/94, effective 9/2/94.]

Chapter 136-163 WAC

ALLOCATION OF RATA FUNDS TO EMERGENT AND EMERGENCY PROJECTS

WAC
136-163-050 Limitations and conditions—Emergency and emergent projects.

WAC 136-163-050 Limitations and conditions—Emergency and emergent projects. All projects for which

RATA funding is being requested under this chapter are subject to the following:

(1) The requesting county has the sole burden of making a clear and conclusive showing that the project is either emergent or emergency as described in WAC 136-163-020 through 136-163-040;

(2) The requesting county shall clearly demonstrate that the need for the project was unable to be anticipated at the time the current six-year transportation program was developed; and

(3) The requesting county agrees to a reduction in the next funding period's maximum RATA eligibility to the county equal to the RATA that may be provided; however, should that region not have a maximum RATA eligibility for each county, the requesting county agrees to withdraw, amend or delay an existing approved project or portion thereof in an amount equal to the RATA that may be provided for the project.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-163-050, filed 2/8/01, effective 3/11/01; 99-01-021, § 136-163-050, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.79.060. 96-17-014, § 136-163-050, filed 8/12/96, effective 9/12/96.]

Chapter 136-167 WAC

WITHDRAWALS, EARLY TERMINATION, AND LAPSING OF APPROVED PROJECTS

WAC
136-167-040 Lapsing of RATA allocation for approved projects.

WAC 136-167-040 Lapsing of RATA allocation for approved projects. To encourage timely development and construction of approved projects, all projects for which RATA funds have been allocated must meet certain project development milestones. Failure to meet the milestones will result in action by the county road administration board to withdraw RATA funds from the project. This provision will only apply to those projects for which RATA funds have been allocated after July 1, 1995.

(1) For the purposes of this section, a project will be subject to lapsing and withdrawal of its RATA allocation if:

(a) The project has not begun the preliminary engineering phase within four years of project approval by the county road administration board; or

(b) The project has not begun construction within six years of the date of project approval by the county road administration board.

(2) A project shall be considered in preliminary engineering if authorization to expend funds for preliminary engineering has been granted by the county legislative authority as provided for in RCW 36.75.050. A project shall be considered in construction if:

(a) The construction contract for the work has been advertised for bids as provided for in RCW 36.77.020;

(b) A contract has been awarded under the provisions of the small works roster contract award process; or

(c) If done by day labor, the work has commenced.

(3) If an approved project does not meet a required project development milestone, the county road administration board may:

tion board will, at its next regular meeting, withdraw RATA funds from the project.

(4) At any time up to ten days before such meeting, the county may, in writing, request an extension of the lapse date. The county road administration board executive director may grant such an extension if the director finds that the delay in project development was for reasons that were both unanticipated and beyond the control of the county, and subject to the following:

(a) A project extension will be granted one time only and will be no more than two years in length; and

(b) The request for an extension is based on unforeseeable circumstances that the county could not have anticipated at the time the project was submitted for RATA funding; and

(c) An approved time extension will not be grounds for the county to request an increase in the RATA funding of the project; and

(d) The executive director will determine a new lapse date, and all of the requirements listed above under subsections (1) and (2) of this section will apply except that further extensions will not be granted.

(5) The CRABoard may at any time place a moratorium on lapsing of projects that are delayed due to CRAB initiated rescheduling and establish a new lapsing date to fit the CRABoard's programming needs. For those projects given a lapsing moratorium, section four shall be held in abeyance until the new lapsing date.

[Statutory Authority: Chapter 36.79 RCW. 01-09-077, § 136-167-040, filed 4/17/01, effective 5/18/01; 99-01-021, § 136-167-040, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.79.060. 94-16-110, § 136-167-040, filed 8/2/94, effective 9/2/94.]

Chapter 136-170 WAC

EXECUTION OF A CRAB/COUNTY CONTRACT

WAC

136-170-030 Terms of CRAB/county contract.

WAC 136-170-030 Terms of CRAB/county contract.

(1) For projects for which RATA funds are allocated before July 1, 1995, the CRAB/county contract shall include, but not be limited to, the following provisions:

(a) The contract shall be valid and binding (and the county shall be entitled to receive RATA funds) only if such contract is signed and returned to the county road administration board within forty-five calendar days of its mailing by the county road administration board.

(b) The county certifies that it is in compliance with the provisions of chapter 136-150 WAC.

(c) The project will be constructed in accordance with the scope, design and project limits as described in the final prospectus and in accordance with the plans and specifications approved by the county engineer.

(d) The county will notify the county road administration board when a construction contract has been awarded and/or when construction has commenced, and when the project has been completed.

(e) The county road administration board will reimburse counties on the basis of monthly progress payment vouchers received and approved on individual projects in the order in

which they are received in the county road administration board office, subject to the availability of RATA funds apportioned to the region or subject to a minimum regional balance determined by the CRABoard for the purposes of cash flow; provided however, that if insufficient RATA funds are available or the legislature fails to appropriate sufficient RATA funds, payment of vouchers may be delayed or denied.

(f) The county will reimburse the RATA in the event a project postaudit reveals ineligible expenditure of RATA funds.

(2) For projects for which RATA funds are allocated on or after July 1, 1995, the CRAB/county contract shall include, but not be limited to, the following provisions:

(a) The contract shall be valid and binding, and the county shall be entitled to receive RATA funding in accordance with the vouchering/payment process as described in chapter 136-180 WAC, only if the contract is properly signed and returned to the county road administration board within forty-five calendar days of its mailing by the county road administration board.

(b) The county certifies that it is in compliance with the provisions of chapter 136-150 WAC.

(c) The project will be constructed in accordance with the scope, design and project limits as described in the final prospectus and in accordance with the plans and specifications approved by the county engineer.

(d) The county will notify the county road administration board when a construction contract has been awarded and/or when construction has commenced, and when the project has been completed.

(e) The county road administration board will reimburse counties on the basis of monthly progress payment vouchers received and approved on individual projects in the order in which they are received in the county road administration board office, subject to the availability of RATA funds apportioned to the region; or subject to a minimum regional balance determined by the CRABoard for the purposes of cash flow; provided however, that if insufficient RATA funds are available or the legislature fails to appropriate sufficient RATA funds, payment of vouchers may be delayed or denied.

(f) The county will reimburse the RATA in the event a project postaudit reveals ineligible expenditures of RATA funds.

(g) The county may be required to reimburse the RATA in the event of early termination in accordance with the provisions of chapter 136-167 WAC.

(h) The county agrees to amend the contract in cases where:

(i) Additional RATA funds have been requested and approved under chapter 136-165 WAC;

(ii) Other relief from the original scope, design or project limits has been approved by the county road administration board under chapter 136-165 WAC; or

(iii) A project has been terminated without full RATA reimbursement under WAC 136-167-030(2).

(i) The county agrees to provide periodic project development progress reports as requested by the county road administration board.

[Statutory Authority: Chapter 36.79 RCW. 01-05-008, § 136-170-030, filed 2/8/01, effective 3/11/01; 99-01-021, § 136-170-030, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-170-030, filed 8/12/96, effective 9/12/96. Statutory Authority: RCW 36.79.060. 94-16-112, § 136-170-030, filed 8/2/94, effective 9/2/94. Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-170-030, filed 7/30/84.]

Chapter 136-210 WAC

DESIGN STANDARDS FOR RURAL ARTERIAL PROGRAM PROJECTS

WAC

136-210-020	Applicable design standards.
136-210-030	Deviations from design standards.
136-210-040	Report of assistant secretary for highways and local programs.
136-210-050	Project approval with deviation.

WAC 136-210-020 Applicable design standards.

Geometric design of all RAP projects including all bridges shall, unless otherwise approved by the CRABoard, be in accordance with the city and county design standards for the construction of urban and rural arterials and collectors as adopted November 30, 1994, or as they may be revised from time to time thereafter in accordance with RCW 35.78.030 and 43.32.020.

[Statutory Authority: Chapter 36.79 RCW. 01-17-104, § 136-210-020, filed 8/21/01, effective 9/21/01. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-210-020, filed 8/12/96, effective 9/12/96. Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-210-020, filed 7/30/84.]

WAC 136-210-030 Deviations from design standards.

Deviation from the specified design standards may be requested by the county engineer in responsible charge of the project when circumstances exist which would make application of adopted standards exceedingly difficult. Whenever a deviation request is to be made on a project, it shall be so noted on the project application submitted in accordance with WAC 136-161-050. Request for deviation shall be made to the WSDOT assistant secretary for highways and local programs.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-210-030, filed 2/8/01, effective 3/11/01; 98-09-070, § 136-210-030, filed 4/20/98, effective 5/21/98. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-210-030, filed 8/12/96, effective 9/12/96. Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-210-030, filed 7/30/84.]

WAC 136-210-040 Report of assistant secretary for highways and local programs.

Whenever the CRABoard meets to approve RAP projects the assistant secretary for highways and local programs shall provide a written report on his action in response to deviation requests, if any, made on individual projects. Failure of the assistant secretary for highways and local programs to report in response to a deviation request within thirty days of receipt of such request shall be considered as approval.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-210-040, filed 2/8/01, effective 3/11/01. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-210-040, filed 8/12/96, effective 9/12/96. Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-210-040, filed 7/30/84.]

WAC 136-210-050 Project approval with deviation.

After having received the report of the assistant secretary for highways and local programs in response to deviation requests, the CRABoard shall proceed with RAP project approval in accordance with WAC 136-161-050. Proposed projects for which the deviation request has been denied shall not be approved.

[Statutory Authority: Chapter 36.79 RCW. 01-05-009, § 136-210-050, filed 2/8/01, effective 3/11/01. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-210-050, filed 8/12/96, effective 9/12/96. Statutory Authority: Chapter 36.78 RCW. 84-16-065 (Order 56), § 136-210-050, filed 7/30/84.]

Title 137 WAC CORRECTIONS, DEPARTMENT OF

Chapters

137-04
137-28
137-52

137-104
137-150

Introductory.

Prisons—Discipline.

Resident of adult correctional institution escorted leave of absence.

Community custody violation hearings.

Access to mental health records.

Chapter 137-04 WAC

INTRODUCTORY

WAC

137-04-010	Definitions.
137-04-020	Structure of the department.

WAC 137-04-010 Definitions. As used in this title:

(1) "Secretary" means the secretary of the department of corrections.

(2) "Department" means the department of corrections.

(3) "Inmate" or "offender" means any person committed to the custody or under the jurisdiction of the department.

[Statutory Authority: RCW 42.17.250. 01-03-079, § 137-04-010, filed 1/16/01, effective 2/16/01; 82-04-023 (Order 82-3), § 137-04-010, filed 1/26/82.]

WAC 137-04-020 Structure of the department. (1)

The executive head of the department is the secretary who is appointed by the governor with the consent of the senate, and serves at the pleasure of the governor. The secretary manages the department and is responsible for the administration of adult correctional programs, including but not limited to the operation of all state correctional institutions or facilities used for the confinement of convicted felons.

(2) The department is organized into three offices: The office of the secretary; the office of correctional operations; and the office of administrative services. The office of correctional operations and the office of administrative services are headed by deputy secretaries who report to the secretary. The responsibilities of these offices are:

(a) The office of the secretary is responsible for providing a variety of services for the department, including, gov-