

## Ordinary Maintenance

There are two types of maintenance work activities classified as “ordinary maintenance” – normal maintenance and emergency maintenance.

Accordingly, if the work is considered to be “ordinary maintenance” state forces may accomplish the work without being subject to the dollar limitations outlined in [RCW 47.28.030](#) and [47.28.035](#). “Ordinary maintenance” is also exempt from the competitive bidding process.

## Definition of the Two Types of Maintenance Activities

1. **Normal Maintenance** – Budgeted work performed routinely on a scheduled basis. It is intended to maintain the highway facility/element so that it substantially retains its original intended use and function.

Examples include:

- Sweeping and debris removal.
- Maintaining access control.
- Clean ditches, culverts, and catch basins.
- Correcting moderate slides and slope failures.
- Vegetation management and litter pick up.
- Moderate bridge maintenance.
- Rest Area operation and maintenance.
- Pavement patching, crack sealing, and moderate surface treatment.
- Bridge maintenance such as debris removal or scour.
- Restoration/replacement of traffic control devices.
- Traffic control.
- Snow and ice control.
- Drainage restoration.
- Placing riprap.

2. **Emergency Maintenance** – Work activities are the same or similar to normal maintenance activities except that they are greater in magnitude and scope depending upon the nature and intensity of the emergency. This work is not budgeted and/or scheduled and is not done on a routine basis. This includes work accomplished on a damaged highway facility/element that has substantially retained the intended functionality of its original design. It does not include construction of new roadway elements.

Examples include:

- Emergency traffic control.
- Establishment of detours and temporary minor structures.
- Erection, dismantling, and maintenance of a Bailey bridge.
- Any work needed to protect and maintain the area affected by the emergency pending the letting of a contract under [RCW 47.28.170](#).

## Funding

1. **Normal maintenance** work is not eligible for federal reimbursement because it is routinely scheduled or budgeted to historical levels. This work is funded out of the state funded M2 maintenance budget. Nonemergency work orders, charge numbers, and coding are used to track accomplishments and costs.
2. **Emergency maintenance** work may be eligible for federal reimbursement when properly approved by FHWA if the work exceeds the threshold amount, currently \$700,000 minimum for a statewide event and \$5,000 per site. This work is initially funded out of the state funded M2 maintenance budget and later reimbursed by a transferral of federal funds appropriation for reimbursement through the ER federal project. Disaster maintenance (DM) work orders are established to ensure the department properly accounts for and documents expenditures.

As a footnote, there are other federal agencies which provide emergency funding including the Federal Emergency Management Agency (FEMA) and the US Army Corps of Engineers (USACE). Each agency has different eligibility requirements. These are not discussed in this document.

## Performance of Maintenance Work

Although the department has the authority to contract out maintenance work in accordance with [RCW 41.06.142](#), state personnel may be used without any dollar limitation. However, the proposed tasks must be true maintenance activities such as the examples listed on the preceding page. If state maintenance forces have traditionally performed the work, the activities will usually be considered as “ordinary maintenance” and thus can be performed regardless of cost. Conversely, if the proposed work has been considered by the department as an “alteration, repair or improvement” activity, as those terms are defined below, the proposed work is not “ordinary maintenance” and is subject to the dollar limitation on the use of state forces as set forth in [RCW 47.28.030](#).

If there is any question as to whether the proposed activity can be considered “ordinary maintenance,” a good faith decision should be made based upon the facts of each particular situation. Keep in mind that the purpose of [RCW 47.28.030](#) is to limit the use of state forces so that they are not performing the type of construction work done by private contractors. If a determination is made that the proposed work is in fact a maintenance activity, support for the decision needs to be documented at the time it is made and submitted on the work order. By doing so, evidence is readily available to justify the department’s decision if it is questioned at a later date.

## Roadway Debris Removal

### Roadway Debris Collection Guidelines

1. **Roadway Debris Removal** – The intent of the Emergency Relief (ER) Program is to only remove debris which was deposited on the federal aid roadway by the FHWA emergency relief eligible disaster event. As such roadway debris removal is expected to be completed within 30 days from the FHWA declared event date.

The removal of debris deposited on a federal aid roadway by an FHWA emergency relief eligible event is an eligible activity for reimbursement under the program.

Culvert: Debris removal from drainage culverts is eligible under the program, provided that the eligible event deposited the debris in the culvert which threatens the traveled way and the documentation clearly demonstrates the eligible event deposited the debris in the culvert.

It is an expectation that debris removal will typically be completed within 30 days from the FHWA declared event date.

Reimbursement for roadway and culvert debris removal typically requires advance notification and provision of adequate documentation to FHWA.

2. **First Push** – Roadway: The” first push” is the initial effort to clear the roadway. It includes cut and toss operations to push debris out of the traveled way.

Culvert: When water ponds on, flows over, and otherwise threatens the traveled way due to event generated debris blocking a drainage culvert, “first push” operations shall clear the culvert to allow drainage.

“First push” operations are expected to typically be completed within five days from the FHWA declared event date. Additional time may be needed to complete first push operations in some cases such as when events are widespread, floodwater covers highways for an extended time, or unsafe conditions necessitate a delay. However, this will be at the discretion of the FHWA area engineer.

3. **First Pass** – The first pass is the effort to collect and remove all debris (vegetative and nonvegetative) pushed aside during “first push” operations.

Once debris has been cleared by the first pass effort, any subsequent efforts to clear and remove debris are not considered ER eligible regardless of the date or time in which the material was collected.

The sole exception to the above is the collection of hazardous debris requiring separate handling and disposal that were deposited on the roadway or within the clearing limits by the eligible event. Hazardous debris means debris that contain a hazardous waste listed in [WAC 173-303-9903](#) or [173-303-9904](#) or that exhibits a characteristic of hazardous waste identified in [WAC 173-303-090](#). The state WAC that governs/hazardous wastes is <http://apps.leg.wa.gov/wac/default.aspx?cite=173-303>.

First pass operations are expected to be completed within 25 days from the FHWA declared event date. Additional time may be needed to complete first pass operations in some cases such as when events are widespread, floodwater covers

highways for an extended time or unsafe conditions necessitate a delay, and when waiting for a stretch of drier weather will make debris handling/removal easier or when waiting for a break in winter storms which necessitate a focus on snow and ice control. However, this will be at the discretion of the FHWA area engineer.

4. **Documentation of Roadway Debris Collection** – Document the specifics of debris removal to include the federal aid route, the location on the route, type and or amount of debris removed, and the date of removal. Documentation may be by load tickets, spreadsheets with appropriate signature/certification, counts of truck loads, labor and equipment hours of use, or other agreed upon method that clearly provides the required information.

Before photos shall show, as well as possible, the roadway conditions at the time the event occurred prior to any cleanup occurring. After photos shall be included in the documentation package for the first push and first pass operations to the greatest extent possible. However, this will be at the discretion of the FHWA area engineer. Photos shall display the date the photo was taken and the federal aid route and route location shall be provided.

5. **Federal Aid Roadway** – The roadway debris must be located on a federal aid route to be eligible under the ER Program.
6. **Clearing Limits for Roadways** – The clearing limits on the roadway normally include the traveled way and any additional clearing required to assure the full functioning of the pavement, drainage ditches, and structures within the clearing limits. Clearing of drainage culverts and the remainder of the full right of way is the responsibility of the agency having jurisdiction (unless the eligible event deposited the debris in the drainage culvert) and shall not be considered as part of the first pass collection activities eligible under the ER Program. The definition of eligible clearing limits for various federal aid road classifications is as follows:
  - **Interstate** – Eligible limits not to exceed back of guardrail or concrete barrier, 50 feet from the edge line, or the right of way limits, whichever is less.
  - **US/State Routes** – Eligible limits not to exceed back of guardrail or concrete barrier, 40 feet from the edge line, or the right of way limits, whichever is less.
  - **Other Federal Aid Routes** – Eligible limits not to exceed back of guardrail or concrete barrier, 20 feet from the edge line, or the right of way limits, whichever less.

Clearing of the remainder of the full right of way is at the discretion of the agency having jurisdiction and shall not be considered as eligible under the ER Program.

## 7. Definitions

- **Traveled Way** – Is the portion of the roadway for the movement of vehicles exclusive of shoulders and auxiliary lanes. This includes two-way left-turn lanes and truck lanes are eligible.
- **Edge Line** – Is defined as the line that separates the traveled way from the shoulder of the roadway.