Americans with Disabilities Act (ADA) Information

English

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Americans with Disabilities Act (ADA) Information This material can be made available in an alternate format by emailing the Office of Equal Opportunity at wsdotada@wsdot.wa.gov or by calling toll free, 855-362-4ADA(4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.
Contents

Chapter 1 Introduction ........................................................................................................... 1-1
  1-1 Purpose ......................................................................................................................... 1-1
  1-1.2 References and Contacts ......................................................................................... 1-1
  1-1.3 Scope ......................................................................................................................... 1-2
  1-2 Regulatory Considerations .......................................................................................... 1-3
    1-2.1 RCWs, WACs, and Directives ................................................................................. 1-3
    1-2.2 Federal Permits and Endangered Species Act Compliance .............................. 1-5
  1-3 Overview of Federal Programs ..................................................................................... 1-6
    1-3.1 FEMA Public Assistance Program ......................................................................... 1-6
    1-3.2 Fire Management Assistance Grant (FMAG) ....................................................... 1-19
    1-3.3 FHWA Emergency Relief Package ....................................................................... 1-21
    1-3.4 FHWA Timelines .................................................................................................... 1-24
  1-4 Funding and Project Decision Protocols ...................................................................... 1-24
    1-4.1 Funding and Decision Process ............................................................................... 1-24
    1-4.2 Declaration of Emergency ...................................................................................... 1-26
    1-4.3 Environmental Definition of Emergency ............................................................ 1-27

Chapter 2 Procedures ........................................................................................................... 2-1
  2-1 Life Span of a Disaster ................................................................................................. 2-1
  2-2 Detail Damage Inspection Report (DDIR) ................................................................. 2-1
    2-2.1 Completing the DDIR ........................................................................................... 2-1
    2-2.2 Betterments/Resiliency ....................................................................................... 2-7
  2-3 Ordinary Maintenance ................................................................................................. 2-7
    2-3.1 Definition of the Two Types of Maintenance Activities ....................................... 2-8
    2-3.2 Funding ................................................................................................................ 2-9
    2-3.3 Performance of Maintenance Work ...................................................................... 2-9
  2-4 Construction Work ...................................................................................................... 2-10
    2-4.1 Emergency Projects in the Highway Construction Program ............................ 2-10
    2-4.2 Definition of Construction Type Activities ........................................................ 2-10
    2-4.3 Funding for Construction Work .......................................................................... 2-11
    2-4.4 Limitations on State Force Forces Accomplishing Construction Work ..... 2-11
### Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-5</td>
<td>Work Order Process</td>
<td>2-13</td>
</tr>
<tr>
<td>2-5.1</td>
<td>General</td>
<td>2-13</td>
</tr>
<tr>
<td>2-5.2</td>
<td>Disaster Maintenance (DM) Work Orders</td>
<td>2-14</td>
</tr>
<tr>
<td>2-5.3</td>
<td>Work Order Prefixes</td>
<td>2-15</td>
</tr>
<tr>
<td>2-5.4</td>
<td>Disaster Maintenance Work Order – Establishment</td>
<td>2-16</td>
</tr>
<tr>
<td>2-5.5</td>
<td>Disaster Maintenance Work Order – Active Work</td>
<td>2-18</td>
</tr>
<tr>
<td>2-5.6</td>
<td>Disaster Maintenance Work Order – Completion</td>
<td>2-19</td>
</tr>
<tr>
<td>2-6</td>
<td>Contracting Work</td>
<td>2-19</td>
</tr>
<tr>
<td>2-6.1</td>
<td>Purpose and Scope</td>
<td>2-19</td>
</tr>
<tr>
<td>2-6.2</td>
<td>Rules</td>
<td>2-19</td>
</tr>
<tr>
<td>2-6.3</td>
<td>Contracting Procedures</td>
<td>2-21</td>
</tr>
<tr>
<td>2-6.4</td>
<td>Contract Administration Procedures</td>
<td>2-22</td>
</tr>
<tr>
<td>2-7</td>
<td>Environmental Procedures for Emergency Work</td>
<td>2-24</td>
</tr>
<tr>
<td>2-7.1</td>
<td>Declaring an Emergency</td>
<td>2-25</td>
</tr>
<tr>
<td>2-7.2</td>
<td>Road Structure</td>
<td>2-25</td>
</tr>
<tr>
<td>2-7.3</td>
<td>Responding to an Emergency</td>
<td>2-25</td>
</tr>
<tr>
<td>2-8</td>
<td>Event Funding</td>
<td>2-27</td>
</tr>
<tr>
<td>2-8.1</td>
<td>Statewide Transportation Improvement Program</td>
<td>2-27</td>
</tr>
<tr>
<td>2-8.2</td>
<td>Maintenance and Preservation</td>
<td>2-28</td>
</tr>
<tr>
<td>2-8.3</td>
<td>Date of Eligibility</td>
<td>2-28</td>
</tr>
<tr>
<td>2-8.4</td>
<td>Federal Funds Application</td>
<td>2-28</td>
</tr>
<tr>
<td>2-8.5</td>
<td>Indirect Costs</td>
<td>2-28</td>
</tr>
<tr>
<td>2-8.6</td>
<td>Emergency Relief for Federally-Owned Roads and Tribal Transportation Facilities (TTF)</td>
<td>2-28</td>
</tr>
<tr>
<td>2-8.7</td>
<td>FEMA Public Assistance Funding</td>
<td>2-29</td>
</tr>
<tr>
<td>2-9</td>
<td>Project Reporting</td>
<td>2-30</td>
</tr>
<tr>
<td>2-9.1</td>
<td>Maintenance Reporting</td>
<td>2-30</td>
</tr>
<tr>
<td>2-9.2</td>
<td>Maintenance Budget Allocations</td>
<td>2-31</td>
</tr>
<tr>
<td>2-10</td>
<td>Project Closure</td>
<td>2-31</td>
</tr>
<tr>
<td>Appendix A</td>
<td>Flow Charts</td>
<td>A-1</td>
</tr>
<tr>
<td>Appendix B</td>
<td>Examples of Emergency Maintenance Work Orders</td>
<td>B-1</td>
</tr>
<tr>
<td>Appendix C</td>
<td>DDIR</td>
<td>C-1</td>
</tr>
<tr>
<td>Glossary</td>
<td></td>
<td>G-1</td>
</tr>
<tr>
<td>Acronyms</td>
<td></td>
<td>A-1</td>
</tr>
</tbody>
</table>
Chapter 1

1-1 Introduction

This manual supersedes publication version M 3014.06.

Overview of Emergency Funding Manual Layout

The contents of this manual are organized in two chapters.

• Chapter 1: policy and regulation information for emergency funding.
• Chapter 2: procedures and process “step-by-step” guidance for how emergency funding may be requested.
• Appendices and attachments.

Title Change

Previous publications of this manual were titled “Emergency Relief Procedures Manual”. The manual title is now “Emergency Funding Manual” to reflect a broader scope of potential application.

1-1.1 Purpose

This manual is provided by the Washington State Department of Transportation (WSDOT) to assist in obtaining federal resources for the repair of local federal aid highway facilities damaged and/or destroyed by natural disasters or major catastrophes.

The purpose of this manual is to provide the legal and procedural guidelines for WSDOT employees to prepare all necessary documentation to respond to and recover from emergencies/disasters that affect the operations of the department.

1-1.2 References and Contacts


Federal Highway Administration Emergency Relief Website.

WSDOT Headquarters Contacts for CPDM; Priority Programming, Capital Project Delivery, Federal Aid & Budget Program Delivery, Program Analysis & Management Services, and Statewide Asset Management: CPDM Contacts.

WSDOT TRAINS Contacts.


FEMA’s The Public Assistance Program and Policy Guide
1-1.3 Scope

FHWA

Quick action and thorough documentation are essential when dealing with the Emergency Relief Program including photographs, field notes indicating the approved scope of work, invoices, and timesheets that clearly indicate the location and type of work performed.

Disaster assistance projects funded through the FHWA Emergency Relief Program must be located on a federal aid highway. Disaster assistance for roads on federal land that are not federal aid highways may be provided through the Emergency Relief for Federally Owned Roads (ERFO) Program. Local highway repair projects not located on federal aid highways may qualify for disaster assistance through federal and state programs administered by FEMA.

Federal-aid highways are public roads that are classified as arterial, urban collectors and major rural collectors. Highways that are classified as minor rural collectors or local roads are not eligible for ER funding even if other Federal-aid funds have been used on those roads. For example, “off system” bridges that were replaced with Federal-aid funds or non-highway projects that were constructed with enhancement funds are not eligible for ER funding. WSDOT’s functional classification application identifies these routes and their designations.

The applicability of the ER program to a natural disaster is based on the extent and intensity of the disaster. Damage to highways must be severe, occur over a wide area, and result in unusually high expenses to the highway agency. Applicability of ER to a catastrophic failure due to an external cause is based on the criteria that the failure was not the result of an inherent flaw in the facility but was sudden, caused a disastrous impact on transportation services, and resulted in unusually high expenses to the highway agency.

Documentation for disaster assistance projects on both federal aid and non-federal aid highways must distinguish between emergency operations and heavy maintenance. FHWA has set a minimum Emergency Relief funding threshold of $700,000 per disaster. For any disaster where the total estimated Emergency Relief repairs are less than this minimum threshold, with few exceptions, FHWA will classify the repairs as heavy maintenance and will not reimburse the repair work.

Accurate posting of charges to groups in the Disaster Maintenance (DM) work order, and/or I, K, and P project work order(s), is essential in ensuring eligibility for federal reimbursement.
After a natural or man-made event that causes extensive damage, FEMA coordinates with the state to implement the Public Assistance Grant Program.

State and federal officials conduct a “Preliminary Damage Assessment,” a joint assessment used to determine the magnitude and impact of an event's damage. The State uses the results of the Preliminary Damage Assessment to determine if the situation is beyond the combined capabilities of the State and local resources and to verify the need for supplemental Federal assistance. The Governor uses the results to frame the request to the President for a Federal Major Disaster Declaration.

Based on the Governor’s request, the President may declare that a major disaster or emergency exists, thus activating an array of Federal programs to assist in the response and recovery effort. Not all programs, however, are activated for every disaster. The determination of which programs are activated is based on the needs found during damage assessment and any subsequent information that may be discovered.

The mission of FEMA’s Public Assistance Grant Program is to provide assistance to State, Tribal and local governments and certain types of Private Nonprofit organizations so that communities can quickly respond to and recover from major disasters or emergencies declared by the President.

Through the Public Assistance Grant Program, FEMA provides supplemental Federal disaster grant assistance for debris removal, emergency protective measures, and the repair, replacement or restoration of disaster-damaged, publicly owned facilities and the facilities of certain Private Non-Profit (PNP) organizations. The Public Assistance Program also encourages protection of these damaged facilities from future events by providing assistance for hazard mitigation measures during the recovery process.

1-2 Regulatory Considerations

1-2.1 RCWs, WACs, and Directives

RCW 47.28.030 Contracts – State forces – Monetary limits – Small businesses, minority, and women contractors – Rules – Work on ferry vessels and terminals, ferry vessel program

RCW 47.28.035 Cost of project, defined

RCW 41.06.142 Purchasing services by contract not prohibited – Effect on employees in the classified service – Criteria to be met – Bidding – Definitions

RCW 47.28.050 Call for bids

RCW 47.28.070 Form of bid – Data required – Requirements – Refusal to furnish form – Appeal

RCW 47.28.170 Emergency protection and restoration of highways

RCW 60.28.011 Retained percentage
Local Permits

Floodplain Development Permits

RCW 86.16 Floodplain management

Shoreline Management Permits

RCW 90.58 Shoreline management act of 1971

WAC 173-26 State master program approval/amendment procedures and master program guidelines

Critical Area Ordinances (CAO)

RCW 36.70A.172 Growth management act – Critical areas – Designation and protection – Best available science to be used

State Permits

Department of Ecology – Short Term Modifications to Water Quality Standards under RCW 90.48 are no longer issued. You must meet water quality standards.

Department of Ecology – Section 401 Water Quality Certification under 33 USC 1341

Federal Clean Water Act Section 401

RCW 90.48 Water pollution control

WAC 173-225 Federal water pollution control act – Establishment of implementation procedures of application for certification

Department of Ecology – Coastal Zone Management Certification

U.S. Coastal Zone Management Act, 16 USC 1451, et seq., and 15 CFR, Parts 923-930

Department of Ecology – NPDES Construction Site

National Pollutant Discharge Elimination System (NPDES) Permit

RCW 90.48 Water pollution control

WAC 173-224 Water quality permit fees

WAC 173-226 Waste discharge general permit program

Department of Ecology – NPDES Municipal Stormwater (SW) Discharge State Waste Discharge Permit

RCW 90.48 Water pollution control

RCW 90.52 Pollution disclosure act of 1971

RCW 90.54 Water resources act of 1971

WAC 173-216 State waste discharge permit program
Department of Fish and Wildlife – Hydraulic Project Approval (HPA)

**RCW 77.55** Construction projects in state waters

**WAC 220-660** Hydraulic code rules

**WACs**

**WAC 173-18** Shoreline Management Act – Streams and rivers constituting shorelines in the state

**WAC 173-20** Shoreline Management Act – Lakes constituting shorelines in the state

**WAC 173-303-090** Dangerous waste characteristics

**WAC 173-303-9903** Discarded chemical products list

**WAC 173-303-9904** Dangerous waste sources list

**WAC 197-11** SEPA rules

**Directives/Instructional Letters/Manuals**

**Accounting Manual** M 13-82, Section 10-2.7 and 10.4(4)

**Advertisement and Award Manual** M 27-02

**Construction Manual** M 41-01

**Purchasing Manual** M 72-80

“Federal-Aid Highway Program Stewardship and Oversight Agreement” (dated 2008)

### 1-2.2 Federal Permits and Endangered Species Act Compliance

**US Army Corps of Engineers** – Section 10 of the Rivers and Harbors Act of 1899 under 33 USC 403. Work or structures in or over navigable waters of the United States will require a Section 10 permit from the Corps of Engineers.

**US Army Corps of Engineers** – Section 404 Permit of the Clean Water Act under 33 USC 1344. The discharge of dredged or fill material into water of the US, including wetlands requires a Section 404 permit from the Corps of Engineers. This requirement covers the placement of material excavated or dredged from waters of the US, mechanized land clearing, and the discharge of any material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of the waterbody.

1-3 Overview of Federal Programs

1-3.1 FEMA Public Assistance Program

Statutes

All PA Program assistance must comply with all applicable statutes. The statute that authorizes FEMA to provide assistance via the PA Program is the Stafford Act.

Reference: https://www.fema.gov/media-library/assets/documents/111781

Funding

Through the PA Program, FEMA provides:

- Grant funding for emergency protective measures and debris removal (Emergency Work)
- Grant funding for permanent restoration of damaged facilities, including cost-effective hazard mitigation to protect the facilities from future damage (Permanent Work)

Categories of Work

To facilitate the processing of PA funding, FEMA separates Emergency Work into two categories and Permanent Work into five categories based on general types of facilities.

Categories of work are detailed below. Categories A, B, C and E are the types most typically claimed by WSDOT.

Emergency Work

Category A – Debris Removal.
Includes on-system and off-system road debris along with all other debris. Note: As soon as there is a Presidential Disaster Declaration, debris removal is eligible under FEMA, not FHWA.

For debris removal, the Applicant must demonstrate that the debris causing an immediate threat was generated during the declared incident period and directly by declared incident.

Category B – Emergency Protective Measures
Measures taken before, during, and after a disaster to eliminate/reduce an immediate threat to life, public health, or safety, or to eliminate/reduce an immediate threat of significant damage to improved public and private property through cost-effective measures.
Permanent Work

Category C - Roads and Bridges.
Permanent Work to restore roads and bridges is eligible unless restoration is under the specific authority of another Federal Agency, such as FHWA.

FHWA has authority to restore public roads under the Emergency Relief Program (ERP). Roads that are eligible for ERP assistance are identified as Federal-aid routes, which include highways on the Federal-aid highway system and all other public roads not classified as local roads or rural minor collectors. Federal-aid routes are not eligible for Permanent Work even if the ERP is not activated or if the program is activated but FHWA does not provide funding for the work.

Private roads, including homeowners’ association roads, are not eligible. However, roads owned by a Tribal Government may be eligible even if they are not open to the general public.

Work to repair scour or erosion damage to a channel or stream bank is eligible if the repair is necessary to restore the structural integrity of an eligible road, culvert, or bridge. Earthwork in a channel or stream embankment that is not related to restoring the structural integrity of an eligible facility is not eligible.

Road components include, but may not be limited to:
- Surfaces
- Bases
- Shoulders
- Ditches
- Drainage structures, such as culverts
- Low water crossings
- Associated facilities, such as lighting, sidewalks, guardrails, and signs

Bridge components include, but may not be limited to:
- Decking
- Guardrails
- Girders
- Pavement
- Abutments
- Piers
- Slope protection
- Approaches
- Associated facilities, such as lighting, sidewalks, and signs

Category D – Water Control
Water control facilities are those facilities built for the following purposes:
- Channel alignment
- Recreation
- Navigation
- Land reclamation
- Irrigation
- Maintenance of fish and wildlife habitat
- Interior drainage
- Erosion prevention
- Flood control
- Storm water management
They include:

- Dams and reservoirs
- Levees and floodwalls
- Lined and unlined engineered drainage channels
- Canals
- Aqueducts
- Sediment and debris basins
- Storm water retention and detention basins
- Coastal shoreline protective devices
- Irrigation facilities
- Pumping facilities
- Navigational waterways and shipping channels

Restoring the Capacity of Channels, Basins, and Reservoirs:

- Restoring the pre-disaster carrying or storage capacity of engineered channels, debris and sediment basins, storm water detention and retention basins, and reservoirs may be eligible, but only if the Applicant provides documentation to establish:
  - The pre-disaster capacity of the facility; and
  - That the Applicant maintains the facility on a regular schedule.

If the Applicant chooses to remove non-incident-related material along with that deposited as a result of the incident, the project is considered an Improved Project.

Flood Control Works:

- Flood control works are those structures such as levees, flood walls, flood control channels, and water control structures designed and constructed to have appreciable effects in preventing damage by irregular and unusual rises in water levels.
- Generally, flood control works are under the authority of USACE or NRCS and restoration of damaged flood control works under the authority of another Federal agency is not eligible.

Category E – Buildings and Equipment

Buildings, include:

- All structural and non-structural components, including mechanical, electrical, and plumbing systems
- Contents and equipment within the building
- Furnishings

For buildings and building systems, distinguishing between damage caused by the incident and pre-existing damage may be difficult. Before making an eligibility determination, FEMA considers each of the following:

- The age of the building and building systems
- Evidence of regular maintenance or pre-existing issues, such as water damage from a leaky roof
- The severity and impacts of the incident
Mold remediation and removal of mud, silt, or other accumulated debris is eligible as Permanent Work when conducted in conjunction with restoration of the facility.

Equipment includes:

- Vehicles
- Construction equipment

Repairing damaged—or replacing destroyed—equipment and supplies with the same number of equivalent items is eligible. Equivalent items are similar in age, condition, and capacity.

The Applicant may replace equipment or supplies with different items used for the same general purpose. However, FEMA caps the eligible cost at the estimated amount for items equivalent to those damaged.

When equipment is not repairable, FEMA uses “blue book” values or similar price guides to estimate the eligible cost.

When a used item is not reasonably available (within a reasonable cost, time, or distance) or does not meet applicable national consensus standards, the purchase of a new item with similar capacity is eligible.

If the cost to replace the item is less than the cost to repair it, FEMA limits PA funding to the replacement cost.

Repair or replacement of buildings and equipment is eligible.

**Minimum Work Eligibility Criteria**

At a minimum, work must meet each of the following three general criteria to be eligible:

- Be required as a result of the declared incident;
- Be located within the designated area, with the exception of sheltering and evacuation activities; and
- Be the legal responsibility of an eligible Applicant.

For temporary repairs, mold remediation, and Permanent Work, the Applicant must demonstrate that damage was caused directly by the declared incident. FEMA does not provide Public Assistance funding for repair of damage caused by:

- Deterioration
- Deferred maintenance
- The Applicant's failure to take measures to protect a facility from further damage
Eligibility Criteria Based on Type of Employee and Work Performed

FEMA’s criteria for reimbursing straight-time labor costs differ depending on the type of employee and whether that employee is performing Emergency Work or Permanent Work.

For Permanent Work, both straight-time and overtime labor costs are eligible for both budgeted and unbudgeted employees. For Emergency Work, only overtime labor is eligible for budgeted employees. For unbudgeted employees performing Emergency Work, both straight-time and overtime labor are eligible.

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<thead>
<tr>
<th>Budgeted Employees</th>
<th>Overtime</th>
<th>Straight-Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent employee</td>
<td>✔️</td>
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<tr>
<td>Seasonal employee working during normal season of employment</td>
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</tbody>
</table>

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<thead>
<tr>
<th>Unbudgeted Employees</th>
<th>Overtime</th>
<th>Straight-Time</th>
</tr>
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<tbody>
<tr>
<td>Essential employee called back from administrative leave</td>
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<td>✔️</td>
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<tr>
<td>Permanent employee funded from external source</td>
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<td>✔️</td>
</tr>
<tr>
<td>Temporary employee hired to perform eligible work</td>
<td>✔️</td>
<td>✔️</td>
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<tr>
<td>Seasonal employee working outside normal season of employment</td>
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Outline of the FEMA Public Assistance Process

Disaster Occurs

During an active disaster, all affected Regions need to track personnel and equipment hours by setting up a DM work order for each disaster site. It is also recommended that Regions begin to do the following to aid in the reimbursement process:

- Track hours for personnel and equipment hours by the type of work performed (i.e. traffic control, debris removal, etc.). In the past, this was accomplished by setting up a separate DM work order group for each type of activity performed/project for that disaster.
- Take before/after photographs of damage with specific locations identified (Milepost, or Latitude/Longitude).
- For Debris Removal activities – keep track of the type of debris, amount of debris removed, where it was moved to, and how it was disposed of.
**Preliminary Damage Assessment (PDA)**

After the Governor Proclaims an Emergency (Governor's Proclamation), the Military Department will request a PDA from impacted jurisdictions if they feel the damages could meet the threshold for pursuing a Major Presidential Disaster Declaration for FEMA aid under the PA Program.

When requested by the Military Department, WSDOT’s Office of Emergency Management (OEM) will send an email out to all impacted Regions requesting that they submit initial estimates.

Regions should provide estimated costs for any disaster-related damages or work performed. The information will need to be organized as follows:

- Estimated costs / damage totals (in dollars).
- Date(s) damage occurred.
- Specify location of the damages by Milepost or Latitude/Longitude, organized by County.
- Provide a brief description of the damage and its impact to WSDOT’s operations.
- Specify category of work (Categories A, B, C and E are the ones typically claimed by WSDOT).

OEM will gather all estimates submitted and will use that information to complete the Military Department forms for WSDOT damages to support the request to the President for a Major Presidential Disaster Declaration.

**Presidential Declaration**

After the President Declares a Disaster (Major Presidential Disaster Declaration), WSDOT Office of Emergency Management (OEM) will be notified by the Military Department/Emergency Management Division.

OEM will notify the Region Point of Contacts (POCs) from the Preliminary Damage Assessment (PDA) so that they can begin to collect supplemental documentation. Regions should start by running a report for the DM work order set up for that disaster and compare it to the original estimates provided during the PDA. It is recommended that you use HATS project summary sheet to summarize costs by DM work order.

Please note: OEM will work directly with that Region POC for the remainder of the project; all communications go through OEM office. Do not work directly with FEMA/ Military Department/Emergency Management Division unless specifically approved by OEM.
OEM will complete two copies of a Public Assistance contract for that disaster and will submit to the Military Department.

- OEM will develop an overview sheet to be included with signature packet for signature.
- OEM will put two packets together for internal signature:
  - Chief Financial Officer’s signature on Audit Certification Form.
  - Secretary’s signature for Contract Cover Sheet and Applicant Agent Signature Authorization Form (delegating signature authority to OEM).
- OEM will provide the Project Support & Receivables Manager with the original signed copy of the contract once returned from the Military Department. An internal project number (GCB number) will assigned in order to set this up as an agreement in TRAINS, used to process payments received from the Military Department.

**Project Formulation**

Office of Emergency Management (OEM) will work with the Military Department and FEMA to determine eligible projects based on the information provided on the HATS project summary sheets.

This includes formulating incident-related damage and work into projects (i.e., subawards) based on logical groupings of the damage and work. FEMA uses the Project Worksheet (PW) (FEMA Form 90-91)305 as the Subaward application.

FEMA uses the PW to document details of the Applicant’s project, including a detailed description of the disaster-related damage and dimensions and the associated scope of work (SOW) and costs. If the project involves multiple locations, FEMA may use site sheets to differentiate damage, work, and costs by site within the PW.

**1-3.1.1 FEMA Public Assistance Package**

**FEMA Project Worksheet (PW)**

Office of Emergency Management (OEM) will work with an appointed FEMA representative to gather supporting documentation from the Region Point of Contact (POC) to develop the Project Worksheet (PW) for the disaster. As a best practice, a separate PW will be put together for each impacted Region, and in some cases, a separate category of work (e.g. Eastern Region PW for Category A and Category E).

There are 2 categories for projects, each with different reporting and close out requirements:

1. Small Project: Less than $120,000 but greater than $3,200 (FFY-19 guidance)
2. Large Project: Greater than $120,000
Supporting Documentation

Office of Emergency Management (OEM) will work with the Region Point of Contact (POC) to assist with gathering supplemental documentation for the Project Worksheet for each eligible project.

Each project worksheet requires supporting documentation that matches the information provided on the HATS project summary sheet. Requirements for supporting documentation for each Project Worksheet include:

• Timesheets for all personnel OT hours.
• Track both regular and OT hours for Debris Removal – both can be eligible depending on the disaster.
• Show hours for personnel operating equipment on timesheets.
• Fringe benefit rates for all personnel.
• Equipment hours (must match timesheets) by equipment code. Hours will be reimbursed based on TEF rates.
• Before and after photographs (include a physical description with photos to include Milepost and/or Latitude/Longitude).
• For debris removal only:
  – Type of debris.
  – Amount of debris.
  – Location and means of disposal (i.e. chipped at pit site, etc.).

Timelines

The declaration designates the incident period. The incident period is the span of time during which the federally declared incident occurs. This period varies in length, depending on the incident.

Project Deadlines

The deadline for Emergency Work is 6 months from the declaration date. The deadline for Permanent Work is 18 months from the declaration date.

For more information on the FEMA Public Assistance program, visit the Emergency Management Division website.
1-3.1.2 **FHWA Emergency Relief Program**

**Statute** 23 U.S. Code § 125 - Emergency Relief

In General.—Subject to this section and section 120, an emergency fund is authorized for expenditure by the US Secretary of Transportation for the repair or reconstruction of highways, roads, and trails, in any area of the United States, including Indian reservations, that the Secretary finds have suffered serious damage as a result of:

- A natural disaster over a widespread area, such as by a flood, hurricane, tsunami, earthquake, severe storm, or landslide; or
- Catastrophic failure from any external cause, such as bridge hits.


**Funding**

- $100 million set-aside from the Highway Trust Fund for nationwide coverage in any single year
- Minimum $700,000 (Federal share) threshold in damages per event
- Match requirements vary
- Quick Release (see Section 1-3.2.6 for more on this process)

**Emergency Relief funds**

Congress authorized in Title 23, United States Code, Section 125, a special program from the Highway Trust Fund for the repair or reconstruction of Federal-Aid highways and roads on Federal lands which have suffered serious damage as a result of (1) natural disasters or (2) catastrophic failures from an external cause.

This program, commonly referred to as the emergency relief program, ER program, or ERP, supplements the commitment of resources by States, their political subdivisions, or other Federal agencies to help pay for unusually heavy expenses resulting from extraordinary conditions.

The applicability of the emergency relief program to a natural disaster is based on the extent and intensity of the disaster. Damage to highways must be severe, occur over a wide area, and result in unusually high expenses to the highway agency. Applicability of ERP to a catastrophic failure due to an external cause is based on the criteria that the failure was not the result of an inherent flaw in the facility but was sudden, caused a disastrous impact on transportation services, and resulted in unusually high expenses to the highway agency.

One hundred million dollars are authorized annually for the ERP under 23 U.S.C. 125. Congress has periodically provided additional funds for the ERP through supplemental appropriations.
1-3.1.3 **Funding an Emergency Repair Project**

When an emergency occurs, Regions need to determine if the emergency requires a “Declaration of Emergency,” which is required whenever it is necessary to utilize emergency contracting procedures (RCW 47.28.170) or to utilize the $100K limit for State Force Work (increased from $80K in RCW 47.28.030) for work related to transportation facilities.

If the event is large enough (defined as “Widespread Area of Catastrophic Failure” with a minimum repair cost of $700,000), federal “Emergency Relief” funding will be pursued. The Region must complete a Detailed Damage Inspection Report (DDIR) and submit it to FHWA and CPDM.

1-3.1.4 **Emergency Repair Funding Considerations**

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. Normal work orders, charge numbers, and coding are used to track accomplishments and costs.

Emergency maintenance work may be eligible for federal reimbursement when properly approved by FHWA, if the work exceeds the threshold amount of $700,000 minimum for an event and $5,000 per site. This work is initially funded out of the maintenance budget and later reimbursed with federal funds. Disaster Maintenance (DM) work orders are established to ensure the agency properly accounts for and documents expenditures.

There are three types of repair work to consider when requesting federal emergency relief funding:

- **Temporary/Emergency Repair** – Work necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities. This work typically requires minimal preliminary engineering, geotechnical studies, structural analysis, or environmental review. These repairs are usually within the capabilities of the State and local maintenance forces and most will be performed on a force account or an emergency contract basis.

  Emergency repair work to restore essential travel, minimize the extent of damage, or protect the remaining facilities, accomplished in the first 180 days after the disaster occurs, may be reimbursed at 100 percent Federal share. The 180 day period for 100 percent eligibility of emergency repairs may be extended if a State cannot access a site to evaluate damages and the cost of repair.

  Temporary/Emergency Repair Work is categorically excluded from NEPA requirements under 23 CFR 771.117(c)(9). This work must meet the emergency provisions of all other environmental regulations, such as ESA, Section 106, 4f. Most of these emergency provisions require that the regulatory agency be notified before beginning work.
Incidental Repair Work – Work completed incidental to the Temporary/Emergency Repair Work. This work was not necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities; this work may be eligible for federal participation at the normal pro rata share for the facility type. Work in this box typically requires minimal preliminary engineering, geotechnical studies, structural analysis, or environmental review. These repairs are usually within the capabilities of the State and local maintenance forces and most will be performed on a force account or an emergency contract basis.

Incidental Repair costs incurred by WSDOT may be reimbursed by FHWA, but the rate of federal reimbursement can vary, from 86.5 percent to 100 percent. The rate of federal reimbursement will be identified on the approved DDIR.

Incidental Repair Work is generally categorically excluded from NEPA requirements under 23 CFR 771.117(c)(9). This work must meet the emergency provisions of all other environmental regulations, such as ESA, Section 106, 4f. Most of these emergency provisions require that the regulatory agency be notified prior to beginning work.

Permanent Restoration Work – Work performed as part of the Permanent Restoration. Permanent restoration shall be administered using normal Federal-Aid procedures that include written authorization, NEPA clearance, design approval, permits, right of way certification, PS&E, advertisement period, etc. The federal participation on eligible work will be at the normal pro rata share for the facility type (Interstate 90.66 percent Non-Interstate 86.5 percent) regardless of when the work is done. Federally eligible Tribal Transportation Facilities can be reimbursed up to 100 percent.

Betterments typically fall into this category of work; proper justification documentation for the betterments must be approved by FHWA. Funding for this work may not be needed immediately (especially construction funding).

1-3.1.5 Outline of the Emergency Relief Funding Process

The goal is to ensure emergency repair costs are accurately accounted for between the Maintenance (M) and Preservation (P) funding programs, while ensuring that staff have charge codes in a timely manner. This guidance is in no way intended to stop required emergency work, or supersede applicable federal or state regulations. The following is a brief summary of the standard procedures followed to coordinate with the appropriate parties and fund an emergency relief program site.

1. Disaster Maintenance (DM) Work Order Authorization form is submitted to HQ Accounting (hqacctagmts@wsdot.wa.gov) and CPDM (cpdmprojectfinancialspecialistpfs@wsdot.wa.gov) as instructed on the DM form.

2. HQ Accounting sets up the DM work order in TRAINS, as specified in the DM request form.
   a. DM work orders are funded by the M program and intended for costs incurred to stabilize, close the road, or minimize damage. All costs charged to a DM work order will remain in M, regardless if they are reimbursed by federal funds or not.
i. If immediate action is required from specialty offices (Bridge, PE, Geotech, etc.) a DM can be used, but these charges will remain in the DM as part of the immediate emergency response.

ii. DM work orders should not be used to collect charges for project scoping or permanent repairs, unless M has agreed to fund this work.

iii. In cases of minor errors or extenuating circumstances, a transfer of costs can be requested, but all transfers between M and P must be pre-approved by both HQ Maintenance and CPDM.

3. Region and HQ Maintenance, CPDM, and the Emergency Operations Manager participate in an ER funding phone call to:
   a. Begin to assess federal eligibility.
   b. Estimate funding needs (Maintenance vs. Preservation funds).
   c. Come to an agreement on method and source of funding.
      i. If CPDM approves Preservation funds, all costs must be charged to a project specific PIN and work order (see step 4).
      ii. If federal ER funding is requested, the distribution of federal funds between the M and P programs will be documented on the DDIR.

4. CPDM Federal-Aid staff will coordinate with the Region to initiate a Project Action Form (PAF) and setup a project WIN, PIN, and work order within 2 working days of the approval of preservation funds.
   a. In urgent situations where charge codes are required immediately or evaluation is needed from technical staff to determine the appropriate next step, CPDM can provide a group on the CPDM ER work order during the ER funding phone call.
   b. The CPDM ER work order is a temporary collection point until a project- specific work order is established. Once the project work order is established, CPDM will transfer all charges from the CPDM ER work order to the project work order.

5. CPDM Federal-Aid staff will coordinate with the FHWA, WSDOT Program Management, and Maintenance to obtain, monitor, and report on federal ER funds. CPDM Federal-Aid staff will:
   a. Report to FHWA on WSDOT’s total ER funding needs.
   b. Monitor WSDOT’s ER appropriation levels against actual expenditures.
   c. Ensure ER Federal-Aid agreements are converted from Federal Formula funding to ER Federal funding and closed in a timely manner.
1-3.1.6 **Maintenance and Preservation Cost Splitting (General Guidance)**

The following outlines how ER costs are split between the Maintenance (M) and Preservation (P) funding programs. These splits can differ depending upon the agreement reached during the ER funding phone call between HQ Maintenance, Office of Emergency Management (OEM), CPDM, and the Region. Agreements that deviate from this guidance should be outlined in writing (email, DDIR, WOAs, etc.) to ensure all parties are clear on their budget limits, roles, and responsibilities in upholding the agreement.

- Temporary/Emergency Repair work is funded by the M program (usually on a DM work order, or K work order for third party damage) unless:
  - CPDM approves the use of Preservation funds AND a CPDM work order is provided to collect the appropriate charges.
  - Charges collected on a DM or K work order will not be transferred to work orders funded by the Preservation program (unless specifically approved by HQ Maintenance & CPDM).
- Incidental Repair work is funded by the M program if the contract is administered in the Maintenance Program, unless:
  Permanent Repairs are administered by the Construction Office AND a work order is authorized by CPDM in the P program BEFORE contract is awarded and/or any work has started.
- Permanent Restoration work is funded by the P program, if pre-authorized by CPDM and a work order funded by the P program is approved BEFORE work is started.
- Specialty or Unusual work is funded by the M program unless:
  - CPDM approves the use of Preservation funds AND a CPDM work order is provided to collect the appropriate charges.
  - Charges collected on a DM or K work order will not be transferred to work orders funded by the Preservation program (unless specifically approved by HQ Maintenance & CPDM).
  - Any and all funding agreements should be documented on required forms, correspondence, and emails.

<table>
<thead>
<tr>
<th>Definition/Consideration for an Event</th>
<th>Definition/Consideration for a Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>The damage must be widespread (i.e. spanning multiple counties), or Catastrophic damage/failure</td>
<td>Damage directly attributable to eligible event</td>
</tr>
<tr>
<td>Collection of damaged sites</td>
<td>Damage must be more than heavy maintenance</td>
</tr>
</tbody>
</table>
| Requires a Governor’s Proclamation or President’s Declaration:  
  - Nature of the event  
  - Area effected  
  - Dates damage occurred | Highways must be part of Federal-aid system |
| Repair cost $5,000 per site (minimum) | Restoration to pre-disaster condition |
| Rural minor collectors and local roads are not eligible |  |
1-3.2 **Fire Management Assistance Grant (FMAG)**

The federally funded Fire Management Assistance Grant (FMAG) provides financial assistance to state, local, and federally recognized tribal governments for the mitigation, management, and control of fires on publicly or privately owned forests or grasslands. A federal fire management assistance declaration may be requested and issued for an uncontrolled fire when a threat of a major disaster exists.

The Fire Management Assistance declaration process is initiated when a State submits a request for assistance to the Federal Emergency Management Agency (FEMA) Regional Director at the time a “threat of major disaster” exists. The entire process is accomplished on an expedited basis and a FEMA decision is rendered in a matter of hours.

Before a grant can be awarded, a State must demonstrate that total eligible costs for the declared fire meet or exceed either the individual fire cost threshold - which is applies to single fires, or the cumulative fire cost threshold, which recognizes numerous smaller fires burning throughout a State.

![FMAG REQUEST PROCESS](image)

*PFA: Principal Fire Advisor, works for the U.S. Forest Service, Bureau of Land Management, provides a technical assessment of the fire or fire complex.*

### 1-3.2.1 Categories of Work

Category B (Emergency Protective Measures)

- Evacuations
- Public Messaging
- Water Pumping
- Road Barricading
- Overtime Labor
Category H (Fire Suppression)

- Firefighting Labor (Overtime & Non-budgeted Volunteer Stipends)
- Equipment Time & Repairs directly related to the declared fire
- Materials & Supplies, Meals, Uniforms used/damaged as a direct result of the declared fire.

1-3.2.2 Eligible Costs

The activities performed must be:

- The legal responsibility of the applying entity,
- Within the incident period, or
- Required as the result of the declared fire, and
- Located within the designated area or related to firefighting activities (i.e., EOC Ops or Dispatch).

Eligible firefighting costs may include expenses for field camps; equipment use, repair and replacement; tools, materials and supplies; and mobilization and demobilization activities.

Eligible emergency protective measures may include staff overtime and equipment time for providing evacuation notices, barricading roads, water pumping, and emergency operations center costs.

Mutual Aid

- Incident Commander must have requested services.
- Providing entity costs are treated as contract costs.
- Cannot be intra-organization.
- Unwritten mutual aid agreements must be documented immediately after the incident.

Eligible applicants to participate as subrecipients for the FMAG program may include state agencies, county and local emergency management, law enforcement and public works offices, and special purpose districts such as fire districts and publicly owned utility companies.

1-3.2.3 Cost Share

Similar to the FEMA Public Assistance Program, the Fire Management Assistance Grant Program (FMAGP) provides a 75 percent Federal cost share and the Applicant pays the remaining 25 percent for actual costs.

Supporting documentation requirements are the same.

For more information on the FEMA Fire Management Assistance Grant (FMAG), visit the Emergency Management Division website.
1-3.3  **FHWA Emergency Relief Package**

HQ OEM and CPDM submit to FHWA the following items as part of the FHWA ER Package when requesting ER funding for each event:

### 1-3.3.1 Governor's Proclamation

To be considered for ER funding a Governor’s disaster proclamation is required. When the President declares a major disaster declaration under the Stafford Act, when then there is potential for FEMA reimbursement under the Public Assistance (PA) Program.

The Governor’s proclamation is usually issued during or shortly after the event. It must specify the affected counties, the severity of damage and the date the event started. The date identified in the proclamation is used as the start of the 180-day limit for certain ER funding.

### 1-3.3.2 Notification

**Letter of Intent**

The Letter of Intent (LOI) is WSDOT’s request to FHWA for emergency relief funds to assist in the cost of repairing damages on the Federal-aid highways in the state.

The Letter of Intent is written by the HQ CPDM office and sent to the FHWA Washington Division Office.

**Acknowledgement and Eligibility Determination Letter**

The FHWA Division Administrator acknowledges, in writing, WSDOT’s Letter of Intent (LOI). This Acknowledgment Letter will allow temporary operations, emergency repairs, and preliminary engineering to start before FHWA authorization. Reimbursement depends on the Division Administrator’s subsequent eligibility finding for the disaster and on FHWA project authorizations.

If FHWA concurs that the emergency is an eligible event, they will respond with a Letter of Acknowledgement (LOA) and Eligibility Determination. On rare occasions FHWA may respond with only a LOA while more information is gathered to determine if the event is eligible. In those cases, the Eligibility Determination letter will come separate of LOA.

### 1-3.3.3 Damage Assessment

Depending on the disaster, the initial damage assessment may be based on windshield surveys of a sample of sites or detailed damage inspections at many or all sites. If windshield surveys are done initially, detailed damage inspections are done later. Windshield surveys can expedite the funding request process.

There are times that the disaster is of such magnitude that media reports are sufficient to verify the scope of the disaster.
1-3.3.4 ER Funding Application

WSDOT OEM and CPDM are responsible for submitting applications for ER funding to the FHWA Division. Applications must be submitted within two calendar years of the date of disaster. The application must include a comprehensive list of all eligible project sites and repair costs. Applications or new sites submitted after two years will not be considered for ER funding.

While early submission of a complete application is desirable, it may not always be possible. WSDOT may request partial ER funding based on available information from windshield surveys, detailed damage inspections, or a combination of both. Additional ER funding may be requested as damage inspections are completed and more accurate estimates are developed.

The expectation is the application is usually completed within 6 to 10-weeks of the event. WSDOT’s typical application is a spreadsheet list of the projects and sites, included with their LOI. Depending on the situation, WSDOT may revise the spreadsheet and resubmit (perhaps more than once) throughout the process.

1-3.3.5 Detailed Damage Inspection Report (DDIR)

Detailed Damage Inspections Reports (DDIR) are usually completed after FHWA has made a finding of ER eligibility. The DDIRs are used to prepare the comprehensive scope of work and the full estimated costs of the repair.

A copy of the DOT Form 300-001 as well as best practice examples of completed DDIR packages are found in Appendix C. Items to include in the DDIR package are:

- **Optional**: A cover memo describing the situation, the work being done, and justification for the work.
- Use the most current DOT Form 300-001.
- Ensure there is a detailed breakdown of Labor, Equipment, Materials, and Other (also referred to as LEMO).
- Map
  - Submit a vicinity map of the site location (e.g., Bing, Google).
  - Ensure that it has enough detail to allow a person unfamiliar with the area to be able to drive to the site.
- Photos
  - If possible, submit photos showing the damage before cleanup has begun.
  - Label photos indicating state route, milepost, and date.

Additional items that may be included in the DDIR package:

- Weather information (charts, reports, maps)
- Geotechnical reports
- News releases
- Correspondence with other staff and agencies
If the work outlined in the DDIR changes in scope or costs increase more than 10 percent of initial cost estimate:

- **DDIR Revision**
  - Ensure that a revised DDIR is completed outlining the new scope of work or cost estimate.
  - Fill out the revision number at the top of the Form and all cost updates.
  - Attach any additional information or documentation (e.g., geotechnical report, weather information) that justifies the change in the scope of work.
  - Add maintenance records if applicable (e.g., roadway was patched and stabilized repeatedly and now it is severely damaged)

- **Photos**
  - Send additional photos to demonstrate the reason for the change

FHWA appreciates initial information coming to them even if WSDOT is unsure of site eligibility. Please place the route, milepost, date, and Disaster Maintenance (DM) number (state jobs only) in the subject line of all email messages.

### 1-3.3.6 Quick Release Allocation Process

Quick Release can provide limited funds quickly with minimal paperwork to help WSDOT with initial emergency repair costs. Quick Release funds are intended as a “down payment” to immediately provide funds for emergency operations until the traditional application is submitted and approved. The Quick Release method is not intended to be used on every ER event, and should only be considered for very large events where significant expenditures need to begin immediately.

WSDOT will request ER funds based on a preliminary assessment of damages and reasonable certainty that the event will qualify for ER funding. Few, if any, on-site damage surveys are made. Instead, the disaster assessment is based on readily available information, such as credible media reports or aerial surveys done by WSDOT. The Office of Emergency Management (OEM) contacts the FHWA Division Emergency Relief Coordinator to make the Quick Release request. It can be as simple as an oral request and can be done in anticipation of a Governor’s Proclamation of Emergency with no paperwork. The amount of a Quick Release is typically discussed by phone between FHWA Division staff and WSDOT OEM. However, the FHWA Administrator decides if a Quick Release will be made and the amount.

The Quick Release method requires the same documentation (Letter of Intent, Governor’s Proclamation, DDIRs, etc.) but is submitted after the initial quick release request. Following the traditional process supplemental allocations are released later.
1-3.4 **FHWA Timelines**

**Exhibit 1-1 FHWA Timelines**

<table>
<thead>
<tr>
<th>Action</th>
<th>Office of Responsibility/ Point of Contact</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Governor's Proclamation</td>
<td>Office of Emergency Management</td>
<td>Start of Incident</td>
</tr>
<tr>
<td>Letter of Intent</td>
<td>CPDM</td>
<td>Within 2 weeks</td>
</tr>
<tr>
<td>Letter of Acknowledgement</td>
<td>FHWA</td>
<td>Within 1 week of Letter of Intent</td>
</tr>
<tr>
<td>All sites are identified</td>
<td>Regions</td>
<td>Within 6 weeks of Letter of Intent</td>
</tr>
<tr>
<td>Temporary and Permanent Repairs are completed</td>
<td>Regions</td>
<td>&quot;In a timely manner&quot;</td>
</tr>
<tr>
<td>DDIRs Submitted</td>
<td>Regions</td>
<td>Within 3 months</td>
</tr>
<tr>
<td>100% Reimbursable Window for emergency/temporary repairs</td>
<td>Regions</td>
<td>Within the first 180 days of event</td>
</tr>
<tr>
<td>Funding pro-rata share window</td>
<td>Regions</td>
<td>After 180 days</td>
</tr>
<tr>
<td>Obligation of permanent restoration</td>
<td>CPDM</td>
<td>By the end of the 2nd federal fiscal year (following the fiscal year of the event)</td>
</tr>
</tbody>
</table>

WSDOT CPDM must submit an application that includes a comprehensive list of all eligible project sites and repair costs no later than 2 years after the natural disaster or catastrophic failure. Any project sites that are not identified in this application may not be eligible for ER funding.

1-4 **Funding and Project Decision Protocols**

1-4.1 **Funding and Decision Process**

Given the dynamic nature of emergent needs and the critical funding challenges faced by the department, it is necessary that all efforts are made to provide early notification of the emergent needs and to collectively work towards agreement of the permanent restoration work needed to restore the function of the damaged infrastructure. Without this type of collaborative effort, the department's ability to adequately fund or seek funding from outside sources (FHWA, FEMA, third parties, etc.) may be compromised which in turn could significantly impact the department's ability to meet existing program and project delivery commitments.

When an event occurs Maintenance and CDPM will clarify financial delivery responsibility. To this end a case-by-case approach with open communication between all affected programs is the best solution, rather than relying only on the development of specific criteria for different types of events. It is important to note that there are some situations where delivery of work and the financial responsibility will be shared based on the collective discussion and decision related to the event. The process will include the following:
• **Stabilization** – Region Maintenance will provide the initial response to the event and set up a Disaster Maintenance Work Order if appropriate. The focus of the initial response is to assess the site and stabilize the situation using one or more of the following steps:
  - Close the roadway and establish traffic control; and/or
  - Clean up roadway and debris and perform the temporary/emergency repairs necessary to mitigate further damage to infrastructure and to open the facility to the traveling public. However, it is important to note, that in some cases, the magnitude of the event and the needed repairs may extend beyond the scope and capacity of Maintenance to re-open facilities in a timely manner.

• **Notification** – Once it is determined that funding beyond Maintenance program M is needed to re-open the facility and/or restore the area to the pre-damaged condition, it is critical that notifications are made to Headquarters’ Office of Emergency Management within 24 hours. If necessary, a conference with the following parties will occur:
  - Affected Region (Maintenance, Construction, and Program Management as appropriate)
  - HQ Maintenance Operations and Office of Emergency Management
  - HQ Capital Development and Program Management (obtains and administers Federal Aid and I and P funding.)
  - HQ Risk Management (in events related to third party damage)
  - HQ Subject Matter Experts (i.e. Bridge, Hydraulics, Geotechnical, etc.)

• **Agreement** – After the initial response from region Maintenance occurs and the site is stabilized (this could be different from event to event), there needs to be an opportunity for all of the representatives listed above to coordinate and collectively determine the most appropriate course of action from that point forward. Determination of subsequent financial and delivery responsibility will be coordinated and determined through this effort. This would include general agreement on the extent, magnitude, and timing of the repair, as well as which program will fund the repair.

• **Risk** – If significant design/construction work occurs prior to the notification and agreement steps as detailed above, the Region Maintenance program assumes risks for the costs and eligibility of this work.

• **Eligibility** – CPDM may accept emergency relief work when the following steps have been taken:
  - Maintenance has stabilized the situation and/or reopened the road (work and costs to accomplish this stays in the Maintenance Program).
  - Work in addition to the initial stabilization may be programmed and budgeted in Highway Construction Program if it is eligible for Federal Emergency Relief Program and/or regular Federal Aid Program funding. Certain exceptions may be granted if state funding is available in the Highway Construction Program.
- Permanent restoration work eligible only for regular federal aid funding must be incorporated into the State Transportation Improvement Plan (STIP) at the metropolitan or state level before opening up a work order. This process could take several weeks or months to gain federal funding approval.

1-4.2 Declaration of Emergency

When an emergency occurs, Regions need to determine if the emergency requires a “Declaration of Emergency.” This is also applicable to the Ferries and Aviation Divisions.

A “Declaration of Emergency” is required whenever it is necessary to utilize Emergency Contracting Procedures (RCW 47.28.170) or to utilize the $100K limit for State Force Work (increased from $80K in RCW 47.28.030) for work related to transportation facilities.

If the event is large enough (defined as: widespread area of catastrophic failure with a minimum federally-contributed repair cost of $700,000) that federal "emergency relief" funding will be pursued, the region needs to complete a detailed damage inspection report (DDIR) (DOT Form 300-001) that will be forwarded to the Federal Highway Administration (FHWA) in Olympia. Note: A signed DDIR (FHWA signature) is required prior to setting up the Federal Aid Project Agreement (FHWA Form 120-006).

The declaration of emergency authority is delegated from the Secretary of Transportation to the Regional Administrators and the Directors of Aviation and or Ferries for all work directly or indirectly related to transportation facilities. This also includes all work affecting property owned or used by their headquarters organization.

The declaration of emergency authority can be further delegated to the maintenance superintendent and/or project engineer by the Regional Administrator or a designee of the Directors of Aviation and Ferries when the preliminary repair estimate to provide the work does not exceed $100,000 including sales tax. This also applies to property owned or used by a headquarters organization.

The Regional Administrators and/or the Directors for Aviation and Ferries are required to inform the Secretary of Transportation of all declared emergency projects.

Each declared emergency will be recorded on DOT Form 540-021. The form is to be signed by the declarer and sent to Headquarters Office of Emergency Management by the next working day. For each declared emergency, a project title will be given and work order(s) will be established.
Declaration of Emergency Procedures

Declaration of Emergency (DOT Form 540-021)

Maintenance superintendent and/or project engineer, and designee(s) for the
Directors for Aviation and Ferries

• Prepare declaration of emergency using DOT Form 540-021, emergency work up to $100,000.
• Send form to Headquarters Emergency Management Office by the next working day.

Regional Administrator and Directors for Aviation and Ferries

• Prepare declaration of emergency using DOT Form 540-021, emergency work over $100,000.
• If project estimate exceeds $700,000, the Secretary or Designee will be required to initial the form.
• Send form to Headquarters Emergency Management Office by the next working day.

HQ Emergency Management

Process the form and provide to the Secretary (or designee) to review and initial.

1-4.3 Environmental Definition of Emergency

WSDOT has the authority to declare an emergency under RCW 47.32.130 to remove dangerous objects and 47.28.170 for contracting purposes. For environmental purposes the definition of an emergency is when there is an immediate threat of damage to the road structure or threat to the safety of the traveling public. WSDOT must adhere to environmental regulatory requirements for notification and authorization procedures (see Section 2-6.3).
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2-1 Life Span of a Disaster

The Region and HQ Conference Call can take place during any of the preceding steps, when the Region is prepared to discuss costs of repairs.

2-2 Detail Damage Inspection Report (DDIR)

Use the current DOT Form 300-001 (Jun 15, 2016), also available in Appendix C.

2-2.1 Completing the DDIR

2-2.1.1 Top Section

The Region and HQ Conference Call can take place during any of the preceding steps, when the Region is prepared to discuss costs of repairs.
• "Applicant" & "County": self-explanatory.
• "FHWA Disaster No.": this will be provided by CPDM.
• "Location of Damage": Provide the name or route number of road, bridge number(s) if applicable and any other pertinent information to help identify the location of the damage.
  − “Route is on BIA's inventory classified as Tribal Transportation Facility (TTF)”: See the Questions and Answers for Map 21 regarding Tribal Transportation Facilities (TTF) to determine if the damage might be eligible for 100 percent federal participation on a TTF route and what should be submitted for a determination.
• “Milepost From MP To MP": self-explanatory.
• "Revision Number": The original DDIR will start with zero as the revision number. If there are revisions, the first revision will start with the number one, the second revision will start with two, etc.
• "Date, Cause, and Description of Damage": Describe when the event occurred (i.e. date), how the event caused the damage, what damage the event caused, and why the damage is eligible for ER funding.
  − Be professional; do not list the “Cause" as a specific individual or give your opinion on the cause, especially if the cause is manmade.
• “Local/State Project or No(s)”: any numbers assigned to the project, such as DM, WIN, PIN.
• “Functional Class": (Select from dropdown) See functional classification mapping application: www.wsdot.wa.gov/mapsdata/travel/hpms.functionalclass.htm
  Choices:
  Rural or Urban Interstate
  Rural or Urban Other Frewy/Exprwy
  Rural or Urban Principal Arterial
  Rural or Urban Minor Arterial
  Rural or Urban Major Collector
  Urban Minor Collector
  − The expectation is that all DDIRs are completed and approved by FHWA within three months of the event, whenever possible.
2-2.1.2 Temporary/Emergency Repair

This section is intended to capture repairs made during or immediately after the disaster to stabilize the site.

- Overview: Describe the work and provide a total cost estimate of work that is necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities. A breakdown of the cost estimate can be provided as a separate document attached to the DDIR.
  - Work in this box typically requires minimal preliminary engineering, geotechnical studies, structural analysis, or environmental review. These repairs are usually within the capabilities of the State and local maintenance forces and most will be performed on a force account or an emergency contract basis.
  - Temporary/Emergency Repair Work is categorically excluded from NEPA requirements under 23 CFR 771.117(c)(9). This work must meet the emergency provisions of all other environmental regulations, such as ESA, Section 106, 4f. Most of these emergency provisions require that the regulatory agency be notified prior to beginning work.
  - Every site is different and depends on the situation (detours, facility types, etc.). Possible Examples: removal of slide material, Temporary Traffic Control, replacement of washed out paving and embankment in order to open traffic. This is work that needs to be done to stabilize the situation, can be done relatively quickly with minimal preliminary engineering.
  - Definition of Stabilization – The focus of the initial response is to assess the site and stabilize the situation using one or more of the following steps:
    - Close the roadway and establish traffic control; and/or
    - Clean up roadway and debris and perform the temporary/emergency repairs necessary to open the facility to the traveling public.
- Note: All this work is eligible at 100 percent Federal Share but must be completed within the first 180 days from when the event started on the Governor’s Proclamation.
- Include the original total cost estimated for this type of work as reflected on the most recently approved DDIR.
- If revising the Emergency Repairs section and the cost estimate changes provide the prior estimated cost under the original estimate box and then provide the new estimated cost under the revised estimate. If there is no change then repeat the prior number or put No Change.
2-2.1.3 **Incidental Repair**

Incidental repairs are completed at the same time as the temporary/emergency/ stabilization repairs but are **not needed** to restore essential traffic, minimize the extent of damage, protect the remaining facilities. This work is eligible at the regular Pro Rata Share for the facility type.

- **Overview:** Describe the work and provide a total cost estimate of work that was completed incidental to the Temporary/Emergency Repair Work. A breakdown of the cost estimate can be provided as a separate document attached to the DDIR.
  - This work was not necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities; this work is eligible for federal participation at the normal pro rata share for the facility type.
  - Work in this box typically requires minimal preliminary engineering, geotechnical studies, structural analysis, or environmental review.
  - These repairs are usually within the capabilities of the State and local maintenance forces and most will be performed on a force account or an emergency contract basis.
  - Incidental Repair Work is generally categorically excluded from NEPA requirements under 23 CFR 771.117(c)(9). This work must meet the emergency provisions of all other environmental regulations, such as ESA, Section 106, 4f. Most of these emergency provisions require that the regulatory agency be notified prior to beginning work.

- **Every site is different and depends on the situation (availability of detours, facility types, traffic volumes, etc.). Possible Examples:** placing guardrail during emergency repairs, permanent seeding or landscaping beyond erosion control, installing permanent stripping in place of temporary stripping. This is work that could be done later but is cost effective to be done during the emergency repairs. Work in this box typically requires minimal preliminary engineering, geotechnical studies, structural analysis, or environmental review.

- “Minimal Betterments” might be included in this box, though in most instances it is part of permanent restoration work.

- **If the site is on Interstate:** check 90.66 percent box. All other routes: check 86.5 percent box.
  - Only check the 100 percent box if you checked the TTF box in the header (this box will rarely be checked).
- Provide the original total cost estimated for this type of work under Original Estimate.
- If revising the Incidental Repairs section and the cost estimate changes provide the prior estimated cost under the original estimate box and then provide the new estimated cost under the revised estimate. If there is no change then repeat the prior number or put No Change.

### 2-2.1.4 Permanent Restoration

[Table]

Permanent restoration shall be administered using normal Federal aid procedures that include FMIS authorization of phases, NEPA clearance, design approval, permits, right of way certification, PS&E, advertisement period, etc. The federal participation on eligible work will be at the normal pro rata share for the facility type regardless of when the work is done.

- Permanent restoration usually occurs after emergency repairs have been completed.
- This work requires prior FHWA Approval.
- Permanent restoration typically requires plans, specifications, and estimates.
- They require significant design effort and geotechnical studies or other engineering studies, structural analysis or environmental reviews.
- The replacement of bridges, construction of retaining structures, or highway relocations are usually considered permanent restoration. Betterments typically fall into this category of work;
- Work outside of the roadway section and repairs to non-essential facilities such as rest areas are considered permanent restoration.
- See back of form for more information
  - It is OK to put TBD in this box if it’s too early to have a reasonable cost estimate.
- If the site is on Interstate: check 90.66 percent box. All other routes: check 86.5 percent box.
  - Only check if the 100 percent box if you checked the TTF box in the header, this box will be rarely checked.
- Provide a cost estimate of Preliminary Engineering costs. i.e. Environment, Design, Geotech, etc....
- Provide a estimate of any anticipated Right of Way costs if any.
- Provide a estimate of anticipated construction costs.
- Sum all these costs and provide the Total Perm Restoration cost estimated for this type of work.
• If revising the Permanent Restoration section and the cost estimate changes provide the prior estimated total perm cost box and then provide the new estimated revised total perm restoration cost under the revised total perm restoration estimate. If there is no change then repeat the prior number or put No Change.

• As the scope of work evolves the DDIR should be revised to reflect that as further PE work is completed.

2-2.1.5 Cost Estimates

<table>
<thead>
<tr>
<th>Description</th>
<th>Click here to enter text.</th>
</tr>
</thead>
<tbody>
<tr>
<td>WSDOT Annual Indirect Cost Rate</td>
<td></td>
</tr>
<tr>
<td>Total Estimated Cost</td>
<td></td>
</tr>
<tr>
<td>Revised Total Estimated Cost</td>
<td></td>
</tr>
</tbody>
</table>

The region Maintenance Office gathers cost information from all appropriate parties to create the cost estimate.

• Cost estimate. If the site is determined to need funding beyond the M program, the region Maintenance Office will coordinate with their region Program Management Office to finalize the cost estimate.

• CPDM calculates and populates the indirect cost rate field upon review and approval of the draft DDIR.

2-2.1.6 Signatures and Recommendations for Eligibility

<table>
<thead>
<tr>
<th>Description</th>
<th>Click here to enter text.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommendation for Eligibility Yes No</td>
<td>Local Agency Representative Date</td>
</tr>
<tr>
<td>FHWA Recommendation Eligible Ineligible</td>
<td>FHWA Engineer Date</td>
</tr>
</tbody>
</table>

• “Local Agency Representative” can be blank for WSDOT DDIRs.
• “State Representative” is the WSDOT employee representative with delegated authority, i.e. Maintenance Manager, Maintenance Engineer.

• FHWA signature and recommendation as “eligible” is required prior to permanent work.

DDIR Revisions

DDIR Revisions will be completed if the following occur:

• Change in scope of work.

• Total Costs of DDIR increases by 10 percent.
2-2.2 Betterments/Resiliency

Betterments/Resiliency decisions are based on a case-by-case analysis. This analysis takes many factors into consideration, such as history of similar damage, ER funding, and potential for continuing issues at the same site. These decisions require discussion between many parties (such as FHWA, CPDM, OEM) prior to a formal request.

Definitions and clarification on betterments/resiliency:

• An added protective feature that will prevent repeated/continuous damage from occurring.
• A change that modifies the function or character of the facility.
• Eligibility
  – Requires an economic analysis (described below).
  – Must result in long-term savings to FHWA's ER program.

Economic Analysis

• Cost of the betterment/resiliency improvement vs Repair costs resulting from anticipated future recurring eligible damage.
• Does not consider: traffic delays costs, added user costs, motorist safety, economic impacts, etc.

Every site is different and depends on the situation (availability of detours, facility types, traffic volumes, etc.). Possible Examples: building a new wall to prevent slide material from covering road in a future event, install new riprap to protect against future erosion, lengthen bridge to increase waterway opening for future flood, raising road to eliminate future overtopping, adding scour protection at a bridge or along an embankment, pavement widening, increased vertical clearance of a bridge.

The following items do not require a cost-benefits analysis:

• Fish passage upgrades (this is considered upgrading to current standards).
• Replacement of older features or facilities with new ones.
• Incorporation of current design standards.
• Replacement in-kind on existing location not practical or feasible.
• Additional required features resulting from the NEPA process.

For more information on betterments and resiliency, see the FHWA ER Manual.

2-3 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.
2-3.1 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.
2-3.2 **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.

2-3.3 **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.
2-4 Construction Work

2-4.1 Emergency Projects in the Highway Construction Program

If the proposed work activity is not considered ordinary maintenance as defined previously, the work may be accomplished by state forces only to the extent permitted in RCW 47.28.030 and 47.28.035. This rule applies whether the work involves an emergency or not.

This work typically requires the use of preliminary engineering services, personnel, and contract plans specifications and estimates. When the work is not programmed, it follows the department's un-programmed project process.

2-4.2 Definition of Construction Type Activities

Alteration – Work that results in a substantial change in the form or nature of an existing highway facility/element without destroying its identity.

Examples include:
- Realignment of the roadway.
- Widening the roadway.
- Raising the grade.
- Replace signal span wire with mast arms.

Repair – Work required to restore the intended functionality of a highway facility/element when damage results in a substantial loss of the intended design functionality.

Examples include:
- Major slide (may require soils analysis and walls).
- Repair of large culverts.
- Replacement of major sections of riprap.
- Roadway paving.
- Replacement of bridges, bridge approaches, or bridge piers.
- Work needed to repair a section of washed out road that is not passable.

Improvements – Work that results in the enhanced, expanded, or improved functionality of a highway facility/element over that of the original design. This work includes new roadway elements and improves the original function and design.

Examples include:
- Culvert replacement to improve drainage.
- Constructing all weather highway.
- Constructing left turn lane or climbing lane.
- Hydraulic enhancements.
- Correction of unstable slopes through the use of horizontal drains, new wall, or other methods.
2-4.3 **Funding for Construction Work**

Emergency work considered to be “alteration, repair, or improvement” when properly approved, is eligible for federal reimbursement, either from normal highway construction funds or emergency relief funds. Work is initially funded out of the Highway Construction Program with state funds and later transferred to federal appropriation for reimbursement through the ER federal project. Appropriate work order numbers are established to ensure the department can properly account for and document expenditures (see Section 2-4).

2-4.4 **Limitations on State Force Forces Accomplishing Construction Work**

If the work involves “alteration, repair, or improvement” as defined above, the statutory requirements set forth in RCW 47.28.030 and 47.28.035 apply as follows:

- The work may be done by state forces when the estimated cost of the work is less than $60,000 in non-emergency conditions.

- When delay of the work would jeopardize a state highway or constitute a danger to the traveling public, the work may be done by state forces as long as the estimated cost of the work is less than $100,000.

- If the estimated cost of a project is more than the $60,000/$100,000 limitations, state forces may still be used to perform work up to those limits. The cost of the remaining project work over the $60,000/$100,000 limits would have to be contracted out by competitive bidding. The only exception is where the department finds it necessary to protect a highway facility from imminent danger or to perform emergency work to reopen a highway. When that occurs, the department may contract for such work on a negotiated basis not to exceed force account rates for a period not to exceed 30 working days.

  - Thirty (30) working days does not count weekends, weather delays, holidays, or other expected days of down time.

- First, the costs must include the aggregate of all amounts to be paid for labor, material, and equipment (see below).

- Second, the aggregate costs are those costs that will be incurred on one continuous or interrelated project where work is to be performed simultaneously.

**Note:** To better understand this second requirement, one must go beyond the actual statutory language and the difficulty of defining the key term “project” and focus on the objective of the statute. Its purpose is to ensure that a project is not artificially divided into smaller projects for the sole purposes of using state forces instead of contracting out the work. This will be discussed in more detail in the Project Definition Section.

The estimate must be reasonable based on the best information known at the time it was made. To support the reasonableness of the estimate, written documentation on how it was ascertained is necessary (RCW 47.28.030). The purpose of the dollar limitation is to ensure that private contractors provide the majority of non-maintenance emergency work. Therefore the estimate should be reasonable in view of the facts that are known at the time and consistent with the purpose of the limitation. Any questions on what should
be included in the estimate should be directed to the department so that the estimates are consistent.

The following examples are provided to help understand how the estimate should be made. To be included:

- **Labor Costs** – Included when state personnel are being used on the project to do the following:
  - Operate equipment.
  - Place material.
  - Any activity done on the site that would have been done by the contractor's labor force if the work had been contracted out.

- **Material Costs** – If state forces are being used to perform the project or a portion of it, the cost of the materials supplied by the state would be included in determining the dollar limitation.

- **Equipment Costs** – If state forces are being used to perform the project or a portion of it, any equipment provided by the state would be included in estimating the dollar limitation.

Not to be included:

- **Labor Costs** – Do not include preliminary engineering (PE) costs and construction engineering costs. These costs are incurred on all projects whether performed by contractors or by state forces and therefore are to be excluded in the labor estimate.

- **Material Costs** – If the state only supplies the materials to the project, the cost of the materials are not to be included. For example, if the state supplied traffic signal equipment for a signal construction project but state labor forces were not used to perform any portion of the project, the cost of the materials would not be included. Conversely if state forces are to be used to do work on the project, the cost of the materials provided by the state would be included.

Also, consumable items not incorporated in the project, such as traffic control devices, signals, etc., are not to be included in the material cost estimate.

- **Equipment Costs** – If the state provides equipment to the project but state labor forces are not to be used to perform any work on the project, the equipment costs will not be included.

- **Overhead Costs** – **RCW 47.28.035** refers only to the aggregate of all amounts to be paid for labor, material, and equipment. Therefore state overhead costs do not have to be included in estimating the costs using state forces.
2-5  Work Order Process

2-5.1  General

When an emergency/disaster occurs, a method for capturing expenditures is needed for the work both within the region as well as for federal emergency relief (ER) work. The work order is the method used to capture these expenditures. A separate work order is normally set up for each individual disaster site and has a unique identifying number.

The following work order types (prefixes) are the most commonly used to record costs associated with the immediate response to an emergency/disaster and/or to record costs for more permanent design or repair:

- **DM (Disaster Maintenance)** – Used to track costs associated with work performed and funded by Maintenance which is generally emergency repairs but may include additional work as agreed upon.

- **Kx (Third Party Damages)** – Used to track costs associated with work performed by Maintenance when the damage was caused by a third party. The Enterprise Risk Management Office (ERMO) is responsible for facilitating collection of funds from the third party, insurance companies, etc. Refer to Chapter 8 of the Risk Management Manual M 72-01 for more information.

- **XL (Preliminary Engineering)** – Used to track costs associated with preliminary engineering or design activities that may be associated with a more permanent fix to the damage site. These costs are generally funded in the Highway Construction Program.

- **00 (Construction Contract)** – Used to track costs associated with contractor payments and related WSDOT engineering activities. These costs are generally funded in the Highway Construction Program, but could also remain in the Maintenance Program. Refer to the Funding and Project Decision Protocols Section of this manual for information on required conversations about which program(s) will be responsible for funding the event. Refer to the Construction Manual M 4101 for requirements for construction contracts.

- **MS (Miscellaneous)** – Used when Program Management takes over a site from maintenance prior to the permanent repair.
Disaster Maintenance (DM) work orders are initially set up with state funds since early on it is not known whether costs will be eligible for federal reimbursement. In many cases part or all of the emergency work may be done before it is known whether the project will receive federal funding.

When requesting information from Headquarters on the status of a Work Order Authorization (WOA), reference the work order number and the federal aid number if known.

When requesting a DM work order, region management and field personnel will also consider:

1. Arranging a funding call between Maintenance, CPDM and related parties.
   The need to prepare a Detailed Damage Inspection Report (DDIR) for FHWA review/approval that clearly defines scope of work, type of work, location, and estimated costs of the emergency, incidental, and/or permanent work.
   
   **Note:** CPDM must receive an accurate signed DDIR (FHWA signature) in order to obligate federal funding. All ER sites are funded with state dollars (normally M program) until CPDM receives the associated and approved DDIRs.

2. How to properly account for disaster event charges using the DM work order groups.
   The region will need to identify up front, based on the DDIR categories of work and federal reimbursement percentages, the groups needed for the work order. This will vary from one incident to another.

3. How the region will ascertain, through inspection that the work performed was accomplished in accordance with the scope and/or approved change orders to the DDIR.

4. The estimated cost associated with a work order setup. Due to of the complexity of some emergency work it may be necessary to have some work orders for an estimated amount greater than the $60,000/$100,000 limit.
2-5.3 Work Order Prefixes

Approval of the Disaster Maintenance (DM) work order and assigning the “DM number” has been delegated to the regions. Each region will assign their own DM work order numbers. The first two characters of the work order number will be DM to indicate the type of work order. The third character of the work order will be used to define the region, as follows:

<table>
<thead>
<tr>
<th>Region</th>
<th>DM Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northwest</td>
<td>DMAxxx</td>
</tr>
<tr>
<td>North Central</td>
<td>DMBxxx</td>
</tr>
<tr>
<td>Olympic</td>
<td>DMCxxx</td>
</tr>
<tr>
<td>Southwest</td>
<td>DMDxxx</td>
</tr>
<tr>
<td>South Central</td>
<td>DMExxx</td>
</tr>
<tr>
<td>Eastern</td>
<td>DMGxxx</td>
</tr>
</tbody>
</table>

The next three characters are numeric and will be assigned sequentially by the region. The block of DM numbers will not be further subdivided.

In order to expedite work order setup, minimize confusion, and ensure regions and Headquarters Maintenance, Program Management, and Accounting and Financial Services have the information they need, the following rules will be observed.

- Responsibility for assigning DM numbers will be assigned to an individual.
- The individual (or designee) responsible for assigning DM numbers will be available to assign numbers whenever they are needed.
- The individual responsible for assigning DM numbers will prepare the work order authorizations for the DM work orders, acquire required signatures, and fax (or email) them to Headquarters AFS, PS&R Section, prior to noon on the first working day following the assignment of the number.
- DM numbers are to be used for actual projects only. Do not request DM work orders for potential work.
- Each region will maintain a log of DM numbers which carries the data elements that they require plus any other elements which may have been requested by Headquarters Maintenance, Program Management, and Accounting and Financial Services.

2-5.3.1 Contingency Protocol

In the event that the individual (and designee) responsible should not be available and/or the resources needed (e.g. the DM work order log) is not available or destroyed, region personnel may request the establishment of a DM work order to Headquarters Accounting and Financial Services (HQ-AFS) by telephone: 360-705-7550 / 7337 or email (hqaccttagmts@wsdot.wa.gov). HQ-AFS will assign the DM number and establish the work order in TRAINS.

Once availability is restored, the process as outlined in Section 2-4.3 must be resumed as it is the region’s responsibility to prepare and submit the appropriate documentation.
2-5.4 Disaster Maintenance Work Order – Establishment

A Work Order Authorization (WOA) form is required in order to set up a DM work order in TRAINS. The WOA identifies the estimate of costs to the Maintenance Program and the groups required to capture the costs within categories (time period and/or type of work). The WOA is also used for budgeting purposes and completing a DDIR. Thus, it is important that the WOA is as current as possible and accurately reflects current and future expenditure needs.

A sample Work Order Authorization (WOA) form, DOT Form 120-021, is included in Appendix B. This form is available in electronic format. For consistency and to speed processing of work orders within Headquarters, all regions will submit work order authorizations on the current version of the form. It is not required that each region use the electronic format, only that the work order have the same information in the same format as the sample provided.

When preparing a WOA request whether it is for a new setup or an adjustment to an existing setup work order, complete and accurate information must be provided. The WOA must clearly identify the group category of the work (contract, state force work, etc.) and the type of work and timeframe based on the DDIR. This separation of charges is key to the department being able to obtain federal reimbursement.

Groups will need to be set up for the following as needed within each group category where applicable:

- Temporary / Emergency Repair
- Incidental Restoration
- Permanent Repair
- Ineligible Work Items

There is a difference between Ineligible Work Items and Ineligible Costs. Ineligible Work Items are items that were identified as not being eligible for federal reimbursement. These items are normally identified up front as the work to repair or rebuild is determined. Ineligible Costs are objects of expenditure charged to the work order that are part of the eligible work items for the project but are not eligible to be billed to the federal agency.

It is essential that the group title be used with each group so that the appropriate expenditures can be identified if federal participation is received.

At the time of the initial DM setup, the AFS, PS&R Section, will set up only the groups which have been requested by the region. Generally, Group 01 is set up for state force work (Group Category 04) for the Temporary/Emergency Repair. Once the groups are set up in TRAINS, AFS PS&R Section will send an email to the region identifying the groups set up by group category and category of work.

The groups on DM work orders are not limited to Group Category 04. As long as all other requirements have been met, other group categories may be used. For example, it is permissible to set up groups which are in Group Category 01 (work done by contractor) or Group Category 02 (work done agreement). Other groups can be added later (by email) as
long as the authorized dollars are not being increased. An example is Group Category 99 which is vendor supplied services and materials. It is possible to use Group Category 99 following Purchase Authority G3 Guidelines. Appendix 17, Road Repair Service, could also be used in some cases.

2-5.4.1 Review by Region Prior to Submitting Work Order Authorization

To aid processing within Headquarters to reduce processing time and to minimize the number of errors, the regions must completely and accurately fill in the Work Order Authorization (WOA).

Prior to submitting an increase for a work order authorization to Headquarters, an effort should be made to check TRAINS to ensure that all group categories will have sufficient authorization after the WOA is processed.

If a group is going to be set up on the work order, which references a payable agreement, the agreement needs to be completed through the Headquarters review process and ready for set up in TRAINS prior to submittal of the work order authorization to Headquarters Accounting and Financial Services. If the agreement is not completed prior to the WOA being submitted for approval, the group setup will be delayed until the reviewed agreement is received in Headquarters Accounting and Financial Services.

Work order authorizations for the construction phase of a federal aid emergency relief (ER) project containing permanent work must have:

- FHWA signed DDIR showing permanent repairs have been approved.
- Complete environmental documentation
- Certified right of way and the design completed prior to receiving federal approval (this includes state force construction).

When submitting a WOA for construction include along with the request:

- Copy of the estimate
- Design approval date (if applicable).
- Right of way certification and the NEPA dates indicating the environmental classification of the project.

Failure to have any of these items complete prior to submitting the funding request to FHWA will result in delayed funding approval and may delay the start of the project. Note: The region must have a signed DDIR (FHWA signature) for the permanent work prior to initiating a work order for construction.
2-5.5 Disaster Maintenance Work Order – Active Work

2-5.5.1 Posting Charges to DM Work Orders

The region offices are responsible for ensuring that all charges posted to DM work orders are correct, appropriate, and recorded in the proper groups. Failure to properly record charges in the appropriate group may result in the loss of federal funds.

For example, if group 01 is set up as state force work for the temporary/emergency repair work, then only charges associated with that work can be charged to Group 01. Otherwise, when the federal agency is billed for reimbursement of costs, it may be at an incorrect percentage. DM work orders are initially set up using state appropriation authority. If federal funds are approved for the work order, AFS, PS&R Section, will attach the federal project to the work order and transfer the eligible charges at the appropriate federal pro rata from state appropriation to federal appropriation and bill for reimbursement under the Federal Aid Project Agreement (FAPA). In order for this to occur, the region must post charges correctly to each DM work order group, since the federal reimbursement rate may be different depending on the type of work performed.

It is critical that the region Maintenance Office work with Headquarters Capital Program Development and Management Office (CPDM) to ensure all DDIRs are approved and FAPAs are established as soon as possible to ensure expenditures can be transferred from state to federal funding sources. If this does not occur in a timely manner, some federal reimbursement may be lost.

2-5.5.2 DM Work Order Management

The region is responsible for ensuring that all charges are properly reported in each DM work order group. Since the percentage of federal reimbursement can vary depending on the type of work and timeframe from the date of the incident. It is crucial that the region monitors the work order closely to minimize the risk of losing federal eligibility.

The work order manager should periodically check the status of the work order and the approved DDIR. Assuming all charges are appropriate, once a work order will soon be or becomes overrun, a revised DDIR may need to be submitted to increase funding. The increase should provide adequate funds to cover the overrun and estimated future expenditures. The estimate should be reasonable and based on the best information available at the time. Significant increases/decreases to existing work orders need to be submitted prior to overrunning the work order whenever possible.

When initiating the work order closure process, it’s recommended to close all work order groups first. Then, wait 30 days before reducing and closing the entire work order. If groups are still open, submitting a request to reduce a work order to actual expenditures will almost always result in the work order overrunning or the actual expenditures changing prior to the work order being processed through Headquarters.
2-5.6 Disaster Maintenance Work Order – Completion

Once work is complete on the DM work order, the close out process needs to occur in a timely manner. The region Maintenance Office is responsible for taking the following actions:

- Notify the region Financial Services Office to proceed with requesting closure of the work order in TRAINS.
- For North Central Region – send notification by email to: HQNCRProjectSupport
- For Olympic Region – send notification by email to: HQORProjectSupport
- Complete the DOT Form 422-100A, Inspection of Federal-Aid Projects in Maintenance, (or coordinate with FHWA for completion if required) and send to AFS, PS&R Section.
- Follow additional requirements identified in the Project Closure Section of this manual as they apply to the specific DM work order.

Headquarters AFS, PS&R Section, will close the work order in TRAINS. Once all work orders and or work order groups on associated work orders are also closed and any required final inspection reports are received, PS&R will process the closure of the federal project with the FHWA.

2-6 Contracting Work

2-6.1 Purpose and Scope

To provide guidance in the initial contracting procedures of the emergency/temporary work in accordance with the applicable statutory laws and in the administration of the resulting contract. The guidance provided herein primarily focuses on force account, 30 working days or less contracts.

2-6.2 Rules

If a contractor is to perform work during a declared emergency, the rules set forth below apply regardless of whether the work is considered a maintenance activity, construction activity, or a combination of both.

- Regardless of the estimated dollar amount of the contract, the contractor must be pre-qualified. If the estimate to perform the work is $100,000 or less, DOT Form 272-063 may be used to expedite the qualification process of the contractor.
- Under statute, the department may contract without bids for emergency/temporary work for a period not to exceed 30 working days. The price of the work may be negotiated but shall not exceed the cost of doing the work by force account. The 30 working day time frame cannot be extended. Contract specifications (always required) and contract plans (when necessary) shall be provided to the contractor within 48 hours of execution of the contract. If contract specifications are not provided within this time frame, the emergency work may not be eligible for federal reimbursement.
At the onset of the initial emergency/temporary work, utilization of the emergency work contract is required (see Form 350-008 Emergency Work Contract). The emergency work contract must be prepared and signed prior to any work being performed.

At the end of the 30-day period, if the department finds that reconstruction, repair, or other work is still needed to preserve or restore the highway for public travel, the department may have the remaining work done by obtaining at least three written bids and awarding the contract work to the lowest responsible bidder. RCW 47.28.170 allows this alternative contracting method regardless of the size of the contract.

- If the emergency contract work will not exceed $100,000, the department need not require a bid deposit or a performance bond. However if a performance bond is not required, progress payments to the contractor may, at the discretion of the Regional Administrator, be conditioned on submittal of paid invoices to substantiate proof that disbursements have been made to laborers, material suppliers, mechanics, and subcontractors from the previous partial payment. If the contract will exceed $100,000, a performance bond is required.

- RCW 60.28.011 requires that 5 percent of the moneys earned by the contractor be withheld by the public agency or be covered as a part of the contract bond in the case of contracts involving federal funds. In the case of contracts where the region will be seeking federal reimbursement, you shall rely solely upon the contract bond for protection and payment afforded to those covered under statute and no retainage will be held. Federal reimbursement will not be granted if the contracting agency has withheld 5 percent retainage. This withholding or bond is to be used as a trust fund for the protection of the claims of any person arising under the contract and (b) state taxes which may be due from the contractor. This requirement applies to all public improvements or work other than for professional services. If the department does not properly withhold the money or if the money is refunded to the contractor without the appropriate clearances from claimants, the department will be obligated to pay legitimate claims and/or taxes.

- Since the work is being contracted out, the department must follow all rules regarding the payment of prevailing wages. In addition if federal reimbursement will be sought for the project, it will be necessary to include the required federal aid contract provisions (contact the region Project Development Office for help with federal aid contract provisions).

- Regardless of the dollar amount of the work, the department shall prepare a written contract setting forth the terms, conditions, and responsibilities of the contractor, including reference to the applicable Standard Specifications M 41-10 (see number 2 above and Form 350-008 Emergency Work Contract).
2-6.3 Contracting Procedures

Once the decision is made to enter into a contract with an outside entity:

- **Contractor Prequalification** (required in all cases)
  - Under $100,000 – Use abbreviated process, DOT Form 272-063, only if the contractor is not prequalified or call Contract Ad and Award.
  - Over $100,000 – Use a firm already prequalified or call Contract Ad and Award.
  - Subletting the work must be done in accordance with *Standard Specifications* Section 1-08.1.

- **Wages**
  - No federal dollars involved:
    - State wage laws apply. Include state prevailing wages in the contract documents.
    - Statement of Intent and Affidavit of Wages Paid are required.
  - Federal dollars involved:
    - *Davis-Bacon Act* applies.

Required federal aid provisions are to be included in the contract (*FHWA 1273* and amendments to the *FHWA 1273*).

Certified payrolls and employee interviews are required. Statement of Intent and Affidavit of Wages Paid are required.

Include state and federal prevailing wages in the contract documents.

- **Bond**
  - No federal dollars involved:
    - Under $100,000 – Not required (consider invoice verification). Over $100,000? – Performance bond is required.
  - Federal dollars involved:
    - Contract bond is required.

- **Insurance**

The contractor shall obtain and keep in force policies of insurance in accordance with *Standard Specifications* Section 1-07.18.

- **Retainage**
  - State funds only – retainage is always required – may be covered by a contract bond or moneys earned by the contractor are withheld.
  - Federal dollars involved – is a part of the contract bond – no moneys are to be withheld.
  - Taxes and claims must be cleared before release of retainage or contract bond.
  - WSDOT is obligated to cover the rights under *RCW 60.28* if moneys are not retained or covered by the bond.
• **Written Contract**
  A written contract is always required.

• **Types of Contract**
  - Negotiated, single contractor, no bids.
    - Cannot exceed 30 working days.
    - Work may be negotiated but cannot exceed force account amounts. Generally emergency work contracts are under a force account basis.
    - If getting close to the end of the 30-working days and work will not be completed, start one of the appropriate processes defined in b or c below. It is recommended to confer with the region Project Development Office if this is necessary:
  - Solicited bids.
    - A minimum of three required.
    - Needs bid documents—description of work, specifications, quantities, and plan sheets (if needed).
  - Conventional published call for bids.
    - Plan preparation.
    - Review process.
    - Policy inclusions.
    - Project Goals (Disadvantaged Business Enterprise/Small Business Enterprise/On the Job training) will not be considered for 30-day or less emergency projects done by force account to temporarily restore travel. However, regions are encouraged to use Small, Minority, Veteran and Female-owned businesses, when available. Projects other than 30-day force account projects to temporarily restore travel should be considered for goals. Please contact the Office of Equal Opportunity to request goals or if you have a question about whether or not goals should apply to your contract.

2-6.4 **Contract Administration Procedures**

• **Layout** – The responsibility for layout (defining the work on the ground—surveying, staking, etc.) of the work is the state’s, unless the contract provisions say otherwise.

• **Materials** – If standard items are used, they must meet the *Standard Specifications* M 41-10 requirements and they must be sampled and tested as required by the *Construction Manual* M 41-01. Regions may insert special provisions that call out other specs. These should be approved by Headquarters Construction (after-the-fact approvals are possible, but there is a risk). Materials will need to be certified in accordance with the *Construction Manual* Chapter 9. For FHWA projects, Buy America applies.

• **Inspection** – A state employee must be present when paying by force account to verify hours worked, materials incorporated and equipment used, etc., or if paid for by lump sum, must be able to see and document the work done since the last visit.
• **Payment** – Any appropriate work order can be used, if Contract Administration and Payment System (CAPS) and Construction Contract Information System (CCIS) are not needed to track items and subcontractor activity, and for these payments can be made directly to the departments accounting system (currently TRAINS). For these work orders, the use of the force account system requires a special request to HQ Construction and programming to that system.

Should you choose or be instructed (if the work is being funded under the construction programs this is a requirement) to use the CAPS and CCIS systems then your work orders must be assigned by the AFS/Vendor Payments/Contract Payments unit at HQ and this office only receives Work Order Authorizations (WOAs) if they are marked Construction Contract Funding Approval (CCFA). This unit assigns only 00#### work orders/contract numbers at this time, as that is all the CAPS will allow. Payments, are then made by the project offices, through ledger entries, tracked, batched and processed through CAPS, which automates payments to TRAINS. The force account system is loaded through an automated process from CCIS. CCIS is loaded from CAPS and CAPS is loaded once work orders and groups are added in TRAINS.

• **Subcontracting** – Subcontracting must be done in compliance with Standard Specifications Section 1-08.1. Subcontractors may complete up to 70 percent of the work. Subcontractors and the use of lower tier subcontractors must be approved by the project engineer and must follow all of the same contractual requirements as the prime contractor.

• **Retainage** – For projects containing no federal funds using CAPS, the retainage is done automatically and all reviews, clearances, and claims are automatically tracked by CAPS. If the work is being paid by voucher, the originating office will need to withhold five percent unless a bond is provided (RCW 60.28.011). At the end of the job, the originating office verifies that taxes and claims have been satisfied before releasing the funds or bond.
  - If you are seeking federal reimbursement, you must not withhold retainage, but must rely on the contract bond. If you are using CAPS, you must notify the AFS/Vendor Payments/Contract Payments unit at HQ, that you are intending to seek federal participation. CAPS will automatically withhold retainage if you do not inform the Contract Payments unit.
  - Labor and Industries, Revenue and Employment Securities agencies have liens against our retainage automatically and for any contract over $35,000 they need to release that retainage. Any agency releases should be requested to be sent to the requesting office when the Notice of Completion is provided to the agencies.

• **Wages** – On all jobs, the prime and all subcontractors must submit a Statement of Intent to Pay Prevailing Wages, obtained from Labor and Industries, and provide an Affidavit of Wages Paid at completion. On federal funded jobs, the state must collect certified payrolls from the prime and all subcontractors. The state must also conduct field interviews of employees to confirm the amounts shown on the payrolls.
• **Changes** – Any changes to the work must be in writing and must be approved by the region representative, the region construction engineer, or the Headquarters Construction Office, depending on the nature of the change (see the *Construction Manual* Section 1-04.4 for guidance).

• **Closure** – The region is responsible for determining the final payment amount, preparing final records, and as-built plans.

### 2-7 Environmental Procedures for Emergency Work

The intent of temporary operations, including emergency work, is to restore essential traffic which cannot wait for a finding of eligibility and programming of a project. Emergency work should be accomplished in a manner which will reduce additional work required for permanent work. The department will need to coordinate with resource agencies for permit requirements.

Emergency/temporary work may be eligible for 100 percent federal aid as long as the work is within the first 180 days of the start date of the eligible Emergency Relief event as declared in the Governor's Proclamation. Repairs made after 180 days following the occurrence are subject to pro rata funding shares. The 180 days is calculated from the first date of the incident as determined with FHWA. The 180-day ending date will be shown on the FHWA Form 120-006. Any repairs done within 180 days to restore the highway to pre-disaster conditions are permanent and are funded at pro rata share.

The use of emergency relief (ER) funds for emergency work on roadways will normally be limited to the amount necessary to bring the washed-out fills and slip outs back to grade with a gravel surface. In most cases the emergency work will not construct the roadway to a true line and grade but rather follow the terrain and be constructed in the easiest and fastest manner. Nevertheless, work on the roadway should be adequate so that traffic can travel over it safely at a speed reasonable for the site conditions.

#### Examples of Emergency/Temporary Repairs

- Re-grading of roadway surfaces, roadway fills, and embankments.
- Debris and slide removal.
- Replacement of approach fills.
- Required traffic control during the emergency.
- Construction or implementation of detours.
  - Roadway connections, temporary bridges ferryboat usage.
- Replacement of riprap to protect structures or roadway embankments.
  - From further damage during the event or following the event.
  - Embankment protection includes direct scour and overtopping scour.
- Removal of drift deposited debris including boat rental.
- Short sections/lengths of bituminous surfacing on routes with heavy traffic.
2-7.1 Declaring an Emergency

For guidance on declaring an emergency and how it relates to environmental procedures, see Section 1-4.3.

2-7.2 Road Structure

The following diagram illustrates components of the road structure which include roadway, shoulders, drainage features, sediment containment, retention/detention, utilities, permits/franchises, street lights, and traffic signals.

2-7.3 Responding to an Emergency

Notification – Each region is required to develop notification procedures for contacting resource agencies prior to or during an emergency response. To obtain a region’s current procedure, contact the region Maintenance Environmental Coordinator (RMEC) below. Region emergency notification procedures should include contact information for the US Army Corps of Engineers, WDFW, NMFS, USFWS, Ecology, Shoreline Administrators, Tribes, and Cultural Resources and specify whether the notification and/or authorization is immediate or follow-up, and the type of information that is required.

<table>
<thead>
<tr>
<th>Region Maintenance Environmental Coordinator</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northwest Region</td>
<td>206-440-4951</td>
</tr>
<tr>
<td>Olympic Region</td>
<td>360-570-6707</td>
</tr>
<tr>
<td>Southwest Region</td>
<td>360-905-2183</td>
</tr>
<tr>
<td>South Central Region</td>
<td>509-577-1758</td>
</tr>
<tr>
<td>North Central Region</td>
<td>509-667-3054</td>
</tr>
<tr>
<td>Eastern Region</td>
<td>509-324-6136</td>
</tr>
</tbody>
</table>
During an Emergency Response – Emergency response is covered under WSDOT’s ESA 4(d) Program coverage under Maintenance Category 11. This program identifies that emergency response will include the following measures to minimize and avoid impacts during an emergency response:

- Emergency response and inspection followed by implementing the region emergency response notification procedures above.

- Where possible, emergency maintenance will use the same best management practices (BMPs) as routine maintenance activities covered under the program to avoid and minimize impacts.

Documenting the Emergency Response – WSDOT can be protected from future liability by using the following methods of documentation.

- Telephone Logs – Keeping telephone billing statements as documentation provides incalculable proof that notification requirements were made in a timely manner to the proper authority.

- Photographs – Taking photographs documenting site conditions before, during, and after an event provides invaluable information. Digital photographs allow for a quicker response. Written documentation should be provided to explain photographs.

- Diaries or Disaster Maintenance (DM) Work Orders – Record the events and observations as they occur. Record the who, what, where, when, and how of the event. Often a few short sentences in a field notebook are better than a few foggy memories.

2-7.3.1 Permit Documentation and Federal Nexus

Environmental statutes and rules may require permit documentation following an emergency response. This is managed by the region environmental office. Below is an overview of basic documentation procedures for National Environmental Policy Act (NEPA), State Environmental Policy Act (SEPA) and Endangered Species Act (ESA) compliance. Other permit documentation may be required by WDFW, USACE, Ecology, Tribes, and Local Shoreline and Floodplain Permits.

NEPA and SEPA Documentation

Categorical Exclusions (NEPA)

- Emergency repairs restoring essential travel, minimizing the extent of damage, or protecting remaining facilities have been classified as categorical exclusions under 23 CFR 771.117(c)(9). These actions are excluded from the requirement to prepare an Environmental Assessment or Environmental Impact Statement.

- Emergency relief projects that involve permanent repair work to restore the existing facility in-kind at the existing location are likely to be viewed as categorical exclusions.
Categorical Exemptions (SEPA)

• Maintenance work that stabilizes the situation and construction work that restores the highway system have been classified as categorical exemptions under WAC 468-12-880. They are not subject to SEPA review.

• Repair projects that are categorically exempt (for SEPA) may require additional documentation in the NEPA process. This occurs when repair projects receive funding under the Emergency Relief (ER) Program, they must comply with NEPA requirements.

ESA Federal Nexus – Emergency response maintenance work may trigger a federal nexus that requires consultation requirements under ESA Section 7. National Marine Fisheries Service (NMFS) has issued a letter that clarifies maintenance work covered under WSDOT’s regional Road Maintenance Program (RRMP) ESA 4d Program also satisfies ESA compliance requirements for other federal nexuses. Examples of federal nexuses may include the following:

• Federal pass through funding (i.e., FHWA emergency relief funding or FEMA funding).
• USACE provided assistance (flood fight).
• Floodplain Permit required under the FEMA.
• Federal Permit Authorizes work (USACE permits).
• Work located on federal lands (USFW, National Park Service, Military, or Tribal Lands).

Contact the appropriate WSDOT RMEC for questions regarding whether emergency response actions are covered under WSDOTs RRMP ESA 4d Program.

2-8 Event Funding

Projects Not Included in the State’s ER Application

WSDOT must submit an application that includes a comprehensive list of all eligible project sites and repair costs not later than 2 years after the natural disaster or catastrophic failure. Any project sites that are not identified in this application will not be eligible for ERP funding. CPDM uses approved DDIRs to create the funding application. DDIRs not submitted to CPDM will not be included in the application and may not receive ERP funding.

2-8.1 Statewide Transportation Improvement Program

Permanent repair or replacement of infrastructure scheduled for replacement with other funds and damaged during a disaster is not eligible for ER funds, and should be funded as originally intended. The ER funds may participate in emergency repairs to restore essential traffic in such cases. A project is considered scheduled if the “construction phase” of a replacement structure is included in the FHWA approved Statewide Transportation Improvement Program (STIP) at the time of the event. As used in this section, the term “construction phase” refers to the physical construction separate from any other identified phases in the STIP such as planning, design, or right-of-way phases.
2-8.2 Maintenance and Preservation

ER funds are not intended to cover all damage repair costs. Only the repair work that exceeds heavy maintenance, is extraordinary, and will restore pre-disaster service is eligible. Incidental costs resulting from a disaster, such as project delay costs or lost toll revenues, are not eligible. A more detailed discussion of repair activities that are not eligible for ER funds follows.

2-8.3 Date of Eligibility

Date of the disaster.

2-8.4 Federal Funds Application

The Federal Emergency Relief Program (ERP) only has $100 million available nationwide, because of this ERP funds are rarely available to WSDOT when emergency work takes place. WSDOT must request ERP funding and wait until FHWA can make ERP funding available. It can take months or years for sufficient ERP funding to become available. In order to bridge the funding gap, WSDOT utilizes other federal funding sources to pay for eligible emergency work until ERP funds are available. Once ERP funds allocated to WSDOT, CPDM and AFS transfer all eligible costs from the temporary federal funding sources, to the newly available ERP funding.

2-8.5 Indirect Costs

Costs that are not allocable to a specific project such as a general overall assessment of damage, administration, overhead, general supervision, contract administration other than construction engineering, and project planning and scheduling are considered indirect costs that may be eligible for ER funding.

Section 302 of 23 U.S.C. allows State transportation departments to claim reimbursement of indirect costs. State and local government agencies may be reimbursed for indirect costs subject to the provisions of 2 CFR 225 formerly OMB Circular A-87, “Cost Principles for State, Local, and Indian Tribal Governments.” Since grantees are not required to claim indirect costs, these procedures only apply to agencies that have an approved indirect cost rate.

WSDOT uses a federally approved indirect cost rate when billing FHWA for eligible ER costs. This cost rate is applied by TRAINS to all eligible costs charged against the FAPA.

2-8.6 Emergency Relief for Federally-Owned Roads and Tribal Transportation Facilities (TTF)

The Federal reimbursement rate is 100 percent for repair work on Federal land transportation facilities, tribal transportation facilities, and other Federally-owned roads open to public travel. Under MAP-21, Federal Lands Access Program Facilities also had been eligible for this 100 percent Federal share; the FAST Act eliminated that eligibility. Per § 421 of the Department of Transportation Appropriations Act, 2016 (P.L. 114-113), the FAST Act amendment applies to projects to repair or reconstruct facilities damaged as
a result of a qualifying natural disaster or catastrophic failure that occurs after October 1, 2015. [FAST Act § 1408(b); 23 U.S.C. 120(e)(2)].

To ensure a TTF is eligible for 100 percent federal reimbursement, verify the site is registered with the Bureau of Indian Affairs.

2-8.7 **FEMA Public Assistance Funding**

Per the contract between WSDOT and the Military Department for disasters, OEM will provide estimates from the impacted Regions to the Military Department to prepare the cost reimbursement request to FEMA for the disaster.

Accounting & Financial Services (AFS) accumulates the actual expenditures of the disaster and generates invoices for the Military Department. At the time an invoice is generated, the Region’s expenditures will be reduced and a receivable will be created awaiting the FEMA payment.

**Small Projects:**

- Once FEMA obligates a Small Project, FEMA does not adjust the approved amount of an individual Small Project. This applies even when FEMA obligates the PW based on an estimate and actual costs for completing the eligible SOW differ from the estimated amount.

- The Recipient must submit the certification of completion of all small projects to FEMA within 180 days from the date that the Subrecipient completes it last Small Project.

- Once FEMA receives the Recipient’s certification, FEMA closes all of the Subrecipient’s Small Projects.

**Large Projects:**

- With exception of Capped Projects, the final eligible amount for a Large Project is the actual documented cost of the completed, eligible Scope of Work (SOW). Therefore, upon completion of each Large Project that FEMA obligated based on an estimated amount; the Subrecipient should provide the documentation to support the actual costs.

- If the actual costs significantly differ from the estimated amount, the Subrecipient should provide an explanation for the significant difference.

- The Recipient must certify that all incurred costs are associated with the approved SOW and that the Subrecipient completed all work in accordance with FEMA regulations and policies.

- The Recipient must submit its certification of the Applicant's completion of each Large Project with the final payment of claim and supporting documentation to FEMA within 180 days from the date that the Subrecipient completes each Large Project.

- FEMA reviews the documentation and, if necessary, obligates additional funds or reduces funding based on actual costs to complete the eligible SOW.
The Quarterly Progress Report is a tool for FEMA and the Recipient to track the progress of Large Projects. FEMA requires the Recipient to report on the status of all open Large Projects on a quarterly basis.

Recipients need to submit Quarterly Progress Reports to FEMA no later than 30 days after the end of each quarter. The Recipient must report the status of each open Large Project by providing the following:

- Amount of expenditures to date;
- Amount of funds the Recipient has drawn against the project to date;
- Projected project completion date;
- Time extensions granted; and
- Problems or circumstances that might delay the project.

As each Project Worksheet is completed, it is submitted to FEMA for approval. Once FEMA approves the Project Worksheet, the Military Department will notify OEM so that OEM can submit a payment voucher (A-19) requesting the funds be reimbursed to WSDOT. The payment voucher is signed by OEM and returned to the Military Department. The Military Department finance office will process the payment voucher and will notify OEM and the Project Support & Receivables Manager that when the payment has been made.

When the reimbursement comes in from the Military Department it closes out the receivable and is posted to cash, which does not directly impact the Region's budget so crossing a biennium will not affect the reimbursement process.

2-9 Project Reporting

2-9.1 Maintenance Reporting

Each month (following the TRAINS close), the HQ Maintenance Analyst will publish the disaster reports to the Maintenance SharePoint site (http://sharedot/mo/budrpts/default.aspx) titled “Program M Budget Reports”. There are two tabs, Disaster Summary and Disaster Detail, that the region should use to ensure program funding is optimized.

- The Summary tab tracks the statewide total of federal and state funds expended on disaster activities as well as a projection of pending federal reimbursements and non-fed qualifying expenditures. This data is extremely important for planning potential Decision Packages and the biennial close process.
- The Detail tab tracks all disaster expenditures at the work order level. This is useful for monitoring the expenditures throughout the reimbursement process.
2-9.2 **Maintenance Budget Allocations**

As a policy, the Maintenance Program does not budget for disasters with state funds (M2 funding). Instead the program has Federal Expenditure Authority that allows us to reclassify our eligible state expenditures into federal expenditures, and eventually receive federal reimbursement for qualified events. At the beginning of each biennium, the entire Federal Expenditure Authority is budgeted in HQ (org 343010). On a monthly basis, the HQ Maintenance Analyst will review the status of federal expenditures and transfer a commensurate amount of Federal Expenditure Authority from HQ to the region(s). An updated allocation letter will be sent out to the region to notify them of the update.

2-10 **Project Closure**

The closure of a contract is an ongoing effort and although it formally begins with physical completion and continues well beyond project acceptance, it really begins during the construction phase.

When federal funds are involved, projects should be closed out with FHWA within 90 days of the completion of the work. To close out the project, AFS must receive the Final Inspection/Acceptance form (detailed in this section).

Contract close-out includes several areas of effort and will include but is not limited to:

- Verifying that measurements and calculations used to support payments are correct and accurate.
- Any disputes need to be resolved by closure.
- Materials utilized on the project must be documented, physical tests checked, and the materials certified.
- Documentation produced/provided by the contractor must be received, reviewed, and verified (e.g., certifications of materials quality, certified payrolls, and affidavits of wages paid).
- Final records must be completed and assembled in the same manner as any other contract.
When a DM or miscellaneous (MS) contract is paid for by voucher through the region, notification of contract completion shall be provided to the following:

<table>
<thead>
<tr>
<th>The prime contractor</th>
<th>Bonding agent for the contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Revenue</td>
<td>Employment Security Department</td>
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<td>Public Works Contract Section</td>
<td>Department Compliance Section</td>
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<tr>
<td>National Association of Credit Mgmt</td>
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</tr>
<tr>
<td>Western Washington-Alaska</td>
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</tr>
<tr>
<td>PO Box 21966</td>
<td></td>
</tr>
<tr>
<td>Seattle, WA 98111-3966</td>
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<tr>
<td><a href="mailto:joannet@nacmbcs.org">joannet@nacmbcs.org</a></td>
<td></td>
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<tr>
<td>Liendata USA Incorporated</td>
<td></td>
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<tr>
<td>PO Box 1643</td>
<td></td>
</tr>
<tr>
<td>Woodinville, WA 98072-1643</td>
<td></td>
</tr>
</tbody>
</table>

Once the work is complete and if the project is federally funded, two separate actions must take place.

- All work orders associated with the federal aid project must be closed, follow your regions current work order closure process.
- The federal aid project must be closed. This requires the region to prepare and complete Final Contract Voucher Certificate DOT Form 134-146 and submit it to the appropriate HQ office.

For contracts executed by the State Construction Engineer (00xxxx contracts), ninety days after final acceptance of the project, Headquarters Accounting and Financial Services Office will change all construction work orders to state funds. The federal project cannot be closed until the required Final Inspection/Acceptance form has been completed and sent to HQ Construction.”
The Region and HQ Conference Call can take place during any of the preceding steps, when the Region is prepared to discuss costs of repairs.
Exhibit 2-2  Funding and Project Decision Protocols

Stabilization Process
- Region Maintenance Determine initial scope of Response
- Region Maintenance Declare an Emergency
- Region Maintenance Coordinate w/ RMEC on environmental requirements
- Region Maintenance Stabilize Site
- Region Maintenance Assess permanent repairs

Notification Process
- Region Maintenance Notify HQ M&O of Event w/in 24 Hrs
- Region and HQ Conference call

Agreement Process
- Move project to Highway Construction
  - Region Project Mgr Assumes Project
  - Region Project Mgr Select Contractor
  - Region Project Mgr Initiate emergency contract (see Appendix 6)
  - Region Project Mgr Close the emergency contract
- Keep project in Maintenance
  - Region Maintenance Select Contractor
  - Region Maintenance Initiate emergency contract (see Appendix 6)
  - Region Maintenance Close the emergency contract
  - Coordinate with appropriate office(s) if permanent repairs are needed

HQ Maintenance & CPDM Determine Funding Source (use CPDM Process)

CPDM = Capital Program Development and Management
RMEC = Regional Maintenance Environmental Coordinator
Exhibit 2-3  Capital Program: Disaster and Third Party Damage Programming and Recovery Process

CPDM – Capital Program Development and Management
DDIR – Detailed Damage Inspection Report
TIP – Federal Transportation Improvement Plan
PAF – Programming Approval Form
Exhibit 2-4  Disaster Site Contracting Process

Event Occurs (Natural disaster or 3rd Party) → Region Maintenance Responds to event → Region Maintenance Coordinates w/ RMEC → Region Maintenance Stabilizes and/or protects the site → Region Maintenance Develops initial cost estimate

Region Maintenance Declares an Emergency (Form 540-021) → Region Maintenance Prepares DDIR (Form 300-001) → Region Maintenance Receives WOA

Event involves emergency protection or restoration of highway

- Use standard Highway Construction Contract

- Alternative Contracting
  - Use Emergency Contract
    - 30 calendar days of work or less
    - Cost not to exceed Force Account Rates

Select contractor and perform repairs → Solicit a minimum of 3 written bids without advertising → Select contractor and perform repairs

DDIR – Detailed Damage Inspection Report: WSDOT Form 300-001
WOA – Work Order Authorization
A-1 Disaster Work Order Process

Region Maintenance
   Assign DM work order number

Region Maintenance
   Prepare WOA (DOT Form 120-021) and email to HQAcctAgmts@WSDOT.WA.GOV and CPDMProjectFinancialSpecialistPFS@WSDOT.WA.GOV

HQ AFS
   Set up work order in TRAINS

Region Maintenance
   Ensure charges are correct, within budget, and made to the proper DM work order group

Region Maintenance
   Prepare DDIR and submit to CPDM

CPDM
   Review DDIR, calculate Indirect Costs, and submit to FHWA for approval

FHWA
   Approves DDIR and sends copy to CPDM and Region Maintenance

CPDM
   Create Federal Aid Project Agreement (FAPA) and transmit to FHWA’s Financial Management and Information System (FMIS).

FHWA
   Review request in FMIS and transmit completed FAPA to CPDM and AFS.

AFS
   Enter approved FAPA in TRAINS, and transfer eligible charges to approved federal funding sources.

Region Maintenance
   Upon completion of work close all DM work order groups and wait 30 days.

Region Maintenance
   If the DM work order is federally funded, complete Form 422-100A (appendix 5), email to HQAcctAgmts@WSDOT.WA.GOV and CPDMProjectFinancialSpecialistPFS@WSDOT.WA.GOV

AFS
   Close work order in TRAINS.

CPDM
   Review 422-100A and if appropriate request FAPA final voucher

AFS
   Complete final voucher, and close FAPA in TRAINS and FHWA-FMIS
This page intentionally left blank.
Parameters for this type of work activity are flexible to the extent that they are required to meet only one criteria, i.e., the cost of the activity described under the DM work order setup must be at least $5,000 to meet FHWA eligibility requirements, given the total of all DM work orders statewide meet the federal minimum for the event of $700,000.

Parameters for a DM work order may be identified by maintenance section, sign route (in its entirety), or specific locations so long as the type of activity being performed is functionally related or continuous in nature. Given these parameters, the following examples can be used by field personnel in reviewing and setting up emergency maintenance DM work orders:

**Example 1** – High winds caused extensive damage to trees and signs along an entire maintenance area/sign route. The damage is reviewed and in this instance it is found to be eligible for emergency relief funding. Though the damage is spread along a route, one DM work order may be used for the entire section. A similar example would be damage to signals in several locations where the work would be accomplished by the region-wide signal crew.

**Example 2** – Bridge scouring and related erosion occurred at MP 79 Mill Creek Bridge, MP 89 Twin Canyon Bridge, MP 108 Rainey Creek Bridge, MP 116 Silver Creek Bridge, and MP 123 Cora Bridge. In this example there are three options.

1. Bridge scouring and related erosion may be considered one project since the work is similar in nature and repairs will be accomplished by one organization—the regions' bridge crew—and can all be placed on one WO.
2. The second option is for the region to establish an individual WO for each location. This is desirable if there is a need to track the individual bridge repair costs.
3. Or third, separate groups can be set up for each bridge on one WO.

   In instances where repair activities on a single sign route are diverse in nature and/or widely separated in terms of miles of roadway field personnel may set up individual work orders (or they could be set up on one WO with a separate group for each type of work) for example:

**Example 3** – SR 12, MP 71 to 75: slide clean up, ditch cleaning, culvert cleaning, and traffic control might be one WO.

**Example 4** – SR 12, MP 143 to 148: roadway settlements in several locations may be a separate WO for the emergency/incidental permanent work performed by maintenance state forces.

**Example 5** – SR 12, MP 154.5: loss of roadway. A DM WO would be set up to cover only the traffic control and emergency incidental/permanent work with any permanent work to be handled either through the emergency bidding authority or as an un-programmed project under the Preservation Program under a separate WO.
Example 6 – SR 12, MP 143 to 148: has emergency/incidental permanent work. Within that section at MP 145 to 146 there is a section of lost roadway that will require permanent work by contract using the un-programmed project process. When setting up work orders, one WO is set up for the emergency/incidental work for the whole section while another would be set up to capture the permanent work for that part of the section.
### Disaster Maintenance Work Order Authorization

<table>
<thead>
<tr>
<th>Work Order Number</th>
<th>Supplement No.</th>
<th>Sub Program</th>
<th>Manager</th>
<th>Organization Code</th>
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<tbody>
<tr>
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<td>M2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SR(s)</td>
<td>From</td>
<td>To</td>
<td>County(s)</td>
<td></td>
</tr>
<tr>
<td>Work Order Title</td>
<td></td>
<td></td>
<td>Control Section(s)</td>
<td></td>
</tr>
<tr>
<td>Work Description</td>
<td></td>
<td></td>
<td>Source of Funds</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>State</td>
<td>FEMA</td>
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<td></td>
<td>ER (FHWA)</td>
<td>Other</td>
</tr>
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<table>
<thead>
<tr>
<th>Group</th>
<th>01 Work Done By Contractor</th>
<th>02 Work Done Under Payable Agreement</th>
<th>03 WSDOT Construction Engineering</th>
<th>04 State Force</th>
<th>Other (Specify)</th>
<th>Subtotals</th>
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<td>Group Category</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Previous Authorization Totals</td>
<td>Temporary / Emergency Repair</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Incidental Repair</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Permanent Restoration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ineligible Work Item</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>This Request Amount</td>
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<tr>
<td>New Authorization Totals</td>
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<table>
<thead>
<tr>
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<th>Vendor Name</th>
<th>Payable Amount</th>
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<td></td>
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</table>

Additional Project Information

Notes to Accounting

Exhibit B-1 WSDOT Form 120-021

Email to: WSDOT HQ Acct Agmts
WSDOT CPDM Project Financial Specialist

DOT Form 120-021 Revised 12/2017

Emergency Funding Manual M 3014.07 Page B-3 August 2019
**Detailed Damage Inspection Report**

**FHWA Emergency Relief**

<table>
<thead>
<tr>
<th>Applicant</th>
<th>County</th>
<th>FHWA Disaster No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Click here to enter text.</td>
<td>Choose an item</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Location of Damage</th>
<th>Milepost</th>
<th>Revision Number</th>
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<tbody>
<tr>
<td>Click here to enter text.</td>
<td>From MP</td>
<td>To MP</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Route is on BIA's inventory classified as Tribal Transportation Facility (TTF):</th>
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</thead>
<tbody>
<tr>
<td>☐</td>
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<table>
<thead>
<tr>
<th>Date, Cause, and Description of Damage</th>
<th>Local/State Project or No(s)</th>
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<tbody>
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<td>Click here to enter text.</td>
<td>Click here to enter text.</td>
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<table>
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<th>Functional Class</th>
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</thead>
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<tr>
<td>Choose an item</td>
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</tr>
</tbody>
</table>

A breakdown of the cost estimate can be provided as a separate document attached to the DDIR. If the cost estimate (including preliminary and construction engineering) increases by 10% a revised DDIR must be approved by FHWA.

<table>
<thead>
<tr>
<th>Temporary/Emergency Repair</th>
<th>Method of Work: ☐ Local/State Force Account ☒ Emergency Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>(work that is necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities.)</td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Incidental Repair</th>
<th>Method of Work: ☐ Local/State Force Account ☒ Emergency Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>(The remaining portion of the work that is completed during the temporary/emergency repair.)</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Permanent Restoration</th>
<th>Method of Work: ☐ Local/State Force Account ☒ Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>(This work is eligible for Federal participation at the normal pro-rata share and is administered using normal Federal-aid procedures.)</td>
<td>Click here to enter text.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Preliminary Engineering</th>
<th>Right of Way</th>
</tr>
</thead>
<tbody>
<tr>
<td>Click here to enter text.</td>
<td>Click here to enter text.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Perm. Restoration</th>
<th>Revised Total Perm. Restoration</th>
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</thead>
<tbody>
<tr>
<td>Click here to enter text.</td>
<td>Click here to enter text.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Permanent Restoration Federal Aid %</th>
<th>WSDOT Annual Indirect Cost Rate</th>
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</thead>
<tbody>
<tr>
<td>☐ 86.5% ☐ 90.66% ☐ 100%</td>
<td>Click here to enter text.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Estimated Cost</th>
<th>Revised Total Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Click here to enter text.</td>
<td>Click here to enter text.</td>
</tr>
</tbody>
</table>

**Recommendation for Eligibility**

- ☐ Yes ☐ No
  - Local Agency Representative
  - Date

**FHWA Recommendation**

- ☐ Eligible ☐ Ineligible
  - FHWA Engineer
  - Date
Instructions for filling out form

Location of Damage: Provide the name or route number of road, bridge number(s) if applicable and any other pertinent information to help identify the location of the damage.

Description of Damage: Describe how the event caused the damage, what damage the event caused, and why the damage is eligible for ER funding.

- Rural or Urban Interstate
- Rural or Urban Other Frewy/Exprwy
- Rural or Urban Principal Arterial
- Rural or Urban Minor Arterial
- Rural or Urban Major Collector
- Urban Minor Collector

Temporary/Emergency Repair: Describe the work and provide a total cost estimate of work that is necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities. A breakdown of the cost estimate can be provided as a separate document attached to the DDIR. Work in this box typically requires minimal preliminary engineering, geotechnical studies, structural analysis, or environmental review. These repairs are usually within the capabilities of the State and local maintenance forces and most will be performed on a force account or an emergency contract basis. Temporary/Emergency Repair Work is categorically excluded from NEPA requirements under 23 CFR 771.117(c)(9). This work must meet the emergency provisions of all other environmental regulations, such as ESA, Section 106, 4f. Most of these emergency provisions require that the regulatory agency be notified prior to beginning work.

Incidental Repair Work: Describe the work and provide a total cost estimate of work that was completed incidental to the Temporary/Emergency Repair Work. A breakdown of the cost estimate can be provided as a separate document attached to the DDIR. This work was not necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities; this work is eligible for federal participation at the normal pro rata share for the facility type. Work in this box typically requires minimal preliminary engineering, geotechnical studies, structural analysis, or environmental review. These repairs are usually within the capabilities of the State and local maintenance forces and most will be performed on a force account or an emergency contract basis. Incidental Repair Work is generally categorically excluded from NEPA requirements under 23 CFR 771.117(c)(9). This work must meet the emergency provisions of all other environmental regulations, such as ESA, Section 106, 4f. Most of these emergency provisions require that the regulatory agency be notified prior to beginning work.

Permanent Restoration Work (Describe the work and provide a cost estimate for work performed as part of the Permanent Restoration. A breakdown of the cost estimate can be provided as a separate document attached to the DDIR. Permanent restoration shall be administered using normal Federal aid procedures that include written authorization, NEPA clearance, design approval, permits, right of way certification, PS&E, advertisement period, etc. The federal participation on eligible work will be at the normal pro rata share for the facility type (Interstate 90.66% Non-Interstate 86.5%) regardless of when the work is done. Betterments typically fall into this category of work; proper justification documentation for the betterments should be attached. Funding for this work may not be needed immediately (especially construction funding). Include documentation if funding is not needed immediately.
**Detailed Damage Inspection Report**

**FHWA Emergency Relief**

<table>
<thead>
<tr>
<th>Applicant</th>
<th>County</th>
<th>FHWA Disaster No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>WSDOT</td>
<td>Whatcom</td>
<td>ER-WA-15-01</td>
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</table>

<table>
<thead>
<tr>
<th>Location of Damage</th>
<th>Milepost</th>
<th>Revision Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR 20 Granite Creek Vicinity Rock Slide</td>
<td>From 142.7 To 142.8</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cause and Description of Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abnormally heavy rain caused tons of rock and soil to slide above SR20 at MP 142.7 causing the slope to fail. The failure revealed adverse rock joints and planar surfaces and a tension crack ~5' wide 70' long at the top of the slide.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Local/State Project or No(s)</th>
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</thead>
<tbody>
<tr>
<td>DMA157</td>
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</table>

<table>
<thead>
<tr>
<th>Functional Class</th>
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</thead>
<tbody>
<tr>
<td>Rural or Urban Minor Arterial</td>
</tr>
</tbody>
</table>

**Temporary/Emergency Repair** (work that is necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities.)

- WSDOT Maintenance Staff placed signing and barrier to close the area to traffic and users, and established a detour using nearby local roads.

**Temporary/Emergency Repair**

- 100% Federal Aid
- Original Estimate $25,000
- Revised Estimate [Click here to enter text.]

<table>
<thead>
<tr>
<th>Incidental Restoration Federal Aid %</th>
</tr>
</thead>
<tbody>
<tr>
<td>86.5% 90.66% 100%</td>
</tr>
</tbody>
</table>

**Incidental Restoration**

- [Click here to enter text.]

**Method of Work:** Local/State Force Account, Emergency Contract

**Permanent Restoration** (This work is eligible for Federal participation at the normal pro-rata share and is administered using normal Federal-aid procedures.

The permanent repair is to remove the unstable rock and soil remaining on the slope, remove the spoils from the roadway, and install rock bolts and dowels to stabilize the exposed rock face. This will involve approx. 10,000 CY of material. Following the removal and stabilization operations, the roadway surface, drainage features, and guardrail will be restored. The amount of work involved is hard to determine until the underlying rock is exposed and the extent of any needed rock stabilization measures can be more accurately determined.

- Preliminary Engineering: $175,000
- Right of Way Construction: $1,000,000
- Total Perm. Restoration: $1,175,000
- Revised Total Perm. Restoration: [Click here to enter text.]

**Permanent Restoration Federal Aid %**

- 86.5% 90.66% 100%

**Preliminary Engineering**

- [Click here to enter text.]

**Right of Way Construction**

- $1,000,000

**Total Perm. Restoration**

- $1,175,000

**Revised Total Perm. Restoration**

- [Click here to enter text.]

**WSDOT Annual Indirect Cost Rate**

- [Click here to enter text.]

**Total Estimated Cost**

- $1,200,000

**Revised Total Estimated Cost**

- [Click here to enter text.]

**Recommendation for Eligibility**

- Yes  No

**Local Agency Representative**

- Date

**Recommendation for Eligibility**

- Yes  No

**State Representative**

- Date

**FHWA Recommendation**

- Eligible  Ineligible

**FHWA Engineer**

- Date
Instructions for filling out form

Location of Damage: Provide the name or route number of road, bridge number(s) if applicable and any other pertinent information to help identify the location of the damage.

Description of Damage: Describe how the event caused the damage, what damage the event caused, and why the damage is eligible for ER funding.

- Rural or Urban Interstate
- Rural or Urban Other Freeway/Expressway
- Rural or Urban Principal Arterial
- Rural or Urban Minor Arterial
- Rural or Urban Major Collector
- Urban Minor Collector

Temporary/Emergency Repair: Describe the work and provide a total cost estimate of work that is necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities. A breakdown of the cost estimate can be provided as a separate document attached to the DDIR. Work in this box typically requires minimal preliminary engineering, geotechnical studies, structural analysis, or environmental review. These repairs are usually within the capabilities of the State and local maintenance forces and most will be performed on a force account or an emergency contract basis. Temporary/Emergency Repair Work is categorically excluded from NEPA requirements under 23 CFR 771.117(c)(9). This work must meet the emergency provisions of all other environmental regulations, such as ESA, Section 106, 4f. Most of these emergency provisions require that the regulatory agency be notified prior to beginning work.

Incidental Repair Work: Describe the work and provide a total cost estimate of work that was completed incidental to the Temporary/Emergency Repair Work. A breakdown of the cost estimate can be provided as a separate document attached to the DDIR. This work was not necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities; this work is eligible for federal participation at the normal pro rata share for the facility type. Work in this box typically requires minimal preliminary engineering, geotechnical studies, structural analysis, or environmental review. These repairs are usually within the capabilities of the State and local maintenance forces and most will be performed on a force account or an emergency contract basis. Incidental Repair Work is generally categorically excluded from NEPA requirements under 23 CFR 771.117(c)(9). This work must meet the emergency provisions of all other environmental regulations, such as ESA, Section 106, 4f. Most of these emergency provisions require that the regulatory agency be notified prior to beginning work.

Permanent Restoration Work (Describe the work and provide a cost estimate for work performed as part of the Permanent Restoration. A breakdown of the cost estimate can be provided as a separate document attached to the DDIR. Permanent restoration shall be administered using normal Federal aid procedures that include written authorization, NEPA clearance, design approval, permits, right of way certification, PS&E, advertisement period, etc. The federal participation on eligible work will be at the normal pro rata share for the facility type (Interstate 90.6% Non-Interstate 86.5%) regardless of when the work is done. Betterments typically fall into this category of work; proper justification documentation for the betterments should be attached. Funding for this work may not be needed immediately (especially construction funding). Include documentation if funding is not needed immediately.)
## Detailed Damage Inspection Report

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Washington State DOT-North Central Region</th>
<th>County</th>
<th>Okanogan</th>
<th>FHWA Disaster No.</th>
<th>EAP-17-01</th>
<th>Milepost</th>
<th>From 207</th>
<th>To 223</th>
<th>Revision Number</th>
<th>1</th>
</tr>
</thead>
</table>

### Cause and Description of Damage

On April 7, North Central Washington experienced heavy rains over an area that remains unstable after it was badly burned in the Carlton Complex Fire in 2014. The rain produced flash flooding, mudslides, and debris flows. The rain continued to occur during the week of April 10. The combination of additional rain, snowmelt, and previous debris flow events caused additional mudslides and debris flows. The mud and debris plugged numerous culverts, drainage structures and ditches along SR 20 between MP 207 and MP 223. The excessive debris and runoff washed out culverts, overtopped the roadway, significantly eroded roadway embankments, scoured ditches and highway fills, and created large ponds. The ponding water caused the roadway fills to become saturated and ultimately lead to catastrophic slope failure, leaving large sections of the roadway completely gone. The extent of the damage to the roadway caused by these events has required this section of SR 20 to remain closed to the traveling public.

A breakdown of the cost estimate can be provided as a separate document attached to the DDIR. If the cost estimate (including preliminary and construction engineering) increases by 10% a revised DDIR must be approved by the FHWA.

<table>
<thead>
<tr>
<th>Temporary/Emergency Repair</th>
<th>Temporary/Emergency Repair</th>
<th>100% Federal Aid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below is an updated summary of the damages by location and the repairs needed to restore essential traffic, see attached project vicinity map.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MP 207.50 – Fraser Creek eroded approximately 60 feet of roadway slope during the storm event. Rebuild roadway slope.</td>
<td>MP 211.88 to MP 212.75 – The left shoulder of the roadway and the existing ditch were damaged by erosion during the storm event for approx. 0.87 miles. Portions of the shoulder and left lane are undercut and damaged. The remaining HMA on the shoulder will be removed and the shoulder rebuilt. Portions of the ditch are filled with sediment which will be removed. Any damaged culverts will be repaired. See additional details included in the attachments.</td>
<td></td>
</tr>
<tr>
<td>MP 208.50 – Fraser Creek jumped its normal channel and eroded approximately 20 feet of the roadway slope during the storm event. Rebuild roadway slope.</td>
<td>MP 221.00 – Summit Creek eroded approximately 80 feet of the roadway slope during storm event on 5/11/2017. Rebuild roadway slope. (Not eligible for FHWA reimbursement, WSDOT responsibility for covering costs. Not included in estimate below.)</td>
<td></td>
</tr>
<tr>
<td>MP 211.85 – The existing 18” culvert at the bottom of an approximate 100’ tall embankment plugged and the embankment acted as a dam. The water level continued to rise behind the roadway embankment and on 4/14/2017 the roadway embankment failed. A new 36’ culvert will be installed to replace the existing culvert that was unrecoverable under mud and debris. HQ Geotech recommended the failed embankment be excavated to remove unsuitable material (approximately 400’ in length) and then rebuild the embankment. See additional details included in the attachments.</td>
<td>MP 221.08 – This section of highway is located on a steep embankment that has failed. The left shoulder and part of the eastbound lane were found to have slid down the hill approx. 10’. WSDOT Geotech Office has reviewed this site and given a preliminary design that would rebuild the 220’ long slope. Work would include rebuilding the fill slope with approx. 11,000 cubic yards of embankment. The eastbound shoulder and driving lane would be rebuilt. See additional details included in the attachments.</td>
<td></td>
</tr>
<tr>
<td>MP 221.40 – This section of highway was damaged by a flash flood mudslide on 4/17/2017. Two existing culverts were plugged with debris and two large cuts were created on the left side of the road when water overtopped the highway and ran over the shoulder. The shoulder of the highway will be rebuilt and the culverts will be repaired. The two large cuts are located at the outlets of the culverts and they will be repaired. There is approx. 700 cubic yards of unsuitable material and debris brought down by the mudslide that needs to be hauled away. See additional details included in the attachments.</td>
<td>MP 221.65 – The existing 36” culvert at this location was plugged by storm debris and the roadway embankment failed. The roadway failure continued to grow until the area was dewatered. The entire roadway had to be excavated to unplug the culvert. The existing culvert was found to be broken and partially collapsed. A new 36” culvert will be installed and the entire embankment/roadway will be rebuilt. Install surfacing and HMA.</td>
<td></td>
</tr>
</tbody>
</table>

DOT Form 300-001
Revised 06/2016
**MP 221.70 to 222.21**—The right side shoulder was filled up with mud and sediment from the storm event for approx. 0.45 miles. There are two 100' sections of roadway that have sunk due to water flowing through the subgrade. This project will remove the mud and sediment from the ditch. The two 100' sections will be rebuilt full width back to profile grade with embankment compaction, surfacing, HMA, and curbing.

<table>
<thead>
<tr>
<th>Initial Maintenance Response</th>
<th>$25,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Maintenance Response</td>
<td>$20,000</td>
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<tr>
<td>Right of Way</td>
<td>$0</td>
</tr>
<tr>
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**Method of Work:**  
- Local/State Force Account
- Emergency Contract

**Incidental Repair** (The remaining portion of the work that is completed during the temporary/emergency repair.)

- MP 207.10 — Armor rebuilt roadway slope with riprap and install rootwads at toe of slope.
- MP 208.50 — Armor the rebuilt roadway slope with riprap.
- MP 211.85 — Install an 18” overflow culvert and install riprap along with quarry spalls on both sides of the embankment.
- MP 211.88 to MP 212.75 — Armor the entire length of the ditch with quarry spalls and geosynthetic fabric.
- MP 221.00 — Armor the rebuilt roadway slope with riprap. (WSDOT responsibility. Not included in estimate below.)
- MP 221.08 — Construct a shear key buttress at the toe of the slope.
- MP 221.40 — Place riprap at the outlet of the culverts to protect the roadway from future damage.
- MP 221.65 — Install an 18” overflow culvert and construct a rock buttress lined with geotextile near the toe of the embankment.

| Right of Way | $0 |
| Preliminary Engineering | $102,750 |
| Construction Estimate Phase 1 | $91,885 |
| Construction Estimate Phase 2 | $514,092 |
| Construction Engineering | $93,703 |
| Project Total | $802,520 |

**Method of Work:**  
- Local/State Force Account
- Emergency Contract

**Permanent Restoration** (This work is eligible for Federal participation at the normal pro-rata share and is administered using normal Federal-aid procedures.)

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| Preliminary Engineering | $0 |
| Right of Way | $0 |
| Construction | $0 |
| Total Perm. Restoration | $0 |

**Method of Work:**  
- Local/State Force Account
- Contract

**Revised Total Perm. Restoration**

$0

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**DOT Form 300-001**
Revised 06/2016
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SR 20 Emergency Contract

5/04/2017

Economic Justification for Hydraulic Resiliency Enhancements

On April 7, north central Washington experienced heavy rains that produced high volumes of runoff, mudslides and debris flows. The debris plugged numerous culverts along SR 20 between MP 207 and MP 223. The plugged culverts caused the runoff to overtop the roadway, flow down ditches, and create ponding behind multiple large highway fills. Each of these situations caused extensive damage to the roadway. The heavy flows down the ditches caused excessive erosion and undermining of the roadway. The water flowing over the roadway caused significant erosion and the ponding water caused the roadway fills to become saturated and fail. Rain continued to occur during the week of April 10. The combination of additional rain and typical snowmelt caused additional mudslides and debris flows. These new mudslides and debris flows plugged or re-plugged culverts and damaged additional sections of SR 20.

This section of SR 20 was part of the Carlton Complex Fire in 2014. The Carlton Complex Fire has produced significant increases in flows from the traditionally stable vegetated state that these basins normal produce. A multi-jurisdiction assessment team compiled a report to plan for impacts from the burned areas. The report is a burn area emergency response (BAER) report that federal or local agencies complete. Among other things, the report evaluated the larger basins in the vicinity to estimate the increase in flows. The fire affects the tree canopy, understory vegetation, and root structure which increase debris and sediment potential. The Carlton Complex Fire BAER report is attached and on page 5, the team estimated the runoff from eight different basin using two different hydrology models. This project site is located within and adjacent to the Frazer Creek and Chiliwist Creek basins. According to the BAER report, post fire flow rates are projected to increase 2,225% and sediment potential has increased 1,440% on average for these two basins.

Based on this information and a review by the NCR Hydraulics Engineer, WSDOT believes there is a significant risk for similar emergency events to occur in the next 2-5 years. WSDOT is proposing to repair the roadway and hydraulic features at two locations that experienced large roadway fill failures (MP 211.85 and MP 221.65) in a manner that would enhance the resiliency of these sections and reduce the likelihood of future roadway failures. The hydraulic resilience would be accomplished by constructing a second culvert that will act as an overflow if the primary culvert becomes plugged by debris. The cost of the second culvert at MP 211.85 is approximately $50,000. The cost of the second culvert at MP 221.65 is approximately $30,000. The current estimate to repair the damage at MP 211.85 and MP 221.65 is $2,000,000 and $400,000 respectively.
Economic Justification for Resiliency Enhancements

On April 7, north central Washington experienced heavy rains that produced high volumes of runoff, mudslides and debris flows. The debris plugged numerous culverts along SR 20 between MP 207 and MP 223. The plugged culverts caused the runoff to overtop the roadway, flow down ditches, and create ponding behind multiple large highway fills. Each of these situations caused extensive damage to the roadway. The heavy flows down the ditches caused excessive erosion and undermining of the roadway. The water flowing over the roadway caused significant erosion and the ponding water caused the roadway fills to become saturated and fail. Rain continued to occur during the week of April 10. The combination of additional rain and typical snowmelt caused additional mudslides and debris flows. These new mudslides and debris flows plugged or re-plugged culverts and damaged additional sections of SR 20.

This section of SR 20 was part of the Carlton Complex Fire in 2014. The Carlton Complex Fire has produced significant increases in flows from the traditionally stable vegetated state that these basins normal produce. A multi-jurisdiction assessment team compiled a report to plan for impacts from the burned areas. The report is a burn area emergency response (BAER) report that federal or local agencies complete. Among other things, the report evaluated the larger basins in the vicinity to estimate the increase in flows. The fire affects the tree canopy, understory vegetation, and root structure which increase debris and sediment potential. The Carlton Complex Fire BAER report is attached and on page 5, the team estimated the runoff from eight different basin using two different hydrology models. This project site is located within and adjacent to the Frazer Creek and Chiliwist Creek basins. According to the BAER report, post fire flow rates are projected to increase 2,225% and sediment potential has increased 1,440% on average for these two basins.

Based on this information and a review by the WSDOT Geotechnical Office and the NCR Hydraulics Engineer, WSDOT believes there is a significant risk for similar emergency events to occur in the next 2-5 years. WSDOT is proposing to repair the roadway and hydraulic features at multiple locations that experienced damage in a manner that would enhance the resiliency of these sections and reduce the likelihood of future roadway failures. The hydraulics resilience would be accomplished by installing shear key buttresses, riprap, quarry spalls and geosynthetic fabric. By investing approximately $950,000, we can avoid damages amounting to $4,500,000 over the next 20 years.

List of the locations and the proposed repairs:

**MP 211.85 TOTAL COST: $1,770,000**

At this location, the majority of the roadway embankment will be rebuilt by using the existing native material. Each side of the embankment will be stabilized with riprap to enhance the resiliency of the roadway fill. With the very high likelihood of large increases to the flow rates, sediment and debris, riprap is required to provide stability to the roadway fill and prevent future damage. If the roadway fill is built with the highly erodible native materials, there is a high likelihood of similar damage in the future. By investing $762,000 to enhance the resiliency and stabilize the roadway fill, we can avoid another $1,770,000 in damages for the next 20+ years. Work at this location will also include rebuilding the roadway surfacing and replacing damaged guardrail.
SR 20 Emergency Contract

Riprap: $750,000
Geosynthetic Fabric: $12,000

MP 211.88 to 212.75  TOTAL COST: $430,000
The left shoulder of the roadway and the existing ditch were damaged by erosion during the storm event for approx. 0.87 miles. Portions of the shoulder and left lane are undercut and damaged. The remaining HMA on the shoulder will be removed and the shoulder rebuilt. Portions of the ditch are filled with sediment which will be removed. Any plugged or damaged culverts will be repaired. The entire length of the ditch will be armored with quarry spalls and geosynthetic fabric in order to enhance the resiliency of the ditch line and prevent future damage. By investing $81,000 we can enhance the resiliency, prevent future washouts and other preventable damage along this stretch of SR 20.

Quarry Spalls: $70,000
Geosynthetic Fabric: $11,000

MP 221.08  TOTAL COST: $1,675,000
This section of highway is located on a steep embankment that has failed. The left shoulder and part of the southbound lane has slid down the hill approx. 10’. The WSDOT Geotech Office has reviewed this site and has given a preliminary design that would reinforce the 220’ long slope. The reinforcement would include a shear key buttress at the toe of the slope and then rebuilding the fill slope with approx. 11,000 cubic yards of gravel borrow. The southbound shoulder and driving lane would be re-built. By investing $90,000 to construct the shear key buttress, we can enhance the resiliency, stabilize and prevent future damage to the roadway fill.

Quarry Spalls: $90,000

MP 221.40  TOTAL COST: $215,000
This section of highway was damaged by a flash flood mudslide. Two existing culverts were plugged with debris and two large cuts were created on the left side of the road when water overtopped the highway and ran over the shoulder. The shoulder of the highway will be rebuilt and the culverts will be repaired. The two large cuts are located at the outlets of the culverts and they will be repaired. Riprap will be placed at the outlet of the culverts in order to protect the roadway from future damage. There is approx. 700 cubic yards of unsuitable material and debris brought down by the mudslide that needs to be hauled away. By investing $10,000 in riprap, we can enhance the resiliency, stabilize and prevent future damage to the roadway fill.

Riprap: $10,000
Washington State Department of Transportation

Declaration of Emergency

For the purpose of documenting the use of alternative bidding procedures under RCW 47.28.170 and estimating the costs of using State Forces for emergency work under RCW 47.28.030.

1. Date of Emergency: April 7, 2017
2. SR: 20
3. MP Locations/Limits: MP 207-223
4. County: Okanogan

5. Preliminary Estimate:
   - [ ] Up to $100,000*
   - [ ] Over $100,000**
   - [x] Over $700,000***
6. Work Order No. (if known) DMB063

7. Cause and Description:
   On April 7, North Central Washington experienced heavy rains over an area that remains unstable after it was badly burned in the Carlton Complex Fire in 2014. The rains produced flash flooding, mudslides, and debris flows. The rain continued to occur during the week of April 10. The combination of additional rain and snowmelt caused additional mudslides, and debris flows. The mud and debris plugged numerous culverts, drainage structures, and ditches along SR 20 between MP 207 and MP 223. The excessive runoff washed out culverts, overtopped the roadway, significantly eroded roadway embankments, and scoured ditches. The highway fills also acted as dams creating large ponds. The ponding water caused the roadway fills to become saturated ultimately leading to catastrophic slope failure leaving large sections of the roadway completely gone. The heavy flows down natural drainages, located near the bottom of roadway embankments, caused excessive erosion to roadway slope and undermined the pavement. The extent of the damage to the roadway caused by these events has required this section of SR 20 to remain closed to the traveling public. The cost to repair the damage is currently estimated at $6.7 million. An initial emergency (30 working days) contract of $1.3 million is in progress to stabilize the damaged areas and begin repairs. Bids on a second follow-on contract to complete the repairs have been solicited from five contractors. Emergency contracts are needed to restore the roadway which is an essential travel route for the citizens of Okanogan county who have been impacted by wildfires and subsequent damages.

8. [ ] Maintenance Superintendent/Project Engineer*
   [x] Director, Regional Administrator or Designee**
9. Signature: [Signature]
10. Date: 5/15/2017

* Projects for up to $100,000 or less can be authorized by the Maintenance Superintendent or Project Engineer
** Projects over $100,000 require authorization by the Regional Administrator
*** Projects over $700,000 requires review by the Secretary of Transportation or designee

1. Record the beginning date of the project.
2. Record the State Route (SR) number affected.
3. Record the mile post location (both start and end if known).
4. Record the county the damage occurred in.
5. Check the appropriate box based on the preliminary estimate.
6. Record the work order number (DM, MS, etc.) if known.
7. In brief narrative, explain the cause of the event, describe the damage and the need to use emergency procedures.
8. Check the appropriate box for the level of signature authority.
9. Signature of appropriate authority.
10. Date the declaration is signed.

DOT Form 540-021
Revised 12/2012

* Supersedes Previous Editions *
## Exhibit C-3  DDIR Best Practice Example
Packet Example: SR 20 Loup Loup, NCR (Page 9 of 11)

### Washington State Department of Transportation

**Applicant:** Washington State DOT – North Central Region  
**County:** Okanogan  
**FHWA Disaster No.:** ER-17-1

### Location of Damage

- **Rock and Mud Slide SR 20**  
- Route is on IIA's inventory classified as Tribal Transportation Facility (TTF): Yes  
- Milepost: 207.1 From 222

### Cause and Description of Damage

- Rock slide occurred on April 7, 2017 and covered both lanes with mud, water and debris blocking the roadway. Also associated traffic control.

### Temporary/Emergency Repair

*Temporary/Emergency Repair (work that is necessary to restore essential traffic, minimize the extent of damage, or protect the remaining facilities.)*

- MP 207.1 Left – Install geotextile and riprap along Frazier Creek up to the edge of pavement to prevent roadway failures.
- MP 211.88 to 212.75 Left – Unplug four cross culverts at MP 221.68, 212.11, 212.27, and 212.43. Construct geotextile quarry spall lined ditch for full length (4,600 feet). Reset catch basin MP 211.91 Left and 8 inch HDPE flex pipe from MP 211.88 to 211.91 Left. Shoulder repair shall consist of saw cutting, excavation, placing and compacting surfacing and HMA along left shoulder at various locations within the above milepost range.
- MP 221.65 – Dewater the inside lane (right) to expose existing culvert inlet and unplug culvert. Embankment repair is necessary to protect roadway. Install surfacing, HMA, and curbing for all locations, seeding, fertilizing, and matching with traffic control will be needed. Construction is estimated at $571,827. Preliminary engineering $20,000 and engineering and construction design is $108,173. For the total of $700,000. Emergency contractor selected for repair.

### Method of Work

- **Temporary/Emergency Repair:** 100% Federal Aid
- **Incidental Restoration:** Federal Aid % □ 66.5% □ 30.66% □ 100%
- **Original Estimate:** 700,000  
- **Revised Estimate:**

### Incidental Restoration

- Right of Way Construction  
- **Total Perm. Restoration:**  
- **Revised Total Perm. Restoration:**

### Preliminary Engineering

- **WSDOT Annual Indirect Cost Rate:** 10.52%
- **Total Estimated Cost:** 773,640.00  
- **Revised Total Estimated Cost:**

### Recommendation for Eligibility

- **Yes** □ No  
- **Local Agency Representative:**  
- **Date:**

### FHWA Recommendation

- □ Eligible □ Ineligible  
- **FHWA Engineer:**  
- **Date:** 4/11/17
PROCLAMATION BY THE GOVERNOR

17-03

WHEREAS, from January 30, 2017 through February 22, 2017, a series of severe winter storms struck Washington State, producing high winds, heavy snowfall, ice accumulation, and extreme rainfall resulting in major flooding, saturated soils, landslides, stream bank and slope erosion, fallen tree limbs, broken and uprooted trees, and flying debris; and

WHEREAS, throughout the State, these storms caused injuries, significant power outages, evacuations, road damage, temporary road closures and detours, rail line closures, ferry system and airline cancellations, and extensive damage to homes, businesses, public utilities, public facilities, electrical power systems, infrastructure, and property, in addition to creating sheltering needs for impacted individuals, threatening fragile and at-risk populations, and jeopardizing the health and safety of people with special medical needs; and

WHEREAS, damage to roadways, estimated at greater than $10 million, caused by the storms resulted in temporary road closures limiting access to and complicating the provision of response and recovery efforts by emergency responders, businesses, and utilities to address the aftermath of these storms, requiring Washington’s Secretary of Transportation to commence work immediately to repair affected roadways through the implementation of emergency procurement procedures to alleviate impacts to public safety; and

WHEREAS, state agencies and local jurisdictions are coordinating resources to address damaged and blocked roadways, assess damage caused by the storms, and implement damage repairs; and

WHEREAS, the storm damage and its effects continue to impact the life and health of the people as well as the property and infrastructure of Washington State, all of which is a public disaster that affects life, health, property, or the public peace; and

WHEREAS, the Washington State Military Department monitored and coordinated supporting actions through the State Emergency Operations Center, implemented emergency response procedures, and is coordinating resources to support local officials in alleviating the immediate social and economic impacts to people, property, and infrastructure, and is continuing to assess the magnitude of the event.
NOW, THEREFORE, I, Jay R. Inslee, Governor of the state of Washington, as a result of the above-noted situation and under Chapters 38.52 and 43.06 RCW, do hereby proclaim that a State of Emergency exists in Adams, Asotin, Benton, Chelan, Clallam, Clark, Columbia, Cowlitz, Franklin, Garfield, Grant, Jefferson, King, Kitsap, Klickitat, Lewis, Lincoln, Mason, Pend Oreille, Pierce, Skamania, Snohomish, Spokane, Stevens, Whatcom, Walla Walla, Whitman, and Whitman counties in the state of Washington, and direct the plans and procedures in the Washington State Comprehensive Emergency Management Plan be implemented. State agencies and departments are directed to utilize state resources in accordance with the Washington State Comprehensive Emergency Management Plan and do everything reasonably possible to assist affected political subdivisions in an effort to respond to and recover from the event.

Signed and sealed with the official seal of the state of Washington on this 14th day of March A.D., Two Thousand and Seventeen at Olympia, Washington.

By:

[Signature]

Jay Inslee, Governor

BY THE GOVERNOR:

[Signature]

Secretary of State

Mark Neary

Assistant Secretary of State
**Glossary**

**Betterment/Resiliency** – defined as any additional feature, upgrading, or change in capacity or character of the facility from its pre-disaster condition. Costs for a betterment/resiliency are generally not eligible for emergency relief funding unless justified on the basis of economy, suitability, and engineering feasibility and reasonable assurance of preventing future similar damage. A betterment/resiliency improvement should be obviously and quickly justifiable without extensive public hearing, environmental, historical, right of way, or other encumbrances. The justification must weigh the costs of the betterment against the probability of future recurring eligible damage and repair costs.

Upgrading resulting from construction of replacement facilities to current standards as defined above, is not considered a betterment relative to the need for further justification. However with respect to roadways, increases in capacity or a change in character of the facility would be considered a betterment but are not justified for emergency relief participation.

**Catastrophic Failure** – The sudden failure of a major element of the highway system due to an external cause. The failure must not be attributable primarily to gradual and progressive deterioration or lack of proper maintenance. Closing a facility because of danger of imminent collapse is not in itself a catastrophic failure.

**Disaster Event Date** – A specific date which FHWA approves as the event date of the disaster (i.e., earthquake). This date is generally the same as that declared by FEMA.

**Disaster Event Period** – The time span or duration between the beginning date and ending date approved by FHWA for certain disasters such as storms. These dates are generally the same as those declared by FEMA.

**Emergency Repairs/Emergency Opening** – Repairs, including temporary traffic operations, which are undertaken during or immediately following a disaster to: (1) minimize the extent of damage, (2) protect remaining facilities, or (3) restore essential travel.

**External Cause** – An outside force or phenomenon separate from the damaged element and not primarily the result of an existing condition.

**Force Account** – The performance of highway construction work by a state transportation agency, a local agency, a railroad, or a public utility company by use of labor, equipment, materials, and supplies furnished by them and used under their direct control.
**Functional Classification** – Streets and highways are grouped into classes or systems according to the character of service they are intended to provide. This process is called functional classification. Most travel involves movement through a network of roads, so it is necessary to determine how this travel can be channeled within the network in a logical and efficient manner. Functional classification defines the nature of this channeling process by defining the role that any particular road or street should play in serving the flow of trips through a highway network.

**Heavy Maintenance** – Work usually done by owner agencies to repair damage normally expected from seasonal and/or occasionally-unusual natural conditions or events. It includes work at a site required as a direct result of a disaster which reasonably can be accommodated by an agency's road maintenance forces. Snow removal is considered heavy maintenance. Heavy maintenance is not eligible for emergency relief assistance.

**Natural Disaster** – Sudden and unusual natural occurrences which cause serious damage, such as intense rainfall, floods, windstorms, landslides, tidal waves/tsunami, or earthquakes.

**Permanent Restoration** – Repair and restoration of highway facilities to pre-disaster conditions, including restoration in kind or replacement facilities.

**Proclamation** – A declaration of emergency by the Governor or President.

**Serious Damage** – Heavy, major, or unusual damage to a highway which severely impairs the safety or usefulness of the highway or results in road closure. Serious damage must be beyond the scope of heavy maintenance.
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