

**FERRY COUNTY RESOLUTION NO. 2015-16  
ESTABLISHING PROCESS FOR FERRY COUNTY RAIL TRAIL  
SURFACING PROJECT**

WHEREAS, RCW 39.04.155 provides for the construction of Public Works projects using contract methods other than specified in the statute, and

WHEREAS, the Ferry County Board of Commissioners intends by this Resolution to establish a process for the use of donated equipment and volunteer labor to maximize the cost efficiency of projects with costs over the basic Public Works bid limit and within the Small Works roster process limits without violating basic bidding requirements of Washington State, and

WHEREAS, the Washington State Recreation and Conservation Office (RCO) encourages the use of donated labor and equipment on state funded projects so as to improve cost efficiency in the use of public funds, and

WHEREAS, Stotts Construction and Giddings Excavation are members of the Washington State Municipal Research and Services Center Small Works Roster and have agreed to cooperate to complete the surfacing portion of the Ferry County Rail Trail Phase 2 project, RCO #12-1654, at a fraction of the fair market value by way of the donation of equipment use, and

WHEREAS, the Ferry County Board of Commissioners encourages the participation of other individuals and qualified local contractors who may also wish to volunteer to contribute to this project, and

WHEREAS, the donated equipment use shall be applied towards the County's matching portion of the RCO funding of this project thereby optimizing the cash donations made toward the project by Kinross Gold Corp. and Ferry County Rail Trail Partners, and

WHEREAS, Ferry County shall comply with all applicable state and federal laws and regulations, including Chapter 39.12 RCW, and published RCO policies which are incorporated herein by this reference as if fully set forth, and

WHEREAS, Jim Doherty, legal counsel for Washington State Municipal Research and Services Center has provided a written summary outlining this process.

NOW, THEREFORE BE IT RESOLVED that the Ferry County Board of Commissioners hereby authorize Stotts Construction and Giddings Excavation and other qualified contractors and volunteers to proceed with the surfacing portion of Ferry County Rail Trail Phase 2, RCO grant #12-1564 with Keith Bell acting as Project Manager on behalf of Ferry County.

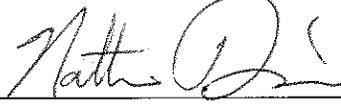
EX#10

ADOPTED this 13<sup>th</sup> day of April, 2015.

BOARD OF COUNTY COMMISSIONERS  
FERRY COUNTY, WASHINGTON

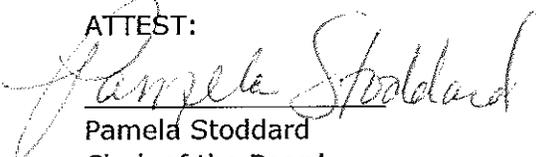
  
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BRAD L. MILLER, CHAIRMAN

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MIKE BLANKENSHIP, VICE CHAIR

  
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NATHAN DAVIS, MEMBER



ATTEST:

  
\_\_\_\_\_  
Pamela Stoddard  
Clerk of the Board

# Manual 8

## Reimbursements

March 31, 2015



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## Section 2: Project Costs

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**In this section, you'll learn about:**

- ✓ Goods and services
- ✓ Payroll
- ✓ Travel and transportation
- ✓ Equipment or tool use allowance
- ✓ Donations
- ✓ Ineligible costs

### **Goods and Services**

For all goods and services purchased for the project, you must retain the original invoice or receipt.

### **Donations**

Donations:

- Are third-party contributions.
- Are provided at no cost.

- Must be allowable within the project.
- Cannot be reimbursed.
- Cannot include items previously purchased with RCO grants.
- Cannot be reported on more than one grant.
- Must be backed up with a detailed log or third party donation statement.

## **Donated Real Property**

Property acquired at less than its appraised market value may be considered donated real property. To be considered donated real property, a statement of donation from the donor must be submitted for each property acquired. An example landowner statement of donation can be found on the RCO Web site at [www.rco.wa.gov/doc\\_pages/AP\\_Toolkit.shtml](http://www.rco.wa.gov/doc_pages/AP_Toolkit.shtml).

## **Donated Labor**

Donated labor is time provided by a person without compensation. Labor donations are valued at an hourly rate of pay, excluding taxes, benefits, and overtime.

For travel to and from the worksite, you can claim either the hourly labor donation rate or the mileage, not both. If you choose to claim mileage, then donation time starts once the volunteer has arrived at the project site and begins work.

## **Donated Labor Documentation**

Records must be maintained to verify volunteer hours spent on a project. These records must include the following information:

- Individual's name
- Contact information

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- Dates of service
- Worksite or location name
- Description of work performed
- Hours worked
- Individual or crew leader signature

If the volunteer's time is coordinated by a third-party organization, you must maintain the same level of information.

## Establishing the Rate

Use an hourly rate not to exceed the standard labor rate set by RCO, unless a higher rate is justified. A higher rate is justified when the volunteer is providing work for the project requiring an advanced skill level and has:

- Obtained a professional or technical certification in the activity
- Completed advanced training in the activity
- Made a living performing the activity, or
- Has extensive experience in the activity

You can use the volunteer's current hourly rate excluding benefits or use RCO's Reimbursement Web page at [www.rco.wa.gov/doc\\_pages/reimbursement.shtml](http://www.rco.wa.gov/doc_pages/reimbursement.shtml) to help establish your labor rates. This Web page includes a list of standard labor rates and a link to Washington Employment Security Workforce Explorer for a list of professional skilled labor rates.

You must document and retain your labor rate justification. Do not submit to RCO unless requested to do so.

## Donated Equipment or Tool Use

Donated equipment or tool use occurs when a third party donates the use of equipment or tools with a replacement value of \$1,000 or more. The maximum rate allowable may not exceed the rental rate for comparable equipment or tools in the project area. The total amount reported to all RCO projects combined cannot exceed the replacement value of the equipment or tools.

Donated equipment or tool use does not include operator services. Operator services are reported separately.

## Donated Materials and Supplies

Materials and supplies are considered donated when they are given to the project at no cost. The reported value of donated materials is the market value of the materials or supplies at the time used.

**From:** Jim Doherty [mailto:jdoherty@mrsc.org]  
**Sent:** Thursday, March 19, 2015 3:29 PM  
**To:** Keith Bell  
**Subject:** RE: Ferry County Rail Trail surfacing project

Keith,

You asked that I provide a written summary of my advice on your issue (your prior e-mail, appended below, had provided some of the facts).

Your basic quandary was how to procedurally follow through on your public works project and utilize the generous contributions to the project that are coming from two contractors without violating the basic bidding requirements.

The estimated cost of the project brings it over the basic public works bid limit, but well within the small works roster process limits. There are two contractors who are willing to contribute equipment use at no cost so long as the county pays an amount sufficient to cover the prevailing wage costs of the labor and the fuel costs for the equipment. The two contractors have indicated they are willing to coordinate and work cooperatively on the project. In this situation requesting bids from other contractors via the small works roster process (RCW 39.04.155) would be a waste of time because any rational bid would be well in excess of the costs of the project by obtaining the services of the two generous contractors.

An obvious concern is whether the state auditor's office will fault the county for not strictly following the small works roster process. It appears that the county has two options: (1) follow the small works roster process, even though it would be a waste of time given the circumstances; or (2) document the facts carefully and have the board of county commissioners adopt a resolution setting forth the facts in detail, approving the proposed contractual arrangement, and acknowledging that the unusual circumstances justify deviating from the strict requirements of the statute. You will need to carefully review this issue with the county prosecutor and follow the prosecutor's advice. Legal counsel frequently provide conservative advice in order to avoid any potential allegations of improper procedures.

**Jim Doherty**

Legal Consultant

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## FERRY COUNTY RAIL TRAIL PHASE 2 SURFACING PROJECT DESCRIPTION AND ESTIMATE

As required by RCW 39.04.020 the description and estimate of the surfacing portion of the Ferry County Rail Trail Phase 2 Project is as provided herein.

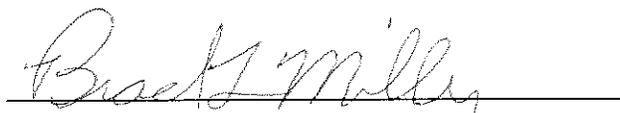
Ferry County Rail Trail Phase 2 Project is funded in part by the Washington State Recreation and Conservation Funding Board project #12-1564 in the amount of \$70,000. The project shall be completed with a substantial contribution of material and donated labor and equipment. Additional surfacing may be completed if the total amount does not exceed the available funding.

### Description:

The surfacing portion of the Ferry County Rail Trail Phase 2 Project shall consist the application of crushed rock to a 2.85 mile section of the Ferry County Rail Trail from the west side of the Curlew Lake Trestle and continuing south to Pete's Retreat Road. The surface shall be bladed to final grade and then compacted with a suitable vibratory roller. 4 to 5 inches of 3/8 inch minus crushed rock shall be applied to an 8 foot width over the specified length of the trail surface. The crushed rock shall then be compacted by vibratory roller to achieve a firm and stable surface.

<u>Item Description</u>	<u>Quantity</u>	<u>Item Cost</u>	<u>Cost</u>
3/8" minus crushed rock yards	3000	\$3.00	\$9,000.00
Excavator	10	\$150.00	\$1,500.00
Grader operator prevailing wage	15	\$40.54	\$608.10
truck driver prevailing wage	350	\$29.83	\$10,440.50
loader operator prevailing wage	150	\$40.54	\$6,081.00
grader fuel gallons	75	\$4.25	\$318.75
truck fuel gallons	1225	\$4.25	\$5,206.25
loader fuel gallons	50	\$4.25	\$212.50
roller fuel gallons	525	\$4.25	\$2,231.25
administration			\$3,500.00
mobilization			\$2,500.00
contingency			\$5,000.00
<b>Total</b>			<b>\$41,598.35</b>

Approved this 13<sup>th</sup> day of April, 2015



Chair – Ferry County Board of Commissioners