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## Juniata County Dirt, Gravel, and Low Volume Roads Quality Assurance Board Policies and Procedures

Effective January 19, 1999; revised February 24, 2015; revised May 22, 2018; revised May 28, 2019

### **Purpose<sup>1</sup>:**

The purpose of the Quality Assurance Board (QAB) in Juniata County is to provide recommendations to the Juniata Conservation District Board for the Dirt, Gravel and Low Volume Road Maintenance Grant Program, as set forth in Section 9106 of the PA Motor Vehicle Code. The QAB will assist the Juniata County Conservation District (JCCD) in carrying out the administrative, educational, and contractual responsibilities of the Dirt, Gravel, and Low Volume Roads Program (DGLVR).

The QAB will establish priorities and requirements for funding through the Dirt, Gravel, and Low Volume Roads Program. The QAB responsibilities will include review of applications submitted for funding, conducting site visits (as necessary and determined by the QAB), and recommending eligible applications to the Juniata County Conservation District Board of Directors for funding that will address non point source pollution in affected areas.

### **Conflict of Interest<sup>2</sup>:**

No District director, Quality Assurance Board member, or District employee, shall, as a result of this program, be permitted to obtain financial benefits for themselves, a member of their immediate family, or a business with which they are associated with. In addition, any QAB member, Conservation District Board member, or staff member, will be excluded from voting on actions that might benefit a road or stream adjacent that he or she has a special interest in. In the event of such a conflict, the QAB member will temporarily assume the role of the non-voting Chairman, and the Chairman will vote in his or her stead (or simply be barred from voting, as determined at the meeting).

### **Membership:**

The QAB in Juniata County will be comprised of an appointed member from the Juniata County Conservation District, an appointed member from Natural Resource Conservation Service, an appointed member from the Pennsylvania Fish and Boat Commission, and the Resource Conservation Technician from JCCD as the non-voting member.

### **Program Eligibility:**

All local, county, or state public entities that own and maintain public roads that are open to public vehicle travel are eligible to apply for project funds. Entities include municipalities, PennDot, PA Game Commission, PA Fish and Boat Commission, DCNR, and County and other Government Entities. The applying entity must follow the following criteria;

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<sup>1</sup> Title 25, Part I, Subpart C, Article 1, Chapter 83, Subchapter F., 83.608, (c)

<sup>2</sup> Title 25, Part I, Subpart C, Article 1, Chapter 83, Subchapter F., 83.608, (d), (3)

- The person in charge of work plan development and project implementation from the entity that has applied for funds from the program must have attended Environmentally Sensitive Maintenance (ESM) training within the past five (5) calendar years to become “ESM Certified” before applying for funding.
- Hold a pre-application meeting with the Conservation District.
- Submit an application that should include the application form and any other necessary documentation for review (maps, sketches, etc.) and should include a breakdown of the cost estimate of the project, including any in-kind services.
- Only sites with a direct impact to water quality are eligible for funding.

**Applications:**

The Juniata County Conservation District will accept applications on a rolling basis until April 1<sup>st</sup> and October 1<sup>st</sup> as respective deadlines.

<p><b>April 1<sup>st</sup> Deadline</b></p> <ul style="list-style-type: none"> <li>• May – QAB Meeting &amp; Review</li> <li>• 4<sup>th</sup> Tuesday of June – JCCD Board Review and Grant Approvals</li> </ul>
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<p><b>October 1<sup>st</sup> Deadline</b></p> <ul style="list-style-type: none"> <li>• November – QAB Meeting &amp; Review</li> <li>• 4<sup>th</sup> Tuesday of December – JCCD Board Review and Grant Approvals</li> </ul>
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Minutes of the QAB meeting will be taken by the staff person responsible for the program and distributed to each member after the meeting and are available for public review upon request.<sup>3</sup> Each QAB Meeting will be properly ‘Sunshined’ prior to the meeting date.

**Project Ranking/ Scoring<sup>4</sup>:**

The ‘Dirt, Gravel, and Low Volume Road Grant Applicant Ranking Form’ will be completed by District staff. The QAB will review the road conditions, applications, and ranking forms and forward their recommendations to the Juniata County Conservation District Board of Directors.

Phased projects will be awarded additional points during the ranking and scoring process.

The Juniata County Conservation District will keep all non-funded projects on file for future funding allocations for two (2) years from the original submittal date. Therefore, resubmittal is not necessary during this time period of two years. Applicants may choose to revise existing submitted applications. There is no restriction to the number of applications that can be submitted by one applicant.

It will also be the policy of the QAB to allow the inclusion of work outside of the applicant’s road right of way provided the work is necessary for the successful completion and continued maintenance of non-point source pollution problem corrected on the site. Any projects that propose off-right-of-way work must sign a consent form with the landowners, provided by the applicant.

<sup>3</sup> Title 25, Part I, Subpart C, Article 1, Chapter 83, Subchapter F., 83.608, (d), (2)

<sup>4</sup> Title 25, Part I, Subpart C, Article 1, Chapter 83, Subchapter F., 83.608, (b), (3)

## **Funding Procedures:**

The Juniata County Conservation District Manager or staff person responsible for the program will sign all approved contracts with applicants. The Conservation District will distribute the funds in the following manner:

- The Conservation District maintains a separate account specifically for the Dirt, Gravel, and Low Volume Road Programs.
- Upon execution of the project contract, the District may forward 50% of the grant amount prior to the beginning of construction activities (as requested), 20% during construction (as requested), and 30% after project completion and certification by the District and Applicant. The applicant is responsible for retaining receipts, weigh slips, labor accounting, etc. to document expenditure of entire grant amount (100%).
- Any required General Permits or plan approvals must be obtained by the grant recipient before work can begin on the portion of the project related to the permit.
- If the applicant is unable to complete the approved project before the contract deadline, the applicant may submit a written request to the QAB and JCCD Board of Directors for an extension on the project.
- All cost overruns must have prior approval of the District before those overruns can become eligible reimbursable expenses to the Applicant. Cost overruns exceeding 20% of the original contract amount require a new contract to be reviewed and approved by the QAB and JCCD Board of Directors. Approved amendments will be documented in writing.
- Engineering, permitting, or similar consulting costs are limited to a maximum of 10% of the contract amount specified on the grant application.
- All provisions of the Prevailing Wage Act must be followed when a funded project's estimated cost exceeds the current prevailing wage rate of \$25,000. It is the applicant's responsibility to determine what, if any, prevailing wage rules apply to the project.

## **Finance<sup>5</sup>:**

Educational monies not utilized in the funding year they are received, may be carried over or used to fund other educational expenses or Special Educational Projects such as, but not limited to:

- Purchase of promotional items for educational/public awareness purposes.
- To use for any innovative ideas that will benefit the educational activities of the Juniata Conservation District regarding the Dirt, Gravel & Low Volume Road Program.
- Township Educational Grants for ESM Training expenses and Annual Conferences, as funds are available.

Program funds must be spent within two years of State budget approval.

### **3.7.4.3. Labor<sup>6</sup>**

Program projects are often completed with labor and equipment operators supplied by the applicant. Reimbursement of labor and equipment operators supplied by the applicant is an eligible expense under the program. Prevailing wage is not required on labor provided by the grant recipient. Grant recipients must determine if prevailing wage is applicable when using their own labor force.

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<sup>5</sup> Title 25, Part I, Subpart C, Article 1, Chapter 83, Subchapter F., 83.608, (b), (4)

<sup>6</sup> Pennsylvania State Conservation Commission. (April 2017). *Dirt, Gravel, and Low Volume Road Maintenance Program: Administrative Manual.*

#### 3.7.4.4. *Contractor Costs*<sup>7</sup>

Projects may be completed entirely or partially by contractors hired by the applicant. Applicant should follow standard procedures regarding project bidding and working with sub-contractors. Districts must make payments to the grant recipient, not directly to the grant recipient's contractors.

Projects funded by Dirt, Gravel, and Low Volume Road funds that are bid out to contractors in which the estimated cost of the total project (materials, equipment and labor), exceeds prevailing wage limits (currently \$25,000.00) are subject to provisions of Pennsylvania's Prevailing Wage Act (1961, August 15, P.L. 987, No. 442, 43 P.S. Section 165-1 et seq.). It is the responsibility of the grant recipient to obtain the Prevailing Wage Act scale for the area and include it in any proposal to solicit bids for the contract. The Prevailing Wage scale can be obtained from the Prevailing Wage Division of the Pennsylvania Department of Labor and Industry. If the Prevailing Wage Act applies, the advertisement shall also note this fact.

It is the responsibility of the grant recipient to obtain copies of certified payroll from any contractors where prevailing wage applies. The Juniata County Conservation District will verify the requirements of prevailing wage were followed prior to final payment.<sup>10</sup>

#### **Project Completion/ Final Certification<sup>8</sup>:**

It is the policy of the QAB to provide one member, typically the staff person primarily responsible for the program, to conduct a formal inspection of all projects prior to any payment to any applicant to ensure all components being submitted for reimbursement by the applicant are in compliance with all program requirements.

For the project to be considered complete, all site work must be finished and stabilized as indicated in the contract, in a manner to be considered satisfactory to achieve the purpose it was designed to, as determined by the QAB and/or the Conservation District. All receipts, weigh slips, labor accounting, etc. must meet or exceed the total grant amount requested by the township prior to funding release.

#### **Driving Surface Aggregate<sup>9</sup>:**

This only applies to Dirt and Gravel Road Projects. The only approved driving surface aggregate that may be funded under the Dirt & Gravel Road Program is the DSA mix specified in the program guidelines and technical bulletins. Due to the high cost per linear mile per placement of DSA, it is the policy of the QAB, JCCD, and the Center for Dirt and Gravel Roads to require testing of any DSA material used, prior to the start of DSA placement on the project, to ensure compliance with the most recent DSA standards as set by the program. Placement on sections greater than 300 feet *must* be placed in a single pass by a paver.

Exception: On projects involving road fill material averaging one foot or more (including surface) townships may utilize an alternative aggregate as the surface of the newly added road base.

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<sup>7</sup> Pennsylvania State Conservation Commission. (May 2019). *Dirt, Gravel, and Low Volume Road Maintenance Program: Administrative Manual.*

<sup>8</sup> Title 25, Part I, Subpart C, Article 1, Chapter 83, Subchapter F., 83.608, (b), (7)

<sup>9</sup> Pennsylvania State Conservation Commission. (May 2019). *Dirt, Gravel, and Low Volume Road Maintenance Program: Administrative Manual.*

<sup>10</sup> Pennsylvania State Conservation Commission. (May 2019). *Dirt, Gravel, and Low Volume Road Maintenance Program: Administrative Manual.*(3.7.4.5)

## **Surfacing Roads:**

The QAB will take resurfacing costs into consideration on a case by case basis. Areas disturbed by BMPs implemented through the program are an eligible cost. Drainage, base instability, and other appropriate issues must be addressed prior to receiving resurfacing funds.

## **Traffic Count Data for Low Volume Road Projects<sup>10</sup>:**

This only applies to Low Volume Road Projects. Before a contract can be signed for a low volume road project, the applicant is responsible for validating that the road has 500 vehicles per day or less. A Level 1 study is an option or applicants can skip to a Level 2 study to start. If the Level 1 study does not qualify, a Level 2 study must be done in its place.

## **Stream Crossing Replacement<sup>11</sup>:**

Any project that proposes replacing a stream crossing must follow the Stream Crossing Structural Replacement Policy. This policy is to allow the replacement of stream crossing structures that were negatively impacting the stream, while at the same time preventing the program from simply becoming a “bridge replacement program.” The best quantification of stream impact is the size of the existing structure related to the bankfull width of the channel. A channel’s “bankfull width” is the width of flow at a “dominate channel forming flow stage” where sediment and bed material is moved most effectively through the stream system. Although it varies, bankfull is typically associated with a flow level between 1 and 2 year recurrence. Stream crossing structures that are significantly less than the channel’s bankfull width are typically associated with many problems including gravel deposition above the road and excessive stream scour and erosion below the road. In order to focus program funds on structures that are most likely to be causing stream instability, the policy drafted here limits paying for structural replacement to only those locations where the existing structure is less than 75% of the bankfull channel width. These structures are most likely to be causing negative stream impacts, and are most likely to be sources of perpetual maintenance and road impacts to local municipalities (gravel bar removal, erosion, etc.) In addition, any new structures must have a width at least equal to the channel’s bankfull width. This policy does not exempt the project from any permitting or engineering requirements.

## **Maintenance of Completed Projects:**

Maintenance is an applicant’s responsibility. This program will not allocate funding for maintenance and upkeep, but will provide technical guidance. Applicants will be expected to maintain previously funded projects PRIOR TO requesting funding for additional projects. Funding allocation and contract execution will not occur until proper past maintenance of the applicant’s DGLVR projects can be verified by and at the discretion of JCCD.

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<sup>10</sup> Pennsylvania State Conservation Commission. (May 2019). *Dirt, Gravel, and Low Volume Road Maintenance Program: Administrative Manual.*

<sup>11</sup> Pennsylvania State Conservation Commission. (May 2019). *Dirt, Gravel, and Low Volume Road Maintenance Program: Administrative Manual.*

**Non Pollution Standards<sup>12</sup>:**

Section 9106 (f)(7) of the PA Motor Vehicle Code requires Quality Assurance Boards to adopt standards that prohibit use of materials or practices that are environmentally harmful. The Statement of Policy 83.613 (1) (b) formalizes that requirement. In response, the QAB has adopted standards prohibiting the use of materials or practices which are environmentally harmful or do not meet the programs' "non-pollution" standard. These materials include, but are not limited to: noxious weeds, fugitive emissions, and dust control products that may pose a problem if they enter a waterway. Compliance with all existing environmental laws is a condition of purchase under the contracting agreement between the Conservation District and the applicant. An environmentally suitable substitute for dust control, as determined by the State Conservation Commission, may qualify for payment.

**Equal Access Statement:**

Information regarding the DGLVR Program will be made available to all eligible municipalities and agencies equally and at the same time. The QAB and the Juniata County Conservation District shall prohibit discrimination on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. Any and all of the most recent program guidelines and policies established by the State Conservation Commission will be followed.

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<sup>12</sup> Title 25, Part I, Subpart C, Article 1, Chapter 83, Subchapter F., 83.608, (b), (6)