

Important Information Regarding the Contents of this Document

Please note that the policies and information presented in this document are current through the date given below. The documents made available within the [Center's Conservation Districts web pages](#) are intended to serve as a guide for the policies set by each Conservation District. While these policies may in fact be current at the time of your viewing, it is strongly recommended to contact the relevant Conservation District for the most current version.

Document Current Date: September 26, 2023



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

Effective January 19, 1999; revised 2/24/2015; revised 5/22/2018; revised 5/28/2019; revised 12/8/2020, revised 9/26/2023

Purpose:

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 JCCD Board of Directors for funding that will address non point source pollution in affected areas.

Conflict of Interest:

No JCCD Director, Quality Assurance Board member, or JCCD 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, JCCD 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. The chairman of the QAB may not participate in a vote, other than to decide a tie vote.

Membership:

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

Minutes of the QAB meeting will be taken by the JCCD Resource Conservation Technician responsible for the program and distributed to each member after the meeting and are available for public review upon request. Each QAB Meeting will be properly advertised prior to the meeting date in accordance with the PA Sunshine Notice requirements.

Applications:

The QAB will have a year-round, open enrollment sign-up period for all eligible applicants. The QAB will typically meet in Spring and Fall (as needed). The QAB will evaluate all complete unfunded grant applications submitted within the last 365 days during the Spring meeting. The Fall meeting (if needed) will likely be an

informational update meeting for the QAB regarding ongoing projects, policies, and any remaining complete grant applications may be evaluated, if funding is available.

It is the intent of JCCD to approve any complete grant applications that have been recommended by the QAB. Re-submission of unsuccessful grant applications can be done with a new application and/or a written request to use the previously dated application, for consideration. Applicants will be notified by letter of the acceptance or rejection of their proposals following the JCCD Board Meeting.

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, County, and other Government Entities.

The applying entity **must** follow the following criteria;

- 1) **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 (ESM certification in good standing).**
- 2) Hold a pre-application meeting with JCCD.
- 3) Submit an application packet that includes the application form, project maps and sketches showing proposed project area and location of Best Management Practices (BMP’s). Application packet shall also include a project narrative outlining the scope of work, methods to be utilized for BMP installation, and any other pertinent information as it relates to the project. Application Packet must include an itemized list breakdown of cost estimates for the project, including any in-kind services, as provided in the application packet.
- 4) Only sites with a direct impact to water quality are eligible for funding.
- 5.) **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.

Project Ranking/ Scoring:

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 JCCD Board of Directors.

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

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 (off right-of-way agreement) with the landowners, provided by the grant applicant/municipality.

In certain situations, off-right-of-way work requires the prior written approval from the State Conservation Commission. Where off-right-of-way work is more than 35 percent of the total project costs (including Program funds and in-kind contributions), or where work extends more than 500 feet off of the right-of-way districts must first obtain written approval from the Commission before a contract can be signed. The district must keep a copy of the written Commission approval for off right-of-way work with the project file.

There is no restriction to the number of applications that can be submitted by one applicant.

Funding Procedures:

The JCCD Manager will sign all approved contracts with applicants following approval by the JCCD Board. JCCD will distribute the funds in the following manner:

- The JCCD maintains separate financial accounts specifically for the Dirt & Gravel Road Program and the Low Volume Road Program.
- 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, prevailing wage documentation, etc. to document expenditure of entire grant amount (100%).
- Any required General Permits or plan approvals or other required permits 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 JCCD Board of Directors before those overruns can become eligible reimbursable expenses to the grant recipient.
- For cost overruns totaling 40percent or less of the initial contract amount, a contract amendment must be completed and signed by both entities, if funding is available and approval by the JCCD Board of Directors is obtained. Funding for cost overruns is not guaranteed.
- For cost overruns exceeding 40% of the initial contract amount, a second separate contract must be completed and signed by both entities if funding is available and approval by the JCCD Board of Directors is obtained. Funding for cost overruns is not guaranteed.
- 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:

The District will account for Projects, Administrative, and Educational Funds separately. JCCD may use up to 10 percent of their total application for administrative expenses and may use up to 10 percent of their total application for educational purposes. Administrative expenses and educational expenses that are unused in the State Fiscal Year that they are received shall be used for projects. A minimum of 80% of the total allocation

will be dedicated for project work. All accrued interest will be transferred to project funding for the Dirt and Gravel or Low Volume Roads accounts in accordance with account accrual.

Administrative and Educational Funds will be expended in accordance with guidance from the Administrative Manual guidelines found in Section 3.4 of the Administrative Manual: Account of Funds at District.

Educational monies may be used for 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 JCCD regarding the Dirt, Gravel & Low Volume Road Program.
- Township Educational Grants for ESM Training expenses and Annual Conferences, as funds are available.

3.7.4.3. Labor

Program projects are often completed using applicant labor and equipment operators. Reimbursement of labor and equipment operators is an eligible expense under the Program. Labor rates may include benefits. Because DGLVR grant recipients are always public entities, prevailing wage is not required to be paid for labor provided by the grant recipient.

3.7.4.4. Contractor Costs

Projects may be completed entirely or partially by contractors hired by the grant recipients. Grant recipients should follow their 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 Program funds that are bid out to contractors, including owner-operators and/or sole proprietors, in which the estimated cost of the total project exceeds prevailing wage limits (currently \$25,000) 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.

3.7.4.5 Prevailing Wage Documentation

Where prevailing wage applies, it is the responsibility of the grant recipient to register the project with the PA Department of Labor and Industry, and include prevailing wage notification in any proposal to solicit bids for the contract. Prevailing wage scale can be obtained from the Prevailing Wage Division of the Pennsylvania Department of Labor and Industry. Contact your county solicitor or the Pennsylvania Department of Labor and Industry for additional guidance and questions. A "[Frequently Asked Questions](#)" document concerning prevailing wage can be found on the Center's website at www.dirtandgravelroads.org. Additional information available from the PA Department of Labor and Industry can be found [at](#)

<https://www.dli.pa.gov/Individuals/Labor-Management-Relations/llc/prevailing-wage/Pages/default.aspx>.

It is the responsibility of the grant recipient to assure prevailing wage has been paid and to obtain copies of certified payrolls from any contractors where prevailing wage applies. Conservation Districts need to notify grant recipients of prevailing wage requirements and to verify the requirements of prevailing wage were followed by the grant recipient prior to final payment. A prevailing wage "Notification letter", attachment F to the DGLVR Contract, must be completed and kept in the project file. This letter ensures that applicants have verified that they are aware of prevailing wage requirements.

If federal funds are involved in a project, federal prevailing wage requirements (Davis Bacon Act) often supersedes PA prevailing wage. Davis Bacon requirements are acceptable to the DGLVR program in this case, and Certified Payroll forms accepted by the US Department of Labor must be completed and kept in the project file.

For projects where prevailing wage is required, a Weekly Payroll form and notarized "Certified Statement of Compliance", attachment G to the DGLVR contract, must be completed and kept in the project file. This form is completed by each contractor and ensures they have met the requirement of the prevailing wage act.

Project Completion/ Final Certification:

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 the total grant amount requested by the township prior to funding release, not to exceed contract amount.

Upon project completion, a final inspection must be scheduled on-site involving the district and the grant recipient. Final inspections should be scheduled immediately after work is complete, so any remediation can be done while equipment is still on site if needed. Other entities such as the QAB and sub-contractors to the grant recipient should be encouraged to participate.

The purpose of the final inspection is to:

- Verify the project is completed in accordance with Program standards and to the satisfaction of the district.
- Verify that all work elements classified as “in-kind services” are also completed in accordance with Program standards and to the satisfaction of the district.
- Verify that work elements proposed in the work plan have been properly installed.
- Allow the district to summarize the project work elements and costs on the project completion report.
- Document any changes made from the grant application that have not already been documented.

Stream Crossing Replacement:

Please see Section 7.1.2 DGLVR Stream Crossing Replacement Policy in the Administrative Manual, and Appendix A: 7.1 Stream Crossing Replacement Policy. Additional requirements and guidance can be found in the DGLVR Stream Crossing Replacement Policy, Standard, and Technical Manual.

This section applies to stream crossing replacements (not road drainage "cross pipes") on both Low-Volume funds and Dirt and Gravel roads.

Driving Surface Aggregate:

See Appendix B: 7.2 Driving Surface Aggregate (DSA) and DSA Handbook.

This section applies **primarily to Dirt and Gravel funds**, but DSA may have limited use under Low-Volume funds, such as the conversion of a paved road back to gravel. Technical details for DSA including placement and purchasing specifications are not included in this document. See the Center’s Driving Surface Aggregate Handbook for technical documentation.

DSA shall not be placed before April 1st or after September 30th unless otherwise approved by the SCC.

Surfacing Roads:

This section applies primarily to Low Volume Road funds. 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:

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, consistent with Commission and local QAB policy.

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. JCCD is responsible for verifying that a traffic count exists, and that the count meets the criteria established in state and local policy. The traffic count verification form **must** be included with the application.

Non Pollution Standards:

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. The actions of the QAB will be approved by the JCCD Board of Directors at its monthly meetings.

These meetings are open to the public and follow the requirements of the Sunshine Law. Any and all of the most recent program guidelines and policies established by the State Conservation Commission will be followed.