

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

THURSTON COUNTY PUBLIC
WORKS DEPARTMENT,

Petitioner,

Requesting Extension of Time to
Complete Project Funded from the
Grade Crossing Protective Fund

DOCKET TR-191059

ORDER 02

GRANTING EXTENSION OF TIME
TO COMPLETE PROJECT AND
SUBMIT REQUEST FOR
REIMBURSEMENT

USDOT: 085778L

BACKGROUND

- 1 On December 30, 2019, the Thurston County Public Works Department (Thurston County or Applicant) filed with the Commission an Application requesting an unspecified disbursement from the GCPF to pay for a project related to warning signs and overheight vehicle detection equipment on the arterial roadways leading to the overcrossing at Old Highway 99 near Offut Lake in Thurston County. The overcrossing is identified as USDOT 085778L. The Applicant filed an amended Application and materials list on February 13, 2020. The amended Application requested a disbursement of \$11,752 with total project costs estimated at \$127,139.06.
- 2 On March 12, 2020, the Commission issued Order 01 in this Docket, approving the request for disbursement from the GCPF and the petition to upgrade existing warning signs and install additional warning signs on the arterial roadways approaching the overcrossing. Order 01 required Thurston County to complete the project and submit the associated request for reimbursement by June 30, 2020.
- 3 On April, 22, 2020, Thurston County submitted a request for an extension of time until August 31, 2020, to complete the project and submit the request for reimbursement. The Applicant states that the request is due to restrictions in the Governor's Proclamation 20-25, "Stay Home – Stay Healthy" related to the COVID-19 pandemic. Commission staff (Staff) recommends that the Commission extend the project completion date until December 31, 2020, to provide additional time for all aspects of the project to be completed within the GCPF project completion deadline.

DISCUSSION

- 4 Order 01, which initially granted approval to modify the crossing and authorized disbursement of funds, imposed a deadline that is no longer feasible due to the current state of emergency. Accordingly, we agree with Staff's recommendation to grant Thurston County's request for an extension, and provide additional time for project completion based on the uncertain conditions created by the COVID-19 pandemic. Granting the extension until December 31, 2020, should prevent Thurston County from having to request a second extension in the event that circumstances have not improved by August 2020. Accordingly, the Commission grants an extension to December 31, 2020.

ORDER

THE COMMISSION ORDERS:

- 5 The request of the Thurston County Public Works Department for an extension of time to complete the crossing safety upgrades is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$11,752.
 - (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
 - (3) Thurston County must sign and return the attached revised project agreement by May 13, 2020.
 - (4) Payment will be made upon presentation of claim for reimbursement and verification by Commission Staff that the work has been satisfactorily completed.
 - (5) The project must be completed and the associated request for reimbursement from the Grade Crossing Protective Fund must be filed with the Commission no later than December 31, 2020.

- 6 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective May 5, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



MARK L. JOHNSON
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.