ALABAMA DEPARTMENT OF TRANSPORTATION

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Bob Riley
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December 3, 2008

MEMORANDUM 2008 - 25

TO: All County Engineers, Division Engineers, and Division County Transportation Engineers

FROM: D.E. Phillips, Jr., P.E.
State County Transportation Engineer

RE: ANNUAL MAINTENANCE INSPECTION OF COUNTY ROADS JANUARY, FEBRUARY, MARCH, APRIL, AND MAY 2009

It is that time of year when the State and County should make an inspection of all County FAS, SACP, State-Grant Projects, and possibly all other paved County roads. This is to determine what needs to be done to keep them safe for the traveling public; also to protect the County's and State's investment in them.

As you know, the County has agreed, in writing, to maintain satisfactorily the projects constructed in full or in part, with Federal and/or State funds. The State is expecting the County Engineer to accompany the Division County Transportation Engineer or his authorized representative on these inspections. Inspections will be during the months of January, February, March, April, and May 2008, to determine what the needs are, in order that the work can be done during the summer months, for the best results. As soon as a Federal or State Aid Project is completed, it should be added to the projects for Annual Maintenance Inspection.

This is to respectfully advise you that if a project(s) is/are rated unsatisfactorily, that a reasonable length of time should be given to the County to place the work back in an acceptable condition. Should the County fail to do the needed work, then the State may see fit to withhold Federal Aid Funds allocated to the County.

The Four (4¢) Cent Gas Tax Bill passed in 1980, states that these funds shall not be used for new construction unless **90% of the County's Paved Road System has achieved a grade of 85%, based on the Alabama Department of Transportation's Maintenance Report of County Roads and Bridges**.

Any County expecting to use the 4¢ funds for new construction shall inspect all paved County roads. Any County electing not to inspect all paved County roads will not be eligible to use the 4¢ funds based on the grades received on the Federal and State Aid Projects only. We would not expect the Division to make another inspection before next year.

The transmittal letter from the Division submitting the inspection reports should state whether **ALL PAVED COUNTY ROADS HAVE BEEN INSPECTED**. Inspection Reports for Federal and State Aid Projects should be kept separate from reports on all other paved roads.

It is requested that all State Personnel making these inspections be fair and reasonable in grading the County's roads. A grade representing the actual condition existing at the time of inspection is requested. We do not want to help the Counties by giving them higher grades than are justified; but we do not want to penalize them by giving them unjustly low grades.

A written report (*Form BM-137*) by project is required. It is important that we receive these reports for **ALL COUNTIES NOT LATER THAN MAY 15, 2009**. It is also important that proper care be used in filling out the reports since some of them have ended up in court during the last few years. Comments in the **REMARKS"** column would be helpful to the County and easier to explain in court than just a number. The revised BM-137 form will be used again this year along with the *Guidelines for Grading County Roads Manual*. It is requested that all Divisions utilize the Summary Report that is available in the computer application.

Any projects that have been taken into incorporated city limits for which the County has no more maintenance responsibilities need not be inspected. Those projects inside city limits for which the County continues to assume the maintenance responsibilities still should be inspected. Projects that the County has legally abandoned may also be dropped from the inspection.

IT IS IMPERATIVE THAT WE RECEIVE THESE REPORTS FOR EACH COUNTY, IN EACH DIVISION. IT IS OBVIOUS THAT THESE REPORTS ARE GOING TO BE USED MORE AND MORE IN COURT CASES AND IF IT COMES OUT IN COURT THAT THE STATE AND COUNTY ARE NOT FULFILLING THIS OBLIGATION, SOMEONE IS GOING TO BECOME PERSONALLY LIABLE. DON'T LET IT BE YOU!

I WOULD LIKE TO BE NOTIFIED AS THESE INSPECTIONS ARE SCHEDULED TO PROVIDE THIS OFFICE WITH THE OPPORTUNITY TO BE PRESENT AT THESE INSPECTIONS, AS TIME AND SCHEDULE PERMITS.

DEP:JDH:adj
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