

Non-Bid or Below the Line Items

Non-Bid items are items of work or materials that are paid for as part of the total construction project, but are not performed by, nor furnished by the Contractor. Some of this work may be partially funded with federal dollars or may be designated as entirely State funds depending on the work being performed. As such it must be assigned to the appropriate [EBASE Group](#) and Coded as either a 700, 800 or 860 level item.

700 to 799 number range have construction engineering and contingencies applied to them, but no sales tax. Federal Aid money may be used to fund all, part or none of this work.

Examples of this type of work may include:

- Utility Agreements
- County/City Agreements
- State Force Work other than WSDOT i.e. WSP
- Engineering/Consultant Services

800 to 899 number range have no sales tax, construction engineering, or contingencies applied to them.

Examples of this type of work may include:

- State Force Work (WSDOT not to exceed \$60k)
[EMERGENCY WORK— \$100k]
- State Supplied Materials (Parcel numbers, labor and payable agreements cannot be charged here)
- Rail Road Flagging (800 - 859 Range)
- Some Permits and Agreements

Number	Column	Item Description	Unit Price
700	1	700 MOTORIST ASSISTANCE PATROL (WSP) T-9031	1,500.0000
701	1	701 ELECTRICAL SERVICE AGREEMENT SCD-2252	350.0000
702	3	702 SERVICE AGREEMENT SCX2643	10,000.0000
801	3	801 STATE SUPPLIED SIGNAL SYSTEM COMPONENTS	4,000.0000
802	4	802 STATE SUPPLIED SIGNAL SYSTEM COMPONENTS	4,000.0000
803	1	803 RAILROAD FLAGGING	3,000.0000
860	6	860 BRIDGE RAILING PROCUREMENT	30,000.0000
Total:			\$52,850.00

800 to 859 number range are to be used for Federal-Aid **participating** items.

860 to 899 number range are to be used for Federal-Aid **non-participating** items.

**What Is Federal-Aid
Participating &
Non-Participating ?**

Participating and Non-Participating Items

Per the Code of Federal Regulations 23 CFR 140 e
Participating Items are included in the following:

code of
federal regulations

Title 23: Highways

[PART 140—REIMBURSEMENT](#)

[Subpart E—Administrative Settlement Costs—Contract Claims](#)

§140.505 Reimbursable costs.

(a) Federal funds may participate in administrative settlement costs which are:

- (1) Incurred after notice of claim,
- (2) Properly supported,
- (3) Directly allocable to a specific Federal-aid or Federal project,
- (4) For employment of special counsel for review and defense of contract claims, when
 - (i) Recommended by the State Attorney General or State Highway Agency (SHA) legal counsel and
 - (ii) Approved in advance by the FHWA Division Administrator, with advice of FHWA Regional Counsel, and
- (5) For travel and transportation expenses, if in accord with established policy and practices.
- (6) (b) No reimbursement shall be made if it is determined by FHWA that there was negligence or wrongdoing of any kind by SHA officials with respect to the claim.

Participating

(Eligible for Federal Aid). The following criteria must be met for charges to be considered participating when charged directly to a federal aid project:

- The work must be programmed with FHWA.
- The costs must have been incurred after the date of FHWA authorization to proceed with the work.
- The costs must be wholly for the benefit of the project being charged, e.g., labor performed directly for that project, supplies used up in the course of a project, etc.

Examples of federal aid participations - This list is not limiting or all-inclusive.

- Labor — Efforts to design, survey, prepare plans, appraise right-of-way, inspect construction activities, audit agreements, etc.
- Travel and Per Diem — of only those employees involved in any participating activity related to the project.
- Materials — incorporated into a federally approved project.
- Supplies — purchased and consumed entirely on a federally approved project.

Non-participating

For specific projects, the following items are not eligible for federal aid participation:

- Equipment Purchase and Repair — unless specifically approved by FHWA, e.g., engineering, safety, or office equipment and supplies .
- Supplies — purchased and consumed on a number of projects or for the general management or operation of the organizational unit (example would be in maintenance or in administration — signs, small tools, and used temporary traffic control devices.
- Office Rental — including utilities and telephone service.
- Labor — for activities not directly related to the project nor programmed with FHWA. Labor activities pertaining to the general operation of an agency are not eligible for federal participating.
- Travel and Per Diem — of employees performing activities classified as nonparticipating or unrelated to a specific federal aid project.

NOTE:

When **Non-Participating** Items are used, Accounting must be notified which funding source in the job will be paying for the work.



Use the **TEXT DATA** tab in EBASE and Place a note in the **PROJECT REMARKS** area indicating:

- Number
- Item Description
- EBASE Group the item is associated with.

This text will appear at the bottom of the last page of the Preliminary Estimate Summary Report and provide the necessary information to the Accounting Office.

The screenshot shows the 'Estimates Window' for Job Number: 006, Version: 1. The 'Text Data' tab is selected. The 'Project Remarks' field contains the following text:

Project Remarks	Proposal Description	Type of Work
FEDERAL NON-PARTICIPATING ITEMS: 860 BRIDGE RAILING PROCUREMENT [EBASE GROUP 4] 861 VARIABLE MESSAGE SIGN [EBASE GROUP 4]		