



**Washington State
Department of Transportation**

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May 28, 2019

David Schumacher, Director
Office of Financial Management
PO Box 43113
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RE: Section 601(1) - Fund Transfers (2018 c 297 s 601) Letter

Section 601 (1) of Chapter 297, Laws of 2018 (ESSB 6106) authorizes the Director of the Office of Financial Management to approve appropriation adjustments for highway projects funded with Transportation Partnership Account (TPA) and Connecting Washington Account (CWA) appropriations that exceeds the authority provided to the department in section 601 (1)(g). See attachment for bill language.

Consistent with the process established by the Office of Financial Management, the department is reporting that there are no fund transfer requests per section 601 (1)(g) for the quarter ending March 31, 2019. There are administrative transfers of under \$250,000 or less than 10 percent per section 601 (1)(h), which is communicated in a separate letter dated May 15th, 2019.

Please contact me at (360) 705-7121 or alexanja@wsdot.wa.gov if you have questions or need additional information. Thank you.

Sincerely,

Signature on File

Jay Alexander, Director
Capital Program Development and Management Division
Washington State Department of Transportation

JA:mde

Enclosure: ESSB 6106, Section 601

cc: Dean Carlson, OFM

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IMPLEMENTING PROVISIONS

2 **Sec. 601.** 2017 c 313 s 601 (uncodified) is amended to read as
3 follows:

4 **FUND TRANSFERS**

5 (1) The 2005 transportation partnership projects or improvements
6 and 2015 connecting Washington projects or improvements are listed in
7 the LEAP Transportation Document (~~((2017-1))~~ 2018-1 as developed
8 (~~((April 20, 2017))~~ March 5, 2018, which consists of a list of
9 specific projects by fund source and amount over a sixteen-year
10 period. Current fiscal biennium funding for each project is a line-
11 item appropriation, while the outer year funding allocations
12 represent a sixteen-year plan. The department of transportation is
13 expected to use the flexibility provided in this section to assist in
14 the delivery and completion of all transportation partnership account
15 and connecting Washington account projects on the LEAP transportation
16 document referenced in this subsection. For the 2017-2019 project
17 appropriations, unless otherwise provided in this act, the director
18 of the office of financial management may provide written
19 authorization for a transfer of appropriation authority between
20 projects funded with transportation partnership account
21 appropriations or connecting Washington account appropriations to
22 manage project spending and efficiently deliver all projects in the
23 respective program under the following conditions and limitations:

1 (a) Transfers may only be made within each specific fund source
2 referenced on the respective project list;

3 (b) Transfers from a project may not be made as a result of the
4 reduction of the scope of a project or be made to support increases
5 in the scope of a project;

6 (c) Transfers from a project may be made if the funds
7 appropriated to the project are in excess of the amount needed in the
8 current fiscal biennium;

9 (d) Transfers may not occur for projects not identified on the
10 applicable project list;

11 (e) Transfers may not be made while the legislature is in
12 session;

13 (f) Transfers to a project may not be made with funds designated
14 as attributable to practical design savings as described in RCW
15 47.01.480;

16 (g) Each transfer between projects may only occur if the director
17 of the office of financial management finds that any resulting change
18 will not hinder the completion of the projects as approved by the
19 legislature. Until the legislature reconvenes to consider the 2018
20 supplemental omnibus transportation appropriations act, any
21 unexpended 2015-2017 appropriation balance as approved by the office
22 of financial management, in consultation with the legislative staff
23 of the house of representatives and senate transportation committees,
24 may be considered when transferring funds between projects; and

25 (h) Transfers between projects may be made by the department of
26 transportation without the formal written approval provided under
27 this subsection (1), provided that the transfer amount does not
28 exceed two hundred fifty thousand dollars or ten percent of the total
29 project, whichever is less. These transfers must be reported
30 quarterly to the director of the office of financial management and
31 the chairs of the house of representatives and senate transportation
32 committees.

33 (2) The department of transportation must submit quarterly all
34 transfers authorized under this section in the transportation
35 executive information system. The office of financial management must
36 maintain a legislative baseline project list identified in the LEAP
37 transportation documents referenced in this act, and update that
38 project list with all authorized transfers under this section.

1 (3) At the time the department submits a request to transfer
2 funds under this section, a copy of the request must be submitted to
3 the transportation committees of the legislature.

4 (4) Before approval, the office of financial management shall
5 work with legislative staff of the house of representatives and
6 senate transportation committees to review the requested transfers in
7 a timely manner.

8 (5) No fewer than ten days after the receipt of a project
9 transfer request, the director of the office of financial management
10 must provide written notification to the department of any decision
11 regarding project transfers, with copies submitted to the
12 transportation committees of the legislature.

13 (6) The department must submit annually as part of its budget
14 submittal a report detailing all transfers made pursuant to this
15 section.