

**ITEMS TO BE
CONSIDERED AS PARTICIPATING
AND NON-PARTICIPATING
FOR PURPOSES OF PARTICIPATION BY
CITIES AND VILLAGES IN STATE TRUNKLINE
HIGHWAY PROJECTS PURSUANT TO
ACT 51 PA 1951 AS AMENDED**

Act 51 Public Acts of 1951 as amended provides that cities and villages having a population of 25,000 or more shall participate with the Department in the cost of opening, widening and improving, including construction and reconstruction of state trunkline highways within said cities and villages.

In order to facilitate the administration of this portion of the aforesaid Act 51 PA 1951 as amended, the following list of participating and non-participating items has been compiled. It is emphasized that this list is applicable only to the negotiation and securing of cost participation in state trunkline projects per Act 51 PA 1951.

To assure uniformity in handling throughout the Department, new programs or projects or these situations which may be borderline should be referred to the Governmental Coordination and Engineering Section of Engineering Services Division in the Bureau of Highways for a determination of whether they are participating or non-participating.

PART I PARTICIPATING ITEMS

Basically participation is required in the cost of building a new road or street, or the reconstruction or improvement of an existing road or street or any of its components, whether such be bridges, grade separations, culverts, etc. Such construction, reconstruction, or improvement can be for the purposes of traffic operations and safety, strengthening or widening.

Participation is required in the construction of new bridges and grade separations and the reconstruction or modification of such structures for the purposes of increasing vehicular or pedestrian capacity, of strengthening, of widening or replacing of piers and abutments, of replacing the deck when such deck replacement is of one span or more in length, and other major modifications.

Within these parameters, the following tabulation is a partial classification of those items of work which will require participation by cities and villages pursuant to Act 51 PA 1951, as amended.

1. Preliminary and construction engineering and inspection including surveys, design, plans and specifications, contracting, legal and all related costs.
2. Acquisition of property for right-of-way including consequential and abuttal damages, if any, interest on awards and court costs, legal, appraisal, financing and all related costs.
3. All items necessary for the construction, reconstruction and improvement of state trunkline highways, including:
 - a. The removal of existing roadbed and structures.
 - b. The removal and replacement of existing sidewalks and the construction of new sidewalk ramps where applicable.
 - c. The construction of new curb and gutter and the removal and replacement of existing curb and gutter when required in connection with a resurfacing project or traffic operational improvement project or to maintain curb height.
 - d. The removal, replacement and modification of existing publicly owned street lighting facilities and utilities required in connection with a highway improvement.
 - e. The installation of new culverts, drainage facilities, sewers, catch basins, guardrail, right-of-way fencing and sound barriers.
 - f. The extension or modification, as a betterment, of existing culverts, drainage facilities, guardrail and right-of-way fencing.
 - g. The construction of flood control, flood prevention and earthwork protective structures.

- h. The construction of bicycle and other non-motorized paths.
 - i. Landscaping.
 - j. All costs of maintaining traffic and detours required for a project including rehabilitation of roads and streets used as detours and material haul routes and all signing, electrical devices and markings required for such.
 - k. The trunkline portion of the cost of the construction of railroad grade separations.
 - l. The trunkline portion of the cost of the construction of railroad grade crossings and the installation of warning devices when performed for the construction of a new or relocated roadway.
 - m. The trunkline portion of the cost of joint storm sewers.
 - n. The removal of fixed objects such as trees and stumps for safety purposes.
 - o. The installation of traffic attenuators.
 - p. The removal, recycling and replacement of surface materials having a length of one city block or 500 feet whichever is the lesser.
 - q. The grooving or mechanical texturizing of the roadway surface for any length to increase friction.
4. Any resurfacing or reconstruction operation which changes the roadway surface type or consists of special surface treatment to improve traffic operations provided:
- a. Any resurfacing material placed on a roadway must be greater than 1 1/2 inches in thickness and have a continuous length of one city block or 500 feet whichever is the lesser, unless performed in conjunction with an improvement, in which case the length limitation will not apply.
 - b. Any resurfacing material on a structure must be 3/4 inch thick or more and have a continuous length of one span or more.
 - c. Any surfacing of shoulders, other than seal coating, which consists of materials of higher quality than standard gravel shoulders, or the replacement of earth shoulders with standard gravel shoulders.
 - d. The placing of 3 inches or more of new aggregate on prepared gravel or stone surfaces so as to substantially increase the thickness of the surfacing material beyond that originally built.

PART II NON-PARTICIPATING ITEMS

Participation by cities and villages is not required in the cost of routine and ordinary repair necessary to keep a road or street in good repair for the reasonably safe and convenient travel of the public. Work performed with maintenance funds will not require participation by cities and villages per Act 51 PA 1951, as amended.

In addition, the following items are among those which will not require participation by cities and villages.

1. Replacing aggregate in a thickness of less than 3 inches on an existing gravel or stone surface to replace original material work off.
2. Reconditioning of bituminous surfaces of any length by scarifying and remixing in place, or resurfacing without scarifying when the new material added increases the existing bituminous surface 1 1/2 inches or less.
3. Seal coating, patching and repairing of roadway surfaces.
4. Cleaning of drainage structures and ditches.
5. Application of dust layers, sprinkling and flushing.
6. Brushing and tree trimming other than in connection with a roadway improvement.
7. The installation of traffic signs, delineators, and pavement markings, other than those required for the maintaining of traffic during construction.
8. Ordinary repair or replacement in kind of guardrail and right-of-way fence.
9. Installation of freeway lighting for traffic safety.
10. Ordinary repair and painting of structures.
11. Replacement of pavement joints, unless performed in conjunction with a project to prepare the roadway for resurfacing.
12. The trunkline share of traffic signals unless specifically included as a part of the agreement with the participating city or village.
13. At existing railroad grade crossings, the installation of railroad crossing warning devices and the reconstruction or replacement of crossing materials including maintaining traffic, detours and minor roadway approach work to accommodate the work at the crossing.
14. Snow and ice removal.
15. Cleaning of road and street surfaces.
16. Outdoor advertising sign removals.
17. County drain assessments.