



# West Virginia Division of Highways Policy: **Equipment Rental/Private Sector**

*Issued by the Commissioner of Highways*

**Policy No: DOH 4.10**

**Issue Date: 02/01/2000**

**Revised: 08/19/2022**

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## **1.0 PURPOSE**

Occasionally, the West Virginia Division of Highways (WVDOH) must rent equipment from the private sector. Circumstances that justify private rental of equipment include emergency conditions, such as flooding and heavy snow fall, uncommon work requirements that cannot be done without specialized equipment, such as a heavy crane, and other conditions resulting in equipment needs that the WVDOH fleet cannot supply.

When a need for private sector equipment arises, the policies and processes of this procedure must be followed for the rental, use, and documentation of the equipment. The REMIS<sup>1</sup> Equipment Rental System (normally used to track DOH-owned equipment) will be used to record private sector equipment rentals in order to document usage.

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## **2.0 DEFINITIONS**

- 2.1 District Manager means the administrative head of the District regardless of whether the person is an engineer or another classification.
- 2.2 DOH means the Division of Highways.
- 2.3 DOT means the Department of Transportation
- 2.4 WVDOH means the West Virginia Division of Highways.
- 2.5 WVDOT means the West Virginia Department of Transportation.
- 2.6 DOT 6.4 means the policy designated Volume 6, Chapter 4 of the DOT Administrative Procedures titled Remis Purchase types and Purchase Decision Making.
- 2.7 DOT 6.6 means the policy designated Volume 6, Chapter 6 of the DOT Administrative Procedures titled Statewide and Agency Contracts.
- 2.8 DOT 4.6 means the policy designated Volume 4, Chapter 6 of the DOT Administrative Procedures Equipment Transfer and Status Change Reporting.
- 2.9 wvOASIS means the Enterprise Resource System, the statewide computer system designed to manage the state's business functions Financial Management, Procurement, Asset Management, Personnel Administration, Payroll, Time Reporting, and Benefits Administration.
- 2.10 REMIS means the Remote Entry Management Information System that was developed as an in-house system to gather detailed information in the areas of

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<sup>1</sup> References to the REMIS system are effective until the REMIS functions are replaced by OASIS. If there is a delay in updating this policy after OASIS is fully functional, follow the OASIS procedures.

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payroll, equipment, inventory, accounts payable and accounting. The data is accessible for various reports to assist in decision making. Several REMIS functions have migrated to other programs as REMIS is phased out.

### 3.0 GENERAL POLICIES

- 3.1 Rental of privately-owned equipment is permitted only when there are no like units available from other WVDOH organizations at the time the unit is needed. However, rental of privately-owned equipment must not be used as a substitute for good equipment fleet planning and management.
- 3.2 All rentals of privately-owned equipment, including emergencies, will be done in accordance with WVDOT and WVDOH purchasing procedures showing no favoritism to any vendor and striving for the most cost-effective rental available.
  - A. Highways' Equipment Rental Contract (REMIS Purchase Type "SCO") is the primary means of securing private sector equipment.
  - B. If the needed equipment is not available from the contract, utilize the appropriate WVDOT purchase type and follow the procedures, including all bidding and documentation requirements. See DOT 6.4 on REMIS Types & Purchase Decision Making.
- 3.3 District Managers and Division Directors are responsible and must establish internal controls and processes within their operations to ensure compliance with this procedure.
  - A. Authority for non-emergency equipment rentals may be delegated to managers in the Maintenance and Equipment organizations or sections.
  - B. Authority for equipment rentals during emergency situations, from lists of local owners (Form SM-105) or from the open market, remains solely with District Managers or Division Directors or their designee.
- 3.4 The supervisor of the organization or section for whom the equipment is being rented will ensure the following:
  - A. Rental units are safe and operational.
  - B. Rental units are operated by qualified and properly licensed operators.
  - C. The use of rental units is documented on Form DOT-12, Daily Work Report, and entered into REMIS when the rental exceeds three (3) days, except for cranes.
  - D. The rental is terminated when the purchased rental period is completed or whenever comparable WVDOH equipment becomes available to the renting organization.

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- 3.5 The WVDOH Equipment Division is responsible for providing assistance in arranging loans or transfers of equipment to preclude the need for rentals and will play an advisory role when private sector rental is required.

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### 4.0 EMERGENCY POLICIES

- 4.1 Organization managers in conjunction with the District Manager, Division Director, or designee will determine the degree of urgency for emergency situations by the WVDOH's route priority and the immediate operational code as defined in Chapter 5 of the Maintenance Manual.

- 4.2 If the emergency requires equipment that is not in the organization's inventory the manager should, but will not be required to, check with the Equipment Division or neighboring organizations for the loan or transfer of WVDOH equipment.

Additionally, neighboring organizations need not be contacted when it is already known that the emergency condition would prevent the movement of equipment.

- 4.3 Private sector rental equipment for emergency situations will be acquired:

- A. first, from a vendor on the Equipment Rental Contract,
- B. second, if not available from the Equipment Rental Contract, from another vendor including locally owned equipment (Form SM-105 lists); and
- C. last, if resolving the emergency is extremely urgent, such as a priority one route being impassable or closed, managers are authorized to acquire needed equipment from any available source at the asking price, but only when all other options have been exhausted.

- 4.4 Districts and their county organizations will develop and maintain Private Equipment Available for Rent — Not on Contract (Form SM-105) lists.

- A. Form SM-105 lists will be updated by the end of December and June each year by contacting known sources for available equipment and rates.
- B. There is no set guide for prices, however, they should be comparable to local industry and the daily rates should not exceed those in the Rental Rate Blue Book for Construction.
- C. Copies of updated Form SM-105 lists will be maintained on file at the county and district and sent to the Highway Operations and Equipment Divisions.

- 4.5 If the manager must procure private sector rental equipment from **any available source**, the rental must be limited to the time required to alleviate the immediate emergency condition and in no instance should the rental exceed 72 hours. Advise the equipment provider of this policy at the initial contact.

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- 4.6 No rental of private sector equipment for emergency situations will be extended beyond the time required to alleviate the immediate emergency.

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## **5.0 PROCEDURES**

### **5.1 Acquiring Private Sector Rental Equipment**

- A. First, organization supervisors or designees will check with other WVDOH organizations' and districts' equipment inventory for availability.
1. Review REMIS Equipment Inquiry listings for "P" – Pool or "E" – Excess,
  2. Contact the "owning" organization and arrange for use and temporary transfer of the unit, and
  3. Contact Operations Division for assistance, if needed.
  4. This step may be skipped if the needed equipment is not in the WVDOH fleet, such as a 90-ton crane or it is an emergency that imminently threatens lives and property or that will not allow movement of the equipment between districts.
- B. Second, if the needed equipment is not available within the WVDOH, managers will then check the Equipment Rental Contract. If the unit can be obtained from the contract, then:
1. establish a REMIS "SCO" Purchase Master and Line Item Master; and
  2. issue a Blanket Release Order, Form WV-39 in accordance with DOT 6.6 on Purchasing Statewide & Agency Contracts.
- C. Third, if the needed equipment is not available on contract, pursue rental from a non-contract vendor.
1. Use the appropriate REMIS Purchase Type and procedure. Refer to DOT 6.4 of the DOT Administrative Procedures.
  2. Refer to Forms SM-105 for available vendors and rates and solicit and document bids as specified in WVDOT Purchasing Procedures.

### **5.2 Inspection and Review of Private Sector Rental Equipment**

- A. When picking-up and when returning rentals without an operator, an authorized WVDOH representative will inspect the equipment unit(s) with the owner or vendor's authorized representative.

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- B. Defects, mechanical or not, will be noted on a Statement of Acceptance Form SM-93 when picking up a rental unit in the following categories.
  - 1. Defects that **will not** interfere with the safe and productive operation of the equipment, and
  - 2. Defects that **will** interfere with the safe and productive operation of the equipment.
- C. Equipment units with defects that will interfere with its safe and productive use will not be accepted for rental.
- D. Form SM-93 must be signed by the WVDOH representative as well as the owner or vendor's representative.

### 5.3 Reporting Private Sector Rental Equipment

#### A. **RENTALS OF 3 DAYS OR LESS OR A CHARGE OF \$1,000 (Excluding Mobilization) OR LESS AND ALL CRANES**

Record the use of all private sector rentals on the Daily Work Report Form, DOT- 12, but do not enter into REMIS.

#### B. **RENTALS OVER 3 DAYS OR A CHARGE EXCEEDING \$1,000 (Excluding Mobilization)**

- 1. Contact Equipment Division for a private sector E.D. number by completing the Private Sector E.D. Number Form.
  - a. Equipment Division will assign a private sector E.D. number using an appropriate class with a fourth digit of "9" followed by a three-digit unit number.
  - b. Equipment Division will then establish the REMIS Equipment Master File and contact the rental organization.
  - c. This must be completed no later than the first full day's utilization of the rented equipment.
- 2. Record the use of all private sector rentals on the *Daily Work Report*, Form DOT-12, and enter all required information into REMIS.
  - a. No rental rate is charged for private sector equipment.
  - b. Default reporting (idle) will occur for rental units not reported as used.

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- c. Status codes for private rental equipment will be limited to "A" – Active and "R" – Repair.
- 3. If Private Sector E.D. Numbered Equipment is used by more than One organization, the same rules for transferring WVDOH-owned equipment, Form DOT-91, apply. See DOT 4.6 on Equipment Transfer & Status Change Reporting.
- 4. Upon returning private sector equipment to the owner or vendor, it is important to contact the Equipment Division and have the unit(s) retired by completing the Private Sector E.D. Number Request Form.
- 5. **DO NOT** enter Meter Readings to REMIS (HW-50, "EM", "M" Equipment Meter Readings).
- 6. **DO NOT CHARGE** Labor, WVDOT owned Equipment, Inventory (including fuel) or Purchases to Private Sector E.D. Numbered Equipment. All of these costs must be charged to the project or authorization for which the equipment was rented. IF NOT, these charges must be corrected by processing a Journal Voucher.

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### 6.0 ACCEPTING OWNERSHIP OF EQUIPMENT

- 6.1 Any equipment being rented or leased by the District or Division that the vendor or owner no longer chooses to retain, may be relinquished by the vendor owner to the District or Division. The District or Division may choose to accept the equipment but is not required to do so.
- 6.2 The District or Division may accept ownership of equipment if:
  - A. The District or Division has been renting or leasing the equipment;
  - B. The District or Division has maintained the equipment and believes it will be a usable asset for the District or Division; and
  - C. The vendor voluntarily relinquishes ownership to the District or Division.
- 6.3 The equipment may be accepted upon execution of an agreement by the Commissioner of Highways (Commissioner) and the vendor or owner, and the transfer of title or other indicia of ownership to the District or Division.
- 6.4 The District or Division shall, upon receipt of the title or other indicia of ownership, include the equipment in the District's or Division's inventory and reports.
- 6.5 Prior to accepting any equipment under this policy, the Commissioner shall notify the Director of the Purchasing Division of the impending termination of the rental or lease agreement for the equipment and the anticipated ownership of the equipment.

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### 7.0 RELEVANT MATERIALS/DOCUMENTS

7.1	<a href="#">SM-105 Form</a>	Private Equipment Available for Rent – Not on Contract. District Maintenance Engineers and county organizations have access to SM-105 lists.
7.2	<a href="#">DOT-12</a>	Daily Work Report
7.3	<a href="#">WV-39</a>	Blanket Release Order
7.4	<a href="#">SM-93</a>	Statement of Acceptance
7.5	<a href="#">DOT-91</a>	Transfer or Status Change of Equipment
7.6	<a href="#">E.D. Number Form</a>	Private Sector Equipment E.D. Number Request Form
7.7	<a href="#">Maintenance Manual</a>	Operations Maintenance Manual
7.8	<a href="#">Rental Rates</a>	USDA Rental Rate Blue Book for Construction
7.9	<a href="#">DOT 4.6</a>	DOT Administrative Operating Procedures: Equipment Transfer and Status Change Reporting
7.10	<a href="#">DOT 6.4</a>	DOT Administrative Operating Procedures: REMIS Purchase Types and Purchase Decision Making
7.11	<a href="#">DOT 6.6</a>	DOT Administrative Operating Procedures: Statewide & Agency Contracts

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### 8.0 CHANGE LOG

March 11, 2019

- Format changed per Policy and Procedure work group. Edits made to 5.3.B.1 and 5.3.B.4.

March 15, 2000

- Section 5.3.B.5 and 6 added to policy.

August 19, 2022

- Added Section 6.0 Accepting Ownership of Property. Added REMIS footnote to page 1. Formatting updated.

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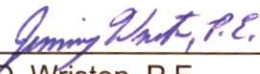
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Effective Date of Policy: 08/19/2022

Approved by:

  
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Jimmy D. Wriston, P.E.  
Secretary of  
Transportation  
Commissioner of  
Highways

  
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Date

\*The Secretary of the West Virginia Department of Transportation or the Commissioner of Highways may, pursuant to the authority vested with the Secretary and Commissioner in W. Va. Code §5F-2-2, §17-2A-1 *et seq.*, and §17-2-1 *et seq.*, waive the requirements of this policy if the circumstances, in the Secretary or Commissioner's sole discretion, warrant such action.