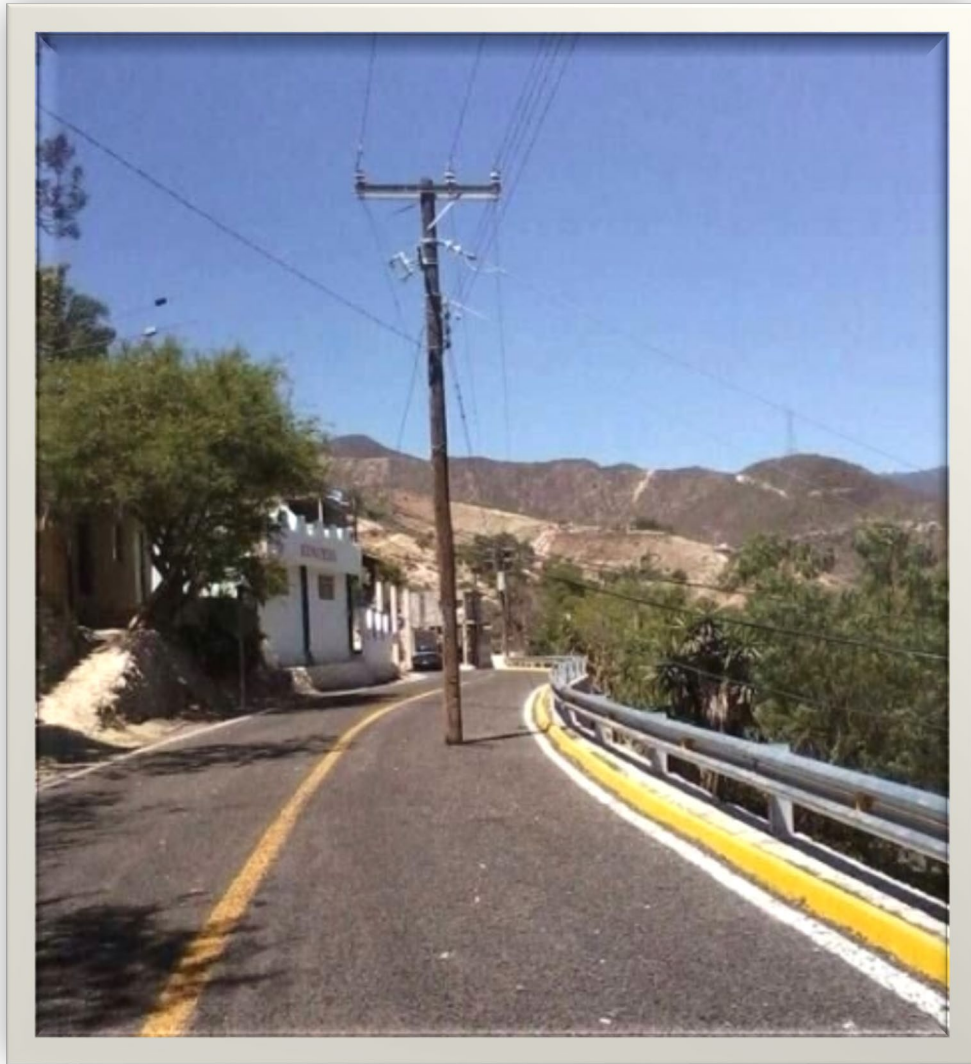


Oregon Utility Relocation Guide



Oregon Department of Transportation

Right of Way Section

4040 Fairview Industrial Drive SE, MS 2 | Salem, Oregon 97302

www.oregon.gov/odot/row/pages/utilities.aspx

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REVISION HISTORY

Major Updates

Summary of Update	Revision Date
Utility guide updated to match the updated utility manual. Updates include: • Text edits • Section restructuring • Formatting • Updated exhibits • Updated links	November 2018

For questions about updates to this guide, please contact the Utility Relocation Program via email at UtilityandRailProgra@odot.state.or.us.

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TABLE OF CONTENTS

Contents

SECTION 1 – INTRODUCTION	4
1-1 – Naming Conventions.....	1
SECTION 2 – PROCESS	3
2-1 – Utility Reports	3
2-2 – Mapping	3
2-3 – Establish Eligibility for Reimbursement	6
2-4 – Notify Utility Owners of Upcoming Projects.....	8
2-5 – Reimbursable Process.....	10
2-6 – Non-Reimbursable Process.....	18
2-7 – Funding Opportunities	19
2-8 – Utility Attachments on Structures	20
2-9 – Adding Work to ODOT Contract	20
2-10 – Coordinating Utility and ODOT Facility Installations	21
2-11 – Timing Letter	21
2-12 – Specifications	22
2-13 – Certification	23
2-14 – Permits.....	23
2-15 – Construction.....	24
APPENDIX A – UTILITY CHECKLISTS.....	26
Checklist – Utility Relocation Process Workflow	26
Checklist – Reimbursable Utility Relocation Process.....	31
Checklist – Non-Reimbursable Utility Relocation Process.....	34
APPENDIX B – FORMS	36
APPENDIX C – Examples.....	38

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SECTION 1 – INTRODUCTION

The Oregon Utility Relocation Guide is intended for use by ODOT and contracted utility coordinators (UC), as they execute the work of the Utility Relocation Program. UC's include the region utility specialist, consultant coordinators and local agency coordinators.

A thorough reading and understanding of the [Oregon Utility Relocation Manual](#) should be done prior to using this guide. The federal and state laws, rules, regulations, and guidelines impacting the Utility Relocation Program are listed and discussed in the Utility Manual.

The following table shows the flow of work by project assignment from the project UC to the State Utility Liaison (SUL).

Project Assignment	Utility Coordination (from)	Report Flow (to)
In-house Projects	Region Utility Specialist (UC)	SUL
Outsourced Projects	Consultant UC	Project Manager (PM) to SUL
Local Agency Projects	Local Agency UC	Local Agency Liaison (LAL) to SUL

1-1 – Naming Conventions

Both electronic and hard-copy files are part of project documentation. To ease in the document retention and recovery efforts, the Utility Relocation Program adheres to the following file naming convention.

- ✓ Project key numbers must be used as the first designation in file names and email subject lines.
- ✓ Avoid the use of spaces within a file name; if you wish to have separation, use an underscore (_) or hyphen (-).

Electronic Files

Document Names: KeyNumber_DocumentType_UtilityOwner. Example: 10942_ConflictLetter1_Pacific-Power.doc

Written Correspondence

Subject Line / Header: Include the type of letter, project name, highway, county and key number.

Example:

Subject: Conflict Letter
Project Name: Some Project
Highway: Some Highway
County: Some County
Key No.: 10942

Email

Subject Line: KeyNumber – Description of Discussion. Example: 10942 – Potholing request

ProjectWise

ProjectWise is an integrated suite of collaboration servers that enable engineering design and

construction project teams, their information, and their tools to work together.

All Region projects are required to be placed into ProjectWise. Follow the requirement of the ProjectWise standards. This includes all naming conventions for files.

SECTION 2 – PROCESS

2-1 – Utility Reports

Utility reports are developed during the environmental impact statement (EIS) or scoping phase of a project. This report is used by the project team to evaluate proposed alternatives and selecting an option to advance toward construction. The report consists of three major sections:

- Utility owner and contact information.
- General statement of impacts to each utility facility, based on the identified alternatives.
- Estimated cost impacts to each utility owner for each alternative and estimated reimbursable costs, if applicable.

The reimbursable cost estimates developed for the utility report are rough estimates that can be used as the initial utility reimbursement (UR) budget for the project.

Rarely is there any surveyed mapping of the project at the scoping phase. The UC must depend on aerial maps with alignments roughly estimated, owner-provided maps, and data collected from site visits. Once impacts have been identified, it's recommended that the UC work with utility owner(s) to prepare general estimates for relocation costs, if applicable.

While it is the responsibility of the utility owner to establish reimbursable relocation rights, the UC should anticipate those rights when preparing the utility reports. [2-3 – Establish Eligibility for Reimbursement](#) lists resources available to make the initial assessment of eligibility.

Sample reports are listed in [APPENDIX C – EXAMPLES](#).

2-2 – Mapping

2-2-1 – Oregon Utility Notification Center One Call

ODOT's survey crew files a locate request with the Oregon Utility Notification Center (OUNC) 10 business days prior to beginning their survey for the project base map. OUNC creates a numbered locate ticket, which the survey crew provides to the UC. A sample locate ticket is provided in Appendix C.

The OUNC notifies the utility companies listed on the bottom of the ticket. The utility companies are responsible to mark their facilities, and notify the requestor of "non-locatable facilities" or "no facilities" within the requested area.

OUNC **only** notifies those utility companies that have maintained and submitted their facility mapping. It is possible that some utilities will not be located and further research and contacts must be made. An example would be ODOT or City electrical facilities serving illumination, traffic signals or traffic monitoring devices.

If a notified utility owner fails to mark their facility within the 10 business days, as directed in Oregon Administrative Rule (OAR) [952-01-80](#), the survey crew should contact the utility owner directly. All contact should be documented in the event a Request for Administrative Action (RAA) is needed, should a utility owner fail to mark their facilities.

The [Oregon Utility Coordinating Council](#) (OUCC) developed a comprehensive [Standards Manual](#), which includes the laws, statutes, and procedures pertaining to utility facility identification. The OUCC website is an excellent resource for up-to-date facts and information.

2-2-2 – Review Design Base Map

Once the survey crew has gathered all the existing features of the project area, a base map is generated and transmitted to the designer. The data collection processes and method is described in the ODOT's Survey Field Note Standards and Base Map Standards. The surveyor or designer provides a copy of the map to the UC. The UC reviews the utility locate information and works with the utility owners to verify completeness and accuracy.

Depending on the density of utility facilities on a project site, any or all of the following actions may be necessary to verify the utility data on the base map:

1. Conduct a project site visit with map to confirm ownership of above-ground and underground utility facilities.
 - a. Above-ground confirmation includes noting ownership and joint use on poles and direction of aerial lines.
 - b. Underground confirmation includes ownership and continuity of underground facilities.
2. Meet with utility owners to compare base map to their facility maps.
3. Collect additional horizontal and vertical data may be required through potholing.

The information gathered and displayed on the base map is dependent upon the type and complexity of the project. The UC should discuss what information they will require for their conflict analysis with the survey team prior to the survey if at all possible. A completed base map should include the following:

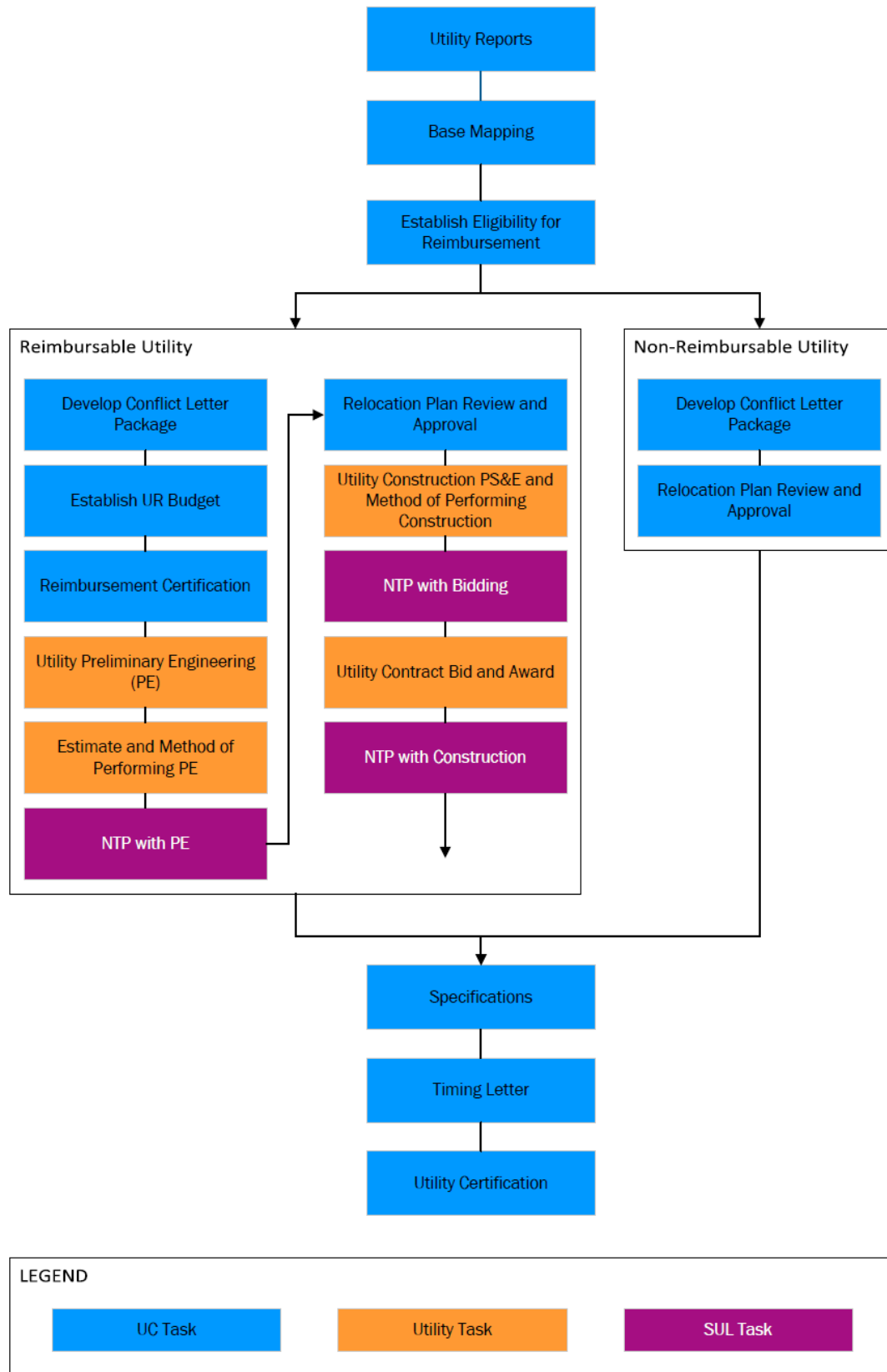
- Proposed center line
- Slope lines
- Existing roadbed
- Right of way (ROW) lines, existing and proposed
- All utilities, shown in relationship to highway center line
- Lowest elevation of utility wire crossings
- Depth of underground structures
- Easement and permit data
- All proposed utility adjustments on existing or proposed highway ROW, or where proposed utility ROW is adjacent to the highway

2-2-3 – Utility Facility Maps

In order to determine what facilities are located within the project area it will be necessary to request facility maps from the utility owners. These maps can vary from aerial photos with line drawings of the general size and position of facilities to line drawings with annotations of utility facilities. It is best to request the utility facility maps in writing to have documentation in the project records.

Some utility owners will refuse to provide mapping based on proprietary or homeland security restrictions. For those utility owners it will be necessary to provide the ODOT mapping available and ask them to verify their general facility information.

Figure 1: Utility Relocation Process Workflow



2-2-4 – Railroad Facilities

Utility facilities lying within a railroad ROW are under easement or franchise agreement with the respective railroad. There is a separate “Call Before You Dig” line for each railroad company.

- For UPRR: 1-800-336-9193 and 1-800-848-8715.
- For BNSF: 1-800-533-2891 and 1-800-832-5452.

The railroad will require the US DOT# of the crossing and the township, range, and section of the area of the conflict.

2-3 – Establish Eligibility for Reimbursement

Typically, if the utility has a compensable property interest in its present location, it would be entitled to reimbursement. If the utility is located on public right of way by permit or franchise agreement, the relocation would generally be non-reimbursable, although the permit or franchise agreement should explicitly define the parameters.

The UC must evaluate a utility owner’s reimbursement eligibility when preparing a utility report or drafting a conflict letter.

The first step when determining reimbursement eligibility is to search the ODOT permit database. Utility facilities located on state highway right of way by permit are considered non-reimbursable unless there is an “X” Permit with special provisions declaring conditions for future reimbursement for relocation.

The UC must obtain and evaluate city franchise agreements for any relocation rights and conditions the city has made with the utility company if the project falls within the limits of a given city.

If no permit is found, then there are a number of references and documents available to determine potential reimbursable eligibility.

2-3-1 – Easement Discovery by Survey and ROW

The ROW Section or Survey Unit obtains copies of property deeds adjacent to the road ROW. Contained within those deeds are descriptions of utility and/or access easements that accompany the ownership of the land. Those deeds containing utility easement information should be provided by the ROW agents or surveyors to the UC.

2-3-2 – Highway History Documents

Documents providing background and history of the development of Oregon’s state highway system are scattered throughout the ROW section.

- [Oregon Highways: Overview of Ownership Rights](#): This document was generated by ODOT as a summary of the designation and establishment of state highways and related ROWs. In addition to the process summary, there are also references to aid in finding original documents.
- [Road Establishment File Index](#): A listing of the documents describing state highways based on highway number, county in which the roadway is located and the ROW file number.
- [History of State Highways in Oregon](#): A document compiled and maintained by the ODOT Geometronics Unit which includes information to assist in locating the documents pertaining to the creation, relocation, jurisdictional exchange and abandonment of state highways.
- [Designation of Secondary Highways](#): A listing by county of sections of county and market roads adopted as secondary highways in 1933.

- [Highway Designation through Cities](#): Descriptions of the beginning, routing, and ending of primary and secondary highways routed through incorporated cities as adopted in 1935. This document provides important information about city streets that became part of the state highway system.

2-3-3 – State Highway across Federal Public Lands

2-3-3-1 – Unreserved Lands – Roadway Easements on Forest Service Lands

In order to provide uniformity on the ROW easement through national forests, a [Memorandum of Understanding](#) (MOU) was established and agreed to between ODOT and the U.S. Forest Service (USFS).

Utility facilities placed after the state highway easement was established should be found under the ODOT permits. Those permits have been reviewed and agreed upon by the USFS as a condition of the MOU. Relocation of utility facilities under an ODOT permit is non-reimbursable.

Utility facilities may have been placed prior to the state highway easement and will have a separate easement agreement with the USFS. The utility owner shall provide a copy of the easement to confirm reimbursement eligibility.

2-3-3-2 – Reserved Lands – Roadway Easements on Native American Tribal Lands

Tribal lands are part of the federal reserved lands. Roadways through these lands are established with easements. Utility facilities crossing tribal lands are also under easement and may have been established under an ODOT permit or through direct easement with the respective tribal government. The [Bureau of Indian Affairs](#) can assist in obtaining the utility easement information for reimbursement eligibility.

2-3-3-3 – Irrigation Districts – Federal Land Act and Rights Prior to State Highway

Most irrigation districts in Oregon were established under the Desert Lands Act of 1891 and ROWs under the Carey Act of 1894 and adopted by Oregon in 1901, which is prior to the establishment of state highways. Agreements between the irrigation district and ODOT should have been made at the time the roadway ROW was established. The ROW Section in Salem provides research support when copies of these agreements are needed.

Under the same general policy as other utilities, the adjustment and/or relocation of irrigation and drainage canals and ditches which conflict with highway construction are reimbursable. However, there are many types of organizations which own irrigation facilities. Water improvement districts, water control districts or corporations, [US Bureau of Reclamation](#) projects and water districts are organized under different statutes and have different rights and responsibilities.

The UC must determine:

1. The statute under which a particular district or company was organized.
2. The type of ditch ROW – whether it exists by easement, fee or reserved for irrigation purposes by the federal government.
3. The date the particular ditch or canal was constructed.
 - a. This date compared with the date the ROW was acquired will establish the irrigation company's rights. The rights must be certified in the same manner as any other utility company property rights. See Section 2-5-6 Reimbursement Certification.

2-3-3-4 – Irrigation Relocation Agreements

Before adjusting the irrigation facilities which are in conflict with highway construction, federal regulations and state law require that the irrigation district or company and ODOT agree on their separate financial, construction, and maintenance responsibilities. See [APPENDIX C – EXAMPLES](#) for an example.

- The relocation work may be done with irrigation district forces, on a contract let by the district, or included in an ODOT contract.
- A written agreement must be executed.
 - Simple Adjustments: The agreement may consist of an exchange of correspondence.
 - Complex Adjustments: A formal agreement is required. The SUL executes the agreement with input from the UC.

2-3-3-5 – Existing Utility Services

Existing utility services to adjacent properties are normally accommodated during the acquisition of new ROW for a project. The UC must work with the ROW agent to determine how the existing service will be maintained.

Restoration

Where highway construction disrupts a utility service to a residence or business located outside the area acquired for new ROW, the restoration of that service is eligible for reimbursement.

Where highway construction disrupts a utility service to a residence or business located wholly or partially within the area acquired for new ROW, the cost of relocating the service is included in the property settlement and the utility is not eligible for reimbursement.

Removal

The removal of utility facilities located on and serve the property purchased for new ROW are reimbursable **only** if the utility owner has a valid property right in the existing location.

When the utility owner does not have a valid property right, the landowner has the option of requiring the utility to remove their facilities at the utility owner's cost when the landowner no longer requires the service. ODOT purchases that landowner's right when it purchase the property for ROW purposes.

2-4 – Notify Utility Owners of Upcoming Projects

[OAR 734-055-0045](#) requires ODOT to issue written notification to utility owners when existing facilities are located within the boundary of a project, or must be removed, relocated, or repaired due to a highway construction project. The [Utility Forms Library](#) contains templates for project notification and conflict letters; both letter types satisfy ODOT's obligation as described in OAR 734-055-0045. Providing utility owners advanced notice is recommended for projects that are large in scale with potentially difficult relocations.

2-4-1 – Project Notification Letter or Conflict Letter

Depending on the project circumstances, either a project notification letter or a conflict letter must be sent to each utility owner whose facilities are found within the limits of a given project.

2-4-1-1 – Project Notification Letters

Project notification letters are sent to those utility owners whose facilities do not appear to conflict with the existing project plans. The [Utility Forms Library](#) includes a suite of templates designed to address the following circumstances:

- UC is handled by ODOT staff or contracted staff.
- Preliminary utility mapping has or has not been completed.
- The notification will be sent to a single owner or to multiple recipients.

Supplemental Documentation

Along with the project notification letter, the following items should be included in the correspondence.

- Plan sheet, preliminary or advanced

See [APPENDIX C – EXAMPLES](#) for an example.

2-4-1-2 – Conflict Letters

Conflict letters – either for reimbursable or non-reimbursable relocations – are provided to utility owners whose facilities must be removed, replaced or relocated, given their position within the project limits. The [Utility Forms Library](#) includes templates to address the following circumstances:

- UC is handled by ODOT staff or contracted staff.
- Preliminary evaluations indicate facility relocation is eligible or not eligible for reimbursement.

The non-reimbursable conflict letter identifies the documentation required should a utility owner believe their facility is eligible for reimbursement.

Supplemental Documentation

Along with the conflict letter, the following items must be included in the correspondence.

- Plan sheets, preliminary or advanced
- Conflict list
- Utility information sheet

An example of the package is included in [APPENDIX C – EXAMPLES](#). For reimbursable relocations, see [2-5 – Reimbursable Process](#). For non-reimbursable relocations, see [2-6 – Non-Reimbursable Process](#).

2-4-2 – Utility Relocation Information Sheet

The utility relocation information sheet, form 734-5163, is provided to the utility owner for their staff to complete. The UC identifies a due date for when the form needs to be returned. While not a legal requirement, this sheet has proven invaluable to both the UC and the utility owner, ensuring expectations are clearly stated.

2-4-3 – Conflict List

The [conflict list](#) is provided to the project designer to complete once the project design work begins. It is the responsibility of the designer to develop the initial conflict list. As the horizontal and vertical alignment and roadway templates are developed, utility conflicts become apparent. The designer sends the preliminary list to the UC for evaluation, summary, and transmittal to the utility owner. The project designer and UC should review the list together and determine if additional information is needed from the utility owner, especially vertical depth by potholing.

The project designer creates and maintains a running list of conflicts, by station and offset, as they are identified. The UC must sort the list by utility owner, preparing separate spreadsheets for each utility. The UC revises the list and adds plan sheet numbers and notes to clearly define the areas of conflict to coordinate the list with the plan set being submitted to the utility owner.

An example is provided in [APPENDIX C – EXAMPLES](#).

2-4-5 – Plan Sheet Markup

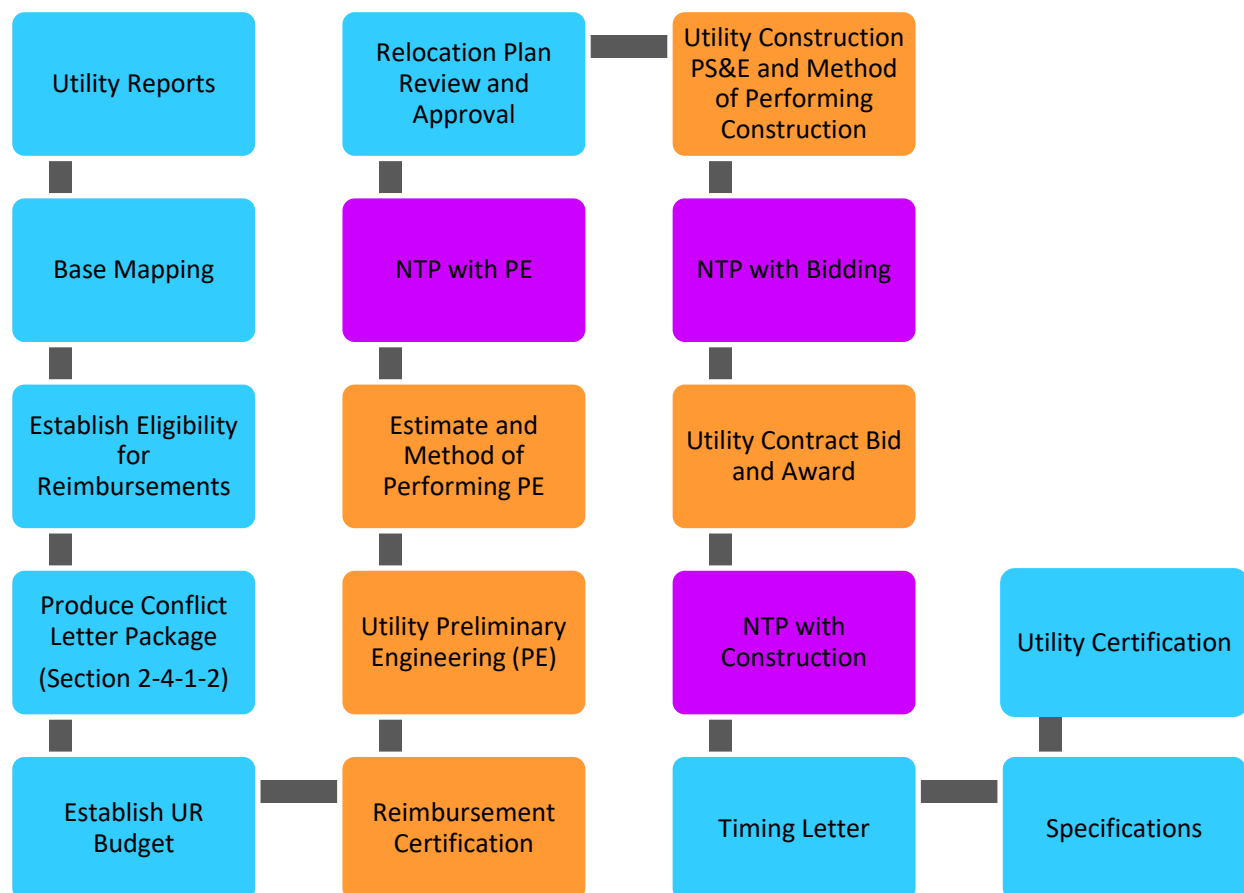
Plan sheet markup occurs when a complete set of plans has been compiled for a project. This includes **all** elements of design, such as staging, roadway, drainage, signals and illumination, and any other element that impacts overhead and underground utility facilities.

A set of plans is made for each utility owner. Using the conflict list, each conflict is marked on the plan sheet and the corresponding construction note highlighted. A sample of a marked up plan sheet and the corresponding utility owner relocation is in [APPENDIX C – EXAMPLES](#).

2-5 – Reimbursable Process

The reimbursable utility conflict letter establishes/identifies the financial responsibilities of each party and outlines the area of conflict.

Figure 2: Reimbursable Utility Process Workflow



Once a reimbursable utility is identified, the SUL is notified. The SUL drafts a Reimbursable Process Letter, form 734-5168, to the utility owner. This letter outlines what is needed for the Utility Construction Agreement, including:

- Conflict Letter and matrix.
- Approved relocation plan.
- Time requirement letter.
- Detailed cost estimate.

This agreement is reviewed and approved by DOJ prior to it being sent to the utility owner. Once the agreement has been executed, the SUL will issue a notice to proceed (NTP) with the work. An NTP is required for preliminary engineering, construction engineering, construction, proceed with competitive contract, award of a contract, materials, and so on.

2-5-1 – Utility Relocation Budget

An estimated utility relocation (UR) budget is established during the scoping and project prospectus stage. The UC should be involved in the development of that budget; however, this is not always the case.

The UC should confirm with the project leader (PL) that the project budget includes a UR expenditure account (UR EA), when eligible reimbursable utility facilities are found or suspected to be within the project limits. Adding a UR phase to a project after the initial budget is established requires a STIP amendment.

The UC needs to compare the utility owner's estimated reimbursable costs against the amount allocated in the project budget. An NTP with preliminary engineering and/or construction cannot be issued unless there is sufficient project budget assigned to the UR. The SUL will work with the PL to increase the budget if the allocated funds are insufficient.

2-5-2 – Transmittal Request Form

The transmittal request form is located in the [Utility Forms Library](#) in the reimbursable section. The transmittal serves as a cover letter accompanying all submittals for reimbursable relocation information, and it serves as a request for action from the SUL.

The form includes five areas:

- Request approval checkboxes – Utility let contracts, work by utility forces, work added to contract
- Funding allocation with request for programming if needed
- Description of request – brief one paragraph explanation
- Transmit approvals to contact person and addresses
- Checklist for the attached documentation.

2-5-3 – Reimbursement Information Form

The reimbursement process begins with the reimbursement information form (RIF). This document is provided to the utility owner from the UC. It can be transmitted as a separate document or attached to

the conflict letter package along with the list of conflicts and plan set. The utility owner will fill out and return the form to the UC who forwards it to the SUL with the transmittal request form.

The information provided by the utility owner on this form provides the information on budget needs and who will be performing the engineering and construction.

2-5-4 – Utility Construction Agreement

The SUL will send the reimbursable utility company the utility construction agreement for their review and signature. After the authorized person at the utility signs the agreement and it is sent back to the SUL, with a detailed cost estimate for the first requested work, the SUL will then send out the notice to proceed as well as the co-signed utility agreement.

It is the responsibility of the utility to prepare a detailed estimate of cost for the proposed reimbursable work. The utility should itemize the work in sufficient detail to provide the State a reasonable basis for analysis. The itemization should include estimated costs of labor, overhead rates, materials, supplies, handling charges, transportation and equipment, and preliminary and construction engineering. The estimate should also include an itemization of appropriate credit for salvage, betterments and accrued depreciation.

2-5-5 – Establish Cost Split

There are times when only a portion of the relocation costs are eligible for reimbursement. The UC works with the utility owner to establish which relocations, or portions of the relocations, are eligible for reimbursement. Payment for the reimbursable portions can be based on a percentage of the overall work or captured in separate work orders.

Split costs can occur when:

1. A utility owner has facilities located both in and out of its easement. Only the portions located within the easement are eligible for reimbursement.

These situations can often be defined as a direct percentage when the overall work is uniform in nature for the entire length of the facility. An example of a percentage-based reimbursement would a utility facility relocation of 25 poles includes 23 on private property and 2 on public ROW. The percentage would be $23/25$ or 92.00% of the relocation would be eligible.

Underground linear relocations such as waterlines, communications, and gas can be calculated on total length. An example would be 2300' of gas line to relocate. If 1800' is on private property, then there is a reimbursable percentage of $1800'/2300'$ or 78.26%.

An example of the research and cost split determination is found in [APPENDIX C](#) – EXAMPLES.

2. The utility owner decides to upgrade its facility while performing the relocation.

Upgrades or betterments are usually in the form of larger capacity materials to accommodate future needs. The difference in materials and possibly construction methods needs to be estimated and a cost differential agreed upon.

The utility owner must make a declaration of intent to make an upgrade or betterment when they submit the Reimbursement Information Form. The actual costs and differentials will be presented when the utility owner submits its detailed cost estimate.

2-5-6 – Reimbursement Certification

The utility owner is responsible to provide proof of its property rights that make the utility facilities eligible for relocation reimbursement. Proof can be provided in the following forms:

- X-Permit.
- Easement.
- Prior Rights.

2-5-6-1 – “X” Permit

An “X” permit is granted to a utility owner when the utility had facilities on land where it has/had compensable interest and the land was acquired by ODOT for roadway ROW. The “X” permit guarantees reimbursement to the utility owner for costs incurred in removing and relocating their facilities at any future time when required by an ODOT STIP project. “X” permits are kept on file at the district permit office.

2-5-6-2 – Easement

An easement is the right to use the real property belonging to another, without possessing it. The utility owner must provide the documentation showing that the facility is allowed on a property, in a specific location, as described in a deed or other recorded legal document.

When there is no written documentation of easement, the utility owner must provide a court finding of prescription rights.

2-5-6-3 – Prior Rights

City- or county-owned and operated utility facilities may be eligible for relocation reimbursement, based on the location and the property rights at the time the facility was placed. The documents listed in [2-3 – Establish Eligibility for Reimbursement](#) can help verify eligibility claims.

2-5-7 – Reimbursement Certification Form

The UC submits a reimbursement certification form once all the reimbursement eligibility documentation has been received, reviewed, and confirmed. The reimbursement certification form, along with all of the documentation, is sent to the SUL with the transmittal request form as a cover sheet.

2-5-8 – Utility Preliminary Engineering

Preliminary engineering (PE) for the utility facility relocation can be performed by the utility owner’s workforce, a consultant under contract with the utility owner, or a consultant hired specifically for the design of the relocation work. The utility owner indicates how the PE will be performed on the reimbursement information form.

The UC collects the documentation and transmits it to the SUL using the transmittal request form. The SUL must issue an NTP before any preliminary engineering work can begin. Any work prior to the issuance of the NTP will not be reimbursed.

2-5-8-1 – PE by Utility staff

The utility owner submits a cost estimate for approval, prior to starting PE.

2-5-8-2 – PE by Continuing Consultant Agreement

The utility owner submits a copy of their contract with the consultant which also includes salary rates, overhead, and profits. An estimate of the total PE costs should be submitted on the RIF. The SUL reviews the information and issues a notice to proceed.

2-5-8-3 – PE by New Consultant Contract

The utility owner submits the consultant agreement. Documentation includes a cost estimate of services with salary, overhead, profit, and incidental expenses, an agreed upon not to exceed amount, basis of payment to the consultant, and an agreement for retention of records for auditing purposes.

For contracts expected to exceed \$10,000 a detailed scope of work is also required. The SUL reviews the contract to confirm a competitive bidding process was used and the rates are reasonable; was confirmed, the SUL issues an NTP.

Relocation Plan Review and Approval

The relocation plan is best submitted on marked up ODOT plan sheets, if possible. If the utility owner submits their own plan sheets, then the drawings should include sufficient roadway, ROW, and ODOT project information to compare the relocated facility positioning against the ODOT proposal.

The UC, along with the project designer, PM, district representative, and other technical staff as needed, review the proposed relocation and approve or request revision. This step may require the utility owner to stake the proposal on the project site and the ODOT survey crew record the staking and map it to the ODOT construction file before a final approval can be made.

Utility Plans, Specifications, and Estimate (PS&E)

The utility owner prepares and submits a detailed cost estimate once the relocation plan has been approved. For those relocations performed by the utility owner's workforce, the estimate is transmitted to the SUL for review and an NTP.

Utility Construction

Utility construction for the utility facility relocation can be performed by the utility owner's workforce, a competitive contract, the ODOT contractor or a contractor with a continuing agreement.

The utility owner identifies the method by which construction will be carried out on the reimbursement information form. The UC collects the construction supporting documentation and transmits it to the SUL using the transmittal request form. If the utility owner will complete both the construction engineering and the construction work, both elements should be included in the estimate. The SUL must issue an NTP before any construction work can begin.

Any work prior to the NTP will not be reimbursed.

Utility Contract Bid and Award

A utility owner must follow a low-bid process or utility owner-approved bidding process when contracting reimbursable relocation work. The utility owner must provide a copy of its bidding process to the SUL for approval and NTP before advertising the project.

The utility owner provides the SUL a detailed tabulation of the bids received and the prospective contractor. The SUL reviews the tabulation and confirms the selected contractor is the low bidder and qualified for the relocation work, and issues an NTP for construction.

Any work prior to the NTP will not be reimbursed.

2-5-8 – Utility Billing

The utility owner may submit invoices periodically throughout the relocation process or at the end of the relocation work. The utility owner has 120 days after completion of the work to submit a final billing, per Section 4 of the utility construction agreement.

2-5-8-1 – Documentation from Utility

The utility owner is responsible to provide sufficient documentation for its workforces, contractor workforces, and any subcontractor workforces to support the request, validating that the requested reimbursement costs are reasonable.

Supporting documentation **must include**, but is not limited to, the following expenses:

- Labor.
- Equipment.
- Transportation.
- Materials, tools and other supplies.
- Materials on-hand.
- Overhead and additive rates.

Labor

Salaries, wages and related expenses paid by the utility owner to individuals for the time worked on the project are reimbursable, when supported by adequate records. This includes labor associated with preliminary engineering, construction engineering, ROW, and force account construction. Wage report may be provided using actual or average rates.

Required Documentation:

- Employee, job duty or classification, pay rate, date worked, hours per day
- Summary by location of what or where the employee was working

Salaries and labor-related expenses paid to individuals who are normally part of the utility owner's overhead organization may be reimbursed for the time worked directly on the project, when:

- Supported by adequate records; and
- The work performed by such individuals is essential to the project and could not have been accomplished as economically by employees outside the overhead organization.

Amounts paid to engineers, architects and others for services directly related to projects may be reimbursed.

Equipment

The cost of operation, minor maintenance, and depreciation of utility-owned equipment may be reimbursed. Reimbursement for such vehicles may be made at average or actual costs.

When utility-owned equipment is not available, reimbursement will be limited to the amount of rental paid.

Required Documentation:

- Equipment description, rates, dates, and hourly rate or mileage depending upon the utility owner's standard operating procedure
- Invoices for rental equipment

Transportation

The utility owner's cost of necessary employee transportation and subsistence directly attributable to the project is reimbursable. Costs identified must be consistent with the utility owner's overall policy.

Required Documentation:

- Mileage log, date, rate

Materials, Tools and Other Supplies

Materials and supplies furnished from existing company stock shall be billed at the current price for such new or used materials at time of issue.

Materials and supplies purchased specifically for the project (not furnished from existing inventory) shall be billed at actual costs to the utility owner, as delivered to the project site.

A reasonable cost for plant inspection and testing may be included in the costs of materials and supplies when such expense has been incurred. The computation of actual costs of materials and supplies shall include the deduction of all offered discounts, rebates, and allowances.

The cost of rehabilitating rather than replacing existing utility facilities to meet the requirements of a project is reimbursable, provided this cost does not exceed replacement costs.

Under the federal "Buy America" law, 23 CFR 635.410, any iron or steel used in projects with federal money must be manufactured in the United States. A certificate of materials origin (CMO), [ODOT form 734-2126](#), identifies where the iron or steel item was manufactured¹. The CMO must be submitted by the utility owner before the materials can be incorporated into the job.

CMO information is located in the [ODOT Construction Manual Chapter 12B](#). A sample of a CMO is provided in [APPENDIX C](#) – EXAMPLES.

Required Documentation:

- Description, price per unit, quantity, and total cost

¹ The term "manufacturing" includes all processes that affect the size, shape, and finish of the steel such as coating, forming, plating, galvanizing, and so on.

- Copies of invoices from vendors and subcontractors
- Federal aid projects:
 - CMO for all iron and steel material used

Materials on Hand

Some materials are limited in availability or have long delivery times that require early purchase and storage. To meet the conditions for payment, the utility owner must receive approval from the SUL and meet the criteria as defined in [ODOT's Standard Specifications](#) Section 00195.60 and [ODOT Construction Manual, chapter 12F](#).

Required Documentation:

- Location of stored materials and permit of entry for inspection and confirmation
- Description, price per unit, quantity, and total cost
- Copies of invoices from vendors and subcontractors

Overhead and Additive Rates

All applicable indirect costs and/or overhead rates must be approved prior to invoicing and payment. Indirect costs can include but are not limited to:

- General overhead,
- Employee fringe benefits,
- Material and other additives.

Indirect costs must comply with [48 CFR Part 31](#) of the federal acquisition regulations. Indirect cost rates may be subject to audit by ODOT Audit Services. As such, it is suggested that utility owners submit overhead rates prior to billing, allowing Audit Services additional time needed to review submitted documentation.

Local and state governments are required to use the federal [OMB Circular A-87](#) cost allocation plan approval process prior to reimbursement of indirect costs and/or overhead. Direct costs, such as employee salaries, employee fringe benefits, materials, subcontractors and so on, are allowable.

Allowance for funds used during construction (AFUDC) charges are not allowed.

2-5-8-2 – Analysis Timing

Reimbursable utility relocation billing is submitted to the UC. [ORS 293.462](#) establishes a 45-day timeframe, from billing to payment, with the clock starting once all required documentation has been submitted to the UC.

The UC verifies the information is correct and documentation is complete, and representative of the actual cost. The UC has 10 days from the receipt of the complete documentation package to perform his or her review and submit the billing package to the SUL.

Billing Package Requirements:

- All incoming documentation is to be date stamped upon receipt.
- Requests for additional documentation are to be made in writing.

For those individual billings exceeding \$10,000, the UC must obtain written verification and approval by the respective area manager before transmitting the package to the SUL. A running total of reimbursable utility billings are maintained by the UC to avoid overrun of the budgeted UR EA.

The UC notifies the PL when the billings approach, and are expected to exceed, the limit of the programmed budget. The AM must approve, in writing, any reimbursable utility relocation billings once programming has been exceeded.

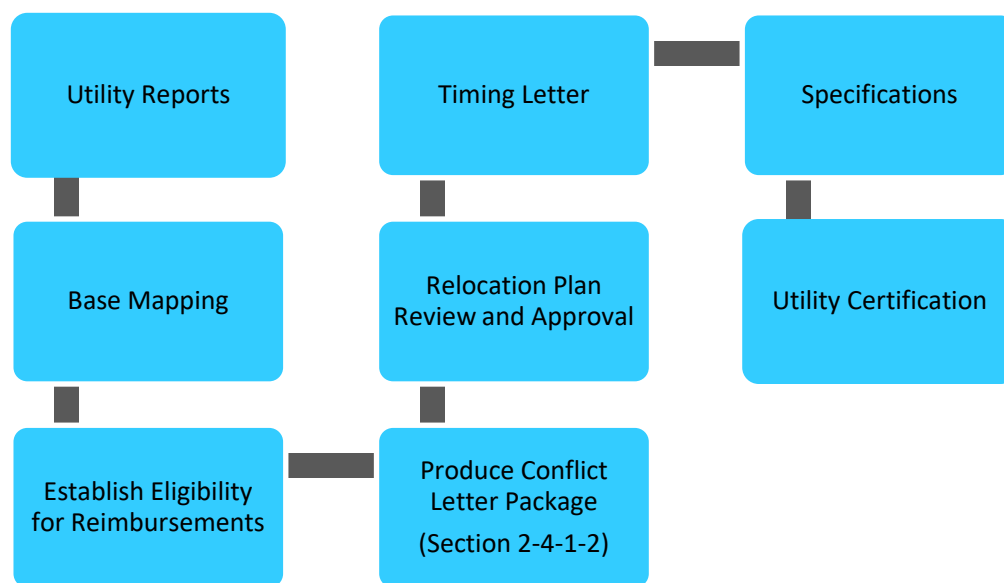
Once the review and approvals have been acquired, the invoice with attached documentation is transmitted to the SUL. A transmittal for utility payment request form is found in the utility form library. This form serves as a cover letter and the AM approval document. The SUL reviews the submittal and processes it for payment to the utility owner.

2-6 – Non-Reimbursable Process

[OAR 734-055-0045\(2\)](#) establishes the timeframe in which the utility company has to respond with a relocation plan and schedule as “within 30 days or within the time frame contained in the notice.” The conflict letter serves as the written notice, indicating the time frame for a given project, and meeting ODOT’s obligation set forth in OAR.

The UC works with the utility owner to establish deadlines for plans, schedule, and execution of necessary relocations.

Figure 3: Non-Reimbursable Utility Relocation Process



2-6-1 – Review Relocation Plans

The relocation plans should be submitted to the UC on the project plan sheets or utility company plan sheets that show the critical project data such as ROW, centerline stationing and roadway features. The relocation plan should provide sufficient data for the UC, project designer, PM, and district permit and/or maintenance representative to evaluate the new location of the utility facility and ensure no additional conflicts are created.

Example of a utility relocation sheet is provided in [APPENDIX C – EXAMPLES](#).

2-6-2 – Relocation Staking

The utility owner is responsible for staking its proposed facility for field review. ODOT provides staking of current and or proposed ROW, no work zones, and permanent easements. ODOT surveyors can also provide centerline station and project reference monument coordinates to the utility owner, if requested.

Once the staking is complete, the UC, project designer and PM review the staking in the field and either accept or request changes to the proposed relocation. Once the relocation is approved, ODOT surveyors record the relocation in relation to the project coordinates or have the utility owner supply the relocation coordinates.

2-6-3 – Establish Relocation Timing

Utility facility relocations should occur between possession of ROW by ODOT and the contract bid date. However, there are occasions when a facility relocation is dependent upon the completion of another project task, stage or phase. The specification timeline shall include interim completion days for advance notifications to utility owners by the contractor. Reference Standard Specifications section 00150.50.

For those relocations occurring during construction, it is important to obtain how much prior notification the utility owner needs to be ready, when the contractor has completed the necessary work.

All of this information is used in the timing letter (see [2-11 – Timing Letter](#)) and special provisions (see [2-12 – Specifications](#)).

2-7 – Funding Opportunities

Relocating utility facilities can be expensive, and may present a financial hardship for small utility companies and municipalities. The UC can assist by directing the utility owner to funding programs. The UC does not seek or secure funding for utility owners. Some of the programs are detailed below:

- [Drinking Water State Revolving Fund](#): Administered by the Oregon Health Authority Drinking Water Program. Interested parties may apply for funding of the relocation, as well as engineering assistance.
 - Through this fund contracts have been established with drinking water [circuit riders](#) to provide on-site technical services for community water systems serving populations under 10,000. The community contacts the circuit rider to initiate the process and can receive up to 10 hours per issue of free engineering services. An example of a circuit rider report is included in [APPENDIX C – EXAMPLES](#).
- The [Infrastructure Finance Authority](#) has four different types of funds available for water or wastewater improvement projects. These funds are for grants and loans are available for engineering and construction upon application and approval. The four types are:
 - [Community Development Block Grants](#): Available to non-entitlement cities and counties for a variety of project types.
 - [Safe Drinking Water Revolving Loan Fund](#): Provides low-cost financing for construction and/or improvements of public and private water systems.
 - [Special Public Works Funds](#): Provides funding needed to support industrial, manufacturing and certain types of commercial development.

- [Water/Wastewater Financing Program](#): Available for construction and/or improvement of water and wastewater systems to meet state and federal standards.
- [Oregon Transportation Infrastructure Bank](#): Public utility facility relocations may be eligible for loans through the OTIB.

2-8 – Utility Attachments on Structures

The [Bridge Design Manual \(BDM\)](#), Section 3.14.10 Utilities, provides information for utility facilities to be installed in or on bridges. It is expected that utilities that are currently on structures will want to remain on the structure after replacement or reconstruction. For new structures over waterways or roadways, it can be anticipated that the utility owners will consider installing their facilities on the structure.

1. The UC, during early communications with utility owners, finds out if utility owners want to consider an installation in or on the structure.

For new construction, ODOT normally provides the concrete inserts in the deck for hangers, holes through diaphragms, crossbeams, endwalls, and conduits under the end panels. This is regarded as providing minimal accommodation, which essentially has zero or negligible cost (“de minimis,” or below the threshold of actually costing the program) compared to not providing these items and is acceptable per a January 2005 opinion from DOJ.

All other costs for materials and labor related to the utility facility installation are the responsibility of the utility owner.

2. Transmit a copy of the bridge type, size, and location (TS&L) plans and [request for utility attachment to bridge structure](#) data sheet to the utility owner, once available.

The cover letter, in the form of a conflict letter, should direct the utility owner to Section 3.14.10 of the BDM and include a deadline for when the information is needed by ODOT.

The utility owner is responsible to provide the information required by the bridge designer. Any structural evaluations, plans, and calculations are to be stamped by an engineer that is registered in Oregon.

3. If a utility owner requests additional design elements, the work is generally done at the utility owner’s expense. Such work might include: conduits in a sidewalk or concrete rail, special attachment brackets, or inspection walkways.

In such a case, an agreement is made between ODOT and the utility owner before the work can be included in the project scope and related contracts. The UC notifies the SUL as soon as possible in the project development process (preferably at the TS&L stage or before), to ensure an agreement can be reached and the work can be included in the project. The SUL writes the agreement.

2-9 – Adding Work to ODOT Contract

There are times when it is more cost effective to add the utility facility relocation or adjustment work to an ODOT contract. Items most frequently added are manhole and valve box adjustments that occur during construction operations. There are also occasions where municipal facilities require adjustment during construction and the municipality lacks the manpower to coordinate with the contractor.

1. Once the conflict has been identified and a resolution determined, the utility owner issues a written request to add the work to the ODOT contract.
2. The SUL works with the utility owner to prepare an agreement detailing the scope of work and associated costs.
 - a. The utility owner must provide a detailed cost estimate and a deposit for all non-reimbursable work added to ODOT's contract.
 - b. The utility owner must provide an itemized cost estimate and deposit for any improvements or betterments to eligible reimbursable work.
3. For any work elements not addressed by ODOT Standard Specifications and Standard Drawings, the utility owner will prepare plan sheets and specifications for incorporation in the project.
4. Integrating the utility specifications into the contract documents takes additional time and coordination between the ODOT specification writer and the utility owner. The specification writer will add the agreed-upon specifications and plan sheets to the final contract package and establish separate bid items for the utility work, so that costs can be tracked during construction.
5. Upon completion of construction, the actual costs will be compared to the estimated costs. The finance office will reconcile the final costs and initiate collection or refund of additional fees as indicated by the agreement.
6. Obtain a letter of acceptance as directed in the add work agreement or operation and maintenance agreement.

2-10 – Coordinating Utility and ODOT Facility Installations

Utility service connections, such as power and telephone for traffic signals, illumination and signs, are common in ODOT construction projects. Power, telephone, sewer, water and other utility facilities may be needed for ODOT rest areas and weigh stations.

The UC assists the designer by providing the utility owner contact information to the designer. If requested, the UC may coordinate an onsite meeting with the designer and utility owner representative to review and determine the best point of connection and work required by ODOT to prepare for the utility connection. Once the meeting has been set up, the UC steps out and the designer takes over.

The ODOT designer is responsible for establishing the installation and billing agreement, and for incorporating the work into the project plans and specifications. The designer and specification writer add the connection costs to the contract as anticipated items. The PM and contractor are responsible to notify the utility owner when the work is ready for the inspection and/or connection to the utility facility.

2-11 – Timing Letter

Once the relocation plan and schedule has been reviewed and approved by the UC, project designer, PM, and district representative, the second notification or [timing letter](#) is issued per [OAR 734-055-0045\(4\)](#). The timing letter contains a description of the relocation work, as well as the agreed upon estimated date of completion or construction stage, notification, and duration of work.

Also included in the letter is the contact information for applying for the permit, confirming the ROW is in possession of ODOT, and the possibility of a delay claim if the schedule is not met.

An example of a timing letter is provided in [APPENDIX C](#) – EXAMPLES.

2-12 – Specifications

The UC obtains the most current set of boilerplate special provisions from the [ODOT specifications website](#). The most common specifications for the UC input are section 00150.50(f) and (g), 00180.40 and 00180.42. Any specification that is not a boilerplate specification must be approved by the technical expert.

2-12-1 – Section 00150.50 Cooperation with Utilities

2-12-1-1 – Item 00150.50(c)

Item 00150.50(c) was developed for those complex projects where utility facility relocations are dependent upon and need to be closely coordinated with the ODOT contractor. This section requires a regularly scheduled meeting between the contractor and utility owner representatives to coordinate and plan upcoming work.

The meeting also includes an ODOT representative and a written report of the discussions, decisions, and agreements made by all parties. The decision to incorporate these special provisions is made by the PM and UC.

2-12-1-2 – Item 00150.50(f) and (g)

The following bullet items correspond with a paragraph or section in the boilerplate that must be considered when preparing specifications. An example of contract special provisions with a combination of relocating and non-relocating utility facilities is found in [APPENDIX C](#) – EXAMPLES.

- No anticipated conflicts SP00150.50(f):
 - Provide the utility owner name and a contact person and phone number.
- Utility owner(s) will relocate or adjust facilities during construction SP00150.50(g):
 - Prepare an itemized list of each utility owner with contact names and phone numbers and estimated date of completion for their work.
 - Specific paragraphs have been provided for high pressure gas and energized power line clearances. Any other special considerations such as watchers for proximity to fiber optic or advance notification of work in proximity to the utility facility, should be defined and contact information given.

2-12-2 – Section 00180 Prosecution and Progress

2-12-2-1 – Item 00180.40(c) Specific Limitations

This section is used when constraints or specific time frames impacting the contractor schedule exist. At this time the only items included in the boilerplate special provisions are statements concerning irrigation district limitations. If there are other limits that cannot be addressed in the 00150.50(g) specifications, then the UC needs to work with the specification writer for the project to include the limitations and conditions.

2-12-2-2 – Item 00180.42 Preconstruction Conference

When there are complex utility facility relocations dependent upon the contractor's work schedule, it is advisable to hold a separate utility preconstruction conference. The decision to include this paragraph in the special provisions is made by the UC and the PM.

2-12-3 – Other Special Provisions and Specifications

The UC may discover project specifications that need to be incorporated in the contract special provisions during discussions with utility owners. An example would be the need for a specification and bid item for hand dug guardrail posts. The UC should notify the specification writer of any of these cases.

Work added to the ODOT contract, by agreement with the utility owner, will require the inclusion of additional or specialized work specifications. The UC coordinates the addition of the additional specifications with the specification writer. The utility facility owner should use American Public Works Association (APWA) specifications. Allow additional time for the specification writer to review and coordinate the appropriate specifications into the contract package.

2-13 – Certification

Before a project can be advertised and bid, a Plan, Specifications & Estimate (PS&E) package is compiled by the PL. Included in that package of information is a Utility Certification – see the [Utility Forms Library](#) for templates.

The certification is broken into two sections. The first section lists the utilities found within the project limits that will relocate and the utilities found within the project limits that have no anticipated conflicts. If all utility owners provide approved relocation plans and schedules, the UC can certify all the necessary arrangements have been made and the utility coordination is complete.

The second section is for those cases where there is a missing utility relocation component such as an approved schedule or relocation commitment. A statement of risk to the project and proposed resolution is required and the exception presented to the AM for approval and signature.

See [APPENDIX C](#) – EXAMPLES for examples.

2-14 – Permits

Every utility facility installation or relocation requires a permit authorizing a utility owner to work on or place their facility on the ROW. The timing letter issued to the utility owner gives the contact information for the permit writer.

2-14-1 – Relocation Plans to Permit Specialist

Once the relocation or installation plan has been reviewed and approved by ODOT, the UC sends a copy of the plan and timing letter to the permit writer. This gives the permit writer the advantage of knowing a permit will be requested and they will have the approved plan and schedule.

2-14-2 – “X” Permit Documentation

When it is necessary to perpetuate a utility's rights in land occupied by its facilities and an easement cannot be conveyed, an “X” Permit can be issued. An “X” Permit is a regular ODOT permit that has been

amended to provide for the State's reimbursing the utility for any future relocation work required to accommodate highway construction, reconstruction or maintenance.

An "X" Permit is issued to a utility owner that originally occupied a portion of the right of way and had a compensable interest or prior right to occupy said right of way and the existing easement rights were not purchased by the State. In order to issue an "X" Permit, the district must have documentation of the prior right. The UC has collected and validated the documentation as part of the reimbursable utility relocation process. The documentation along with approved relocation plan and timing agreement is submitted to the permit writer. The permit writer will use the documentation to support and describe the property rights and future relocation rights in special provisions attached to the permit.

2-15 – Construction

Utility coordination during construction is covered in chapter 24 of the ODOT Construction Manual. The UC serves as a resource to the PM during construction. The UC provides assistance, as needed, to ensure ODOT's relocation agreement obligations are met, and appropriate processes are followed, should conflicts arise during construction.

2-15-1 – Utility Preconstruction Meeting

A separate utility preconstruction meeting, between utility owner representatives and the ODOT contractor, is required when Section 00182.42 is incorporated into the project special provisions. The purpose of the meeting is to allow the utility owners and contractor to discuss the facility relocation schedules which will occur during construction. The contractor must incorporate the notification and relocation schedules into the prime construction schedule that is presented to the ODOT construction staff prior to the project pre-construction meeting.

The UC may be invited to this meeting and should be prepared to present the details agreed upon with the utility owners during the project development phase. One or more of the following pieces of information may be required:

- Notification time frame when Contractor is ready for utility facility relocation work to commence.
- Time frame to complete utility facility relocation work.
- Coordinating work zone signing, flagging, and work areas.
- Intermittent utility facility relocation work:
 - Notifications lead time.
 - Response time.
 - Time to complete relocations.
 - Coordination with contractor workforce.

2-15-2 – Change Orders and Contract Changes

Change orders are inherent to construction work. A seemingly benign change can cause utility conflicts not previously present or anticipated. It is the responsibility of the PM to engage with the utility owner to resolve the conflicts.

The PM must follow the utility manual sections on processing non-reimbursable or reimbursable conflicts. The PM may present the change order to the UC for input and concurrence. The UC should follow up any verbal communication with a written memo or email detailing the points discussed.

2-15-3 – Claims

A utility owner may be responsible to reimburse ODOT for additional costs incurred if it fails to relocate or adjust its facilities, as agreed upon during project development.

A detailed outline of the process is included in [Section 24-5](#) of ODOT's Construction Manual.

1. The contractor initiates the process by issuing a written notification to the PM.
2. The PM notifies the UC and issues a letter to the utility owner.
3. The utility owner is offered the opportunity to monitor and track the cost of the impacted work along with the contractor and PM.
4. The PM requests an EA be established to track administration costs.
5. The PM works with the utility owner, UC, SUL, and contractor to resolve the issue.
6. The PM submits the settlement outcome and estimated cost liability to the SUL.
7. The SUL sends a letter of the settlement outcome and cost assessment to the utility owner with a copy to the UC.
8. The SUL initiates billing process with Financial Services Section.
9. The Financial Services Section invoices and processes payments from the utility owner.

APPENDIX A – UTILITY CHECKLISTS

Checklist – Utility Relocation Process Workflow

An overview to use throughout an entire project processing of utility relocations

Notes: Abbreviations used in this checklist

- [Project Development Guide \(PDG\)](#)
- Project Leader (PL) – Leads project team through development and design of in-house projects
- Project Manager (PM) – Liaison and project leader for outsourced projects
- Construction Project Manager (CPM) – Project Manager administering ODOT construction project
- Local Agency Liaison (LAL) – Leads project team and coordinates work performed for Local Agency Projects
- State Utility Liaison (SUL) – Maintains uniformity of State Utility Relocation Program for in-house, outsourced, and local agency projects.
- Utility Coordinator (UC) – The Utility Coordinator performs the duties of the Region Utility Specialist for outsourced and local agency projects.

Complete	Activity	Responsibility
Draft STIP and Prospectus Development (PDG Phase 1)		
	Identify existing and proposed utilities within project limits	Designer/ Surveyor
	Develop preliminary utility report	Designer/ Surveyor
	Incorporate information and impacts into project scope and schedule	PL/ Designer
Project Initiation		
	Provide preliminary utility relocation (UR) budget	UC
	Review and recommend utility relocation task schedule information	UC / PL
	Represent utilities at project team meetings	UC
Design Acceptance		
	Call for “pre-survey” utility locates	Survey
	Tie utility locates to project	Survey
	Request utility facility maps w/ written request, include project footprint map or description of project limits	Survey
	Compile and distribute utility maps or electronic files	UC
	Reconcile information on utility maps with field survey	Survey and UC
	Include existing utility information on base map	Survey and Designer
	Develop preliminary conflict list and submit to UC	Designer
	Identify R/W or easement needs for utilities	UC
	Prepare & distribute Utility Report	UC

Complete	Activity	Responsibility
Preliminary or Advance Plans		
	Review ODOT preliminary and/or advance plans for utility information	UC
	Verify conflicts and accuracy of utility information shown on the plans	Utility, UC
	Request utility test-hole excavation from utility owners	UC
	Record utility test-hole data	Survey and/or Utility
	Incorporate utility test-hole data into base map	Designer
	Revise preliminary conflict list from ODOT's preliminary or advanced plans	UC
	Prepare & distribute conflict lists, plan sheets with conflicts identified, and conflict notification letters, or a project notification letter. Include reimbursement information form (RIF) to any utility that may have reimbursable work.	UC
	Provide specialty maps as needed to utilities	UC
	Liaison between designer and technical specialists and utility owners to confirm or resolve conflicts	UC
	Verify conflicts. Prepare and submit relocation plan and schedule.	Utility
	Coordination for ODOT owned facility connections	Designer
	Prepare and Submit Preliminary Special Provisions	UC
Reimbursement Eligibility		
	Identify reimbursable work, non-reimbursable work, upgrades, and betterments	Utility and UC
	Submit relocation information form (RIF)	Utility
	Submit legal documents for utility facilities located on private property	Utility
	Easements, deeds, rental agreements or	Utility
	Estoppel affidavit or Prescriptive affidavit	Utility
	Verify reimbursable work, non-reimbursable work, upgrades, and betterments. Determine cost splits	Utility Specialist
	Prepare certification verifying utility eligibility status	Utility Specialist
	Submit certification, RIF, and property rights affidavit using the transmittal request form to the SUL	Utility Specialist
Reimbursable Utility Process		
	Submit ongoing or project specific consultant agreements. (Design consultant agreements should be submitted as early as possible and should not wait for the construction estimate to be developed before processing.)	Utility
	Submit detailed estimate for reimbursement using ODOT format.	Utility
	Review estimates and UR Budget	UC

Complete	Activity	Responsibility
	Transmit preliminary engineering agreements and detailed estimates using TRF to SUL	UC
	Set up funding and expenditure account	SUL
	Prepare the utility construction agreement for signature by Utility	SUL
	Notice to Proceed for Design – required prior to beginning Preliminary Engineering	SUL
	Provide written request to Utility Specialist for any utility work being added to ODOT’s contract – See Work Added to Contract section	Utility
	Submit relocation plans, specifications and detailed estimate	Utility
	Review utility relocation plans	UC, Designer, District and CPM
	Field review utility plans – survey may be required to tie utility staking to design base map to verify relocation plan	UC, Survey, CPM
	Approve utility relocation plans and schedule – See permit Section	UC, other ODOT staff as required
	Transmit detailed estimate and relocation plan to SUL	UC
	Notice to proceed with advertising for bid – required prior to contract advertising	SUL
	Submit construction advertising and bid tabulations if contracting relocation work	Utility
	Notice to proceed with construction – required to be eligible for reimbursement	SUL
	Invite ODOT to utility preconstruction meetings (Optional)	Utilities, UC
	Submit change orders for reimbursable work to ODOT for approval	Utility
	Review and approve change orders for reimbursable	UC and SUL
	Submit invoices with all appropriate documentation and invoices	Utility
	Review & recommend payment of utility	UC
	Obtain Area Manager approval for bills over \$10,000 or when bill exceeds UR budget	UC
	Transmit invoice and support documentation to SUL	UC
	Process bills for payment	SUL
Non-reimbursable Utility Process		
	Prepare utility relocation plans and schedule to resolve any conflicts not being accommodated in ODOT’s plans	Utility
	Identify who will be doing the relocation work	Utility

Complete	Activity	Responsibility
	Provide written request to UC for any utility work being added to ODOT's contract – See work added to contract section	Utility
	Review utility relocation plans and schedule	UC, Designer, CPM, District
	Field review utility plans – survey may be required to tie utility staking to design base map to verify relocation plan	UC, Survey, CPM
	Approve utility relocation plans and schedule – See permit section	UC
Work Added To Contract		
	Agreement on work and fee deposits written	SUL and Utility
	Plan sheets and special provisions submitted for utility facility work not covered under ODOT standard drawings and standard specifications	Utility
	Incorporate utility facility work into ODOT Contract documents	Designer, Specification Writer
	Document quality and quantity of utility facility work	CPM Office
	Reconcile final costs and initiate collection or refund of additional fees	SUL
Permits		
	Transmit approved utility facility relocation plans and schedule to district permit specialist	UC
	Provide property right affidavits and certifications for facilities eligible for X-Permit	UC
	Submit permit application for utility facility relocation and installation on State right of way	Utility
	Approve application and generate permit	District Permit Specialist
Final Plans		
	Review final plan set for any conflicts encountered by additional design elements added after Preliminary Plans	UC
	Prepare and transmit to utility owner a conflict letter and plan sheets covering any additional conflicts	UC
	Verify conflicts and submit revised relocation plan and schedule	Utility
	Review and approve revised relocation plan and schedule	UC, Designer, CPM
	Submit timing letter to utility owner(s), SUL, and PL	UC
	Prepare and submit final utility special provisions to specification writer	UC
	Prepare and submit utility certification to SUL and PL	UC
Construction		
	Monitor utility relocation work	CPM

Complete	Activity	Responsibility
	Advise utilities of utility pre-preconstruction meetings	CPM
	Hold utility pre-preconstruction meetings	CPM & Contractor
	Invite utilities to ODOT preconstruction meetings	CPM
	Review contract change orders for utility conflicts	CPM
	Prepare and submit conflict letter for change order work to utility	CPM
	Integrate utility relocation schedule into contract change order	CPM
	Evaluate contractor notice to claim for utility delay	CPM, UC, SUL
	Notify utility of contractor delay claim	CPM
	Submit claim settlement and cost to SUL	CPM
	Notify utility owner of settlement and final cost of claim	SUL
	Collection of claim costs	Highway Program Office

Checklist – Reimbursable Utility Relocation Process

A checklist to use for tracking the submittal, receipt from utility owner, and transmittal to State Utility Liaison for each utility on a project that has reimbursable relocations

Utility: _____
 Project Name: _____
 Highway: _____
 County: _____
 Key Number: _____

Notice to proceed will not be issued by the State Utility Liaison unless information designated in ***bold italics*** has been received and approved. **Notice to Proceed must be obtained before moving to next step in order for costs to be eligible for reimbursement.**

Utility Coordinator (UC)

Sent	Receive	Submit	Activity	Responsibility
Establish Eligibility				
			<i>Conflict letter with marked plan sheets and conflict list</i>	UC
			<i>Reimbursement information form (RIF)</i>	Utility
			<i>Affidavit and legal documents showing compensable property interest and reimbursement eligibility</i>	Utility
			<i>Reimbursement Certification</i>	UC
Preliminary Engineering				
			Utility Workforce	
			Review and confirm estimate submitted on RIF	UC
			Utility construction agreement	SUL
			Notice to proceed with preliminary engineering	SUL
			Continuing Consultant Contract	
			Obtain copy of contract from utility	Utility UC
			Review work type and costs	UC SUL
			Notice to proceed with preliminary engineering	SUL
			Consultant Agreement	
			Submit Consultant Agreement Detailed scope of work Estimated cost of services: Salary rates w/ schedule, overhead, incidentals Rates to be competitive Agreed "Not to exceed" amount for work Basis of payment (cannot be % of construction cost) Retention of records for 6 years for auditing purposes	Utility
			Review and recommend approval of consultant agreement	UC

Sent	Receive	Submit	Activity	Responsibility
			Notice to proceed with preliminary engineering	SUL
Se nt	Re ce iv e	Su b mi t	Activity	Responsibility
Plans, Specifications, & Estimate (PS&E)				
			Submit Relocation Plan: Relocations can be placed on ODOT plan sheets or utility drawings Drawings must contain: ▪ Scale, North Arrow ▪ Highway Project Name, County, and Highway No. ▪ Right of Way Lines, Centerline, Stationing ▪ Location, Type and Size of Existing Facilities ▪ Type of Facility to be Constructed: • Size of Pipe, Conduit, Cable, etc. • Vertical depth for buried or roadway clearance for aerial • Material to be used (PVC, HDPE, Steel, etc.) • Joint Use information for trenches or poles • Distance from Centerline to the proposed longitudinal installation • Centerline Station for transverse installations	Utility
			Review and accept relocation plan	UC, ODOT staff
			Submit Construction Estimate ▪ Estimate in detail format using utility estimate form or spreadsheet with same format of item, unit, quantity, unit cost, and totals.	Utility
			Review and recommend approval of estimate	UC
			Verify estimate costs against UR budget	UC
			Notice to proceed with construction if work is by utility work force	SUL
			OPTIONAL: Work Added to Contract	
			Written request for relocation work to be added to ODOT contract	Utility
			Work agreement prepared to add work and establish fee deposits if necessary	SUL
			Prepare plan sheets and specification for specialty work not covered by ODOT standard specifications and drawings	Utility
Construction Contracting				
			Submit contract documents and bid advertisement	Utility
			Review and recommend approval	UC
			Notice to proceed with advertisement for bidding	SUL
			Submit bid tabulations	Utility
			Review and recommend approval	UC
			Notice to proceed with construction	SUL
Timing and Certification				

Sent	Receive	Submit	Activity	Responsibility
			Prepare and transmit to utility the timing letter (second notification) confirming the agreement on the relocation schedule.	UC
			Transmit the utility certification to the PL and SUL when all utility facility relocations have been confirmed, schedules established and before the PS&E for the project. NOTE: For those projects that do not have completed relocation plans and/or schedules, the Area Manager must complete the section of the utility certification approving an exception.	UC
Billing				
			Materials on Hand	
			Written request to order materials in advance of construction.	Utility
			Notice to proceed with ordering materials	SUL
			Submit Invoice once materials have been received and paid by utility	Utility
			Confirm materials have been delivered and in secure storage	UC
			Process reimbursement payment	SUL
			Progress Payments	
			Submit invoice with attached support documentation. Support documents must include but is not limited to: ▪ Labor • Employee, classification ,pay rate, date worked, hours per day • Summary by location of what or where the employee was working ▪ Equipment • Equipment description, rates, dates, and hours used ▪ Materials/Tools • Description, price per unit, quantity, and total cost. ▪ Copies of invoices and supporting documents from vendors and subcontractors ▪ Overhead/Additive rates • All applicable overhead rates such as fringe benefits, general overhead, material storage rates, and any other additive rates considered as indirect costs.	Utility
			Time stamp and date all incoming invoices and documents	UC
			Request any missing documentation in writing	UC
			10 Business Days to review and transmit recommendation for payment to SUL once all documentation has been received.	UC
			Obtain Area Manager approval for all individual billings in excess of \$10,000.	UC
			Submit utility payment request form with all invoices and documents to SUL	UC
			Process reimbursement payment	SUL

Checklist – Non-Reimbursable Utility Relocation Process

A checklist to use for tracking the submittal, receipt from utility owner, and transmittal to State Utility Liaison for each utility on a project that has reimbursable relocations

Utility: _____
 Project Name: _____
 Highway: _____
 County: _____
 Key Number: _____

Utility Coordinator (UC)

Sent	Received	Submitted	Activity	Responsibility
Conflict Identification				
			Base map with existing utility facilities	Survey
			Project layout and preliminary conflict list	Designer
			Project notification letter sent for those utilities not in conflict but within the project limits.	
			Conflict letter with marked plan sheets and conflict List – review preliminary conflict list, confirm conflicts, mark plan sheets with conflicts.	UC
			Notify ODOT of any mapping or conflict discrepancies or omissions	Utility
			Verify conflicts. Identify method of resolution – relocate, adjust, or protect.	Utility
Conflict Resolution				
			Request additional vertical and/or horizontal location of utility to verify conflict. This step is used when additional potholing may be required by utility to confirm a conflict does or does not exist.	UC
			Pothole (if required) to locate utility facility and provide horizontal and vertical information based on project stationing and elevations.	Utility
			Prepare utility relocation plans and schedule. Plans can be submitted on ODOT Plan Sheets or Utility drawings with the following required information: ▪ Scale, North Arrow ▪ Highway Project Name, County, and Highway No. ▪ Right of Way Lines, Centerline, Stationing ▪ Location, Type and Size of Existing Facilities ▪ Type of Facility to be Constructed: • Size of Pipe, Conduit, Cable, etc. • Vertical depth for buried or roadway clearance for aerial • Material to be used (PVC, HDPE, Steel, etc.) • Joint Use information for trenches or poles • Offset from Centerline for longitudinal installations • Centerline Station for transverse installations	Utility

Sent	Received	Submitted	Activity	Responsibility
			Stake relocation plan on project site. NOTE: For complex relocations this step may be requested by the UC.	Utility
			Review and approve or request modification of relocation plan.	UC, ODOT Staff
Relocation Schedule				
			Develop relocation schedule – pre-construction or staged during construction.	Utility
			OPTIONAL: Work Added to Contract	
			Written request for relocation work to be added to ODOT contract	Utility
			Work agreement prepared to add work and establish fee deposits if necessary.	SUL
			Prepare plan sheets and specification for specialty work not covered by ODOT standard specifications and drawings.	Utility
Timing and Certification				
			Prepare and transmit to utility the timing letter (Second Notification) confirming the agreement on the relocation schedule.	UC
			Transmit the utility certification to the project leader and SUL when all utility facility relocations have been confirmed, schedules established and before the PS&E for the project. NOTE: For those projects that do not have completed relocation plans and/or schedules, the Area Manager must complete the section of the utility certification approving an exception.	UC

APPENDIX B – FORMS

Note: All of the forms for the Utility Relocation Program are found on the ODOT [Utility Form Library](#). This section is for **REFERENCE ONLY**. Please visit the forms library and get the most recent versions for use on your projects.

INFORMATIONAL

- Contact list
- Conflict list

REIMBURSABLE

- Conflict Letter
- Reimbursement information form (RIF)
- Reimbursement certification
- Utility estimate and billing form
- Transmittal - Request form
- Transmittal - Utility payment form
- Certificate of materials origin

NON-REIMBURSABLE

- Project Notification Letter**
- Conflict letter
- Relocation information form

PLANS, SPECIFICATIONS, & ESTIMATE (PS&E)

- Time requirement letter
- Final plans to utilities
- Utility certification

Form Number	Description
734-5154	Conflict Letter – Non reimbursable work
734-5155	Conflict Letter – Reimbursable work
734-5156A	Project Notification Letter – ODOT Single with locates
734-5156B	Project Notification Letter – Consultant Single with locates
734-5156C	Project Notification Letter – LPA Single with locates
734-5157	Time Requirement Letter
734-5158	Utility Certification Letter
734-5162	LPA Utility Certification Letter
734-5163	Utility Relocation Information Sheet
734-5168	Reimbursement Process Information Letter (SUL form)
734-5169	Detailed Cost Estimate Template
734-5170	Delay Claim Notice – Preliminary (SUL form)
734-5171	Delay Claim Notice – Result (SUL form)
734-5176A	Project Notification Letter – ODOT Single without locates
734-5176B	Project Notification Letter – Consultant Single without locates

Form Number	Description
734-5177A	Project Notification Letter – ODOT Multiple Project Notification
734-5177B	Project Notification Letter – Consultant Multiple with locates
734-5178A	Project Notification Letter – ODOT Multiple without locates
734-5178B	Project Notification Letter – Consultant Multiple without locates
734-XXXX	ADA Conflict Letter Non Reimbursable Work
734-XXXX	Reimbursement Information Form
734-XXXX	Utility billing memo

APPENDIX C – EXAMPLES

Utility Impact Assessment

[Simple Utility Report](#)

[Complex Utility Report](#)

[OUNC Locate Ticket](#)

[Irrigation Agreement](#)

[Certificate of Materials Origin](#)

Certificate of Materials Origin fact sheet

Research and Determine Cost Split

Project Notification Letter

- [Single Recipient with Locates, ODOT](#)
- [Single Recipient without Locates, ODOT](#)
- [Multiple Recipients with Locates, ODOT](#)
- Multiple Recipients without Locates, ODOT
- [Single Recipient with Locates, Consultants](#)
- [Single Recipients without Locates, Consultants](#)
- [Multiple Recipients with Locates, Consultants](#)
- Multiple Recipients without Locates, Consultants

Conflict Letter

- [Non-Reimbursable](#)
- Reimbursable

[Conflict List](#)

[Utility Relocation Information Sheet](#)

Plan Sheet

- [Marked up for Utility](#)
- [Utility Relocation Plan](#)

[Time Requirement Letter](#)

Utility Certification

- [No Exceptions](#)
- Exceptions

[Circuit Rider Report](#)