UTILITY COORDINATION IN THE RIGHT OF WAY MADE EASY

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What you will learn today:

• Basic Principles Of Utility Coordination For Public Works Projects
• Terminology Used In Utility Coordination
• Utility Relocations, Adjustments, and Protection In Place
• Early Identification Of Utilities In the Design Phase
• Liability Rules and Determinations
• Utilities Addressed In The Right Of Way Certification
• Where To Find Help For Utility Coordination
• Special Forms and Why They Are Used
CASE STUDY

Fairmont Drive Median Barrier Project
Basic Principles Of Utility Coordination For Public Works Projects

- Local Agency is project sponsor and responsible for relocation, protection in place, or removal of utilities
- Reach an agreement, by a meeting of the minds
- Date by which relocation will be completed
- Financial liability for relocation or protection
- Who will perform the work
- Logical step by step process
Terminology Used In Utility Coordination

1. **Public Utility Facilities** - Publicly and privately owned utility facilities, which serve the public.

2. **Utility Relocation** - Any adjustment to the impacted utility facility required by the proposed transportation project.

3. **Owner** - Utility company, municipal utility department, who owns the impacted facility.

4. **Conflict Resolution Plan** (Relocation Plan) - Plan from owner to resolve the conflict with activity of a transportation project. This plan should clearly define scope of work and the duration of construction.
Utility Relocations, Adjustments, and Protection In Place

- Utility Verification
- Utility Delineation
- Utility Sheets
- Identifying Conflicts
- Requesting Conflict Resolution Plan after NEPA
  - Plan includes cost estimate and owner’s liability determination
- Liability Determination
- Notice to Owner
CASE STUDY

VASCO ROAD REPAVEMENT PROJECT
Early Identification Of Utilities In the Design Phase

- Utility identification requires full utility awareness:
  - Field Review, walk the project
  - Maintain a current list of “All the Usual Suspects”
  - Outreach to all possible utility owners
  - Obtain title reports to determine utility land rights
  - Underground land rights, High Low Risk for Underground Utilities
Liability Rules and Determinations

- First in Time, First in Right
- Exist by Encroachment Permit
- Exist by Franchise Agreement
- Exist by Easement
- Report of Investigation (ROI) EX 14-E to determine who has the prior right and if the project sponsor pays for the relocation
- Utility Agreement (UA)
- Notice to Owner (NTO)
Utilities Addressed In The Right Of Way Certification

- Each and every utility is named and addressed
- Some affected, some not affected
- Roadway drainage is not a utility
- Various forms used for the utility coordination

- NTO Utility Cover Adjustment(s) Ex. 14-D(Adj.)
- Special Agreement Ex. 14-I When Sponsor of Project is Owner of Utility
- Specific Authorization Ex. 14-C
Where To Find Help For Utility Coordination

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Special Forms and Why They Are Used

- Right of Way Certification
- Local Assistance
- Project Ex. 13-B

- NTO Ex. 14-D (Adj.)
- NTO Ex. 14-D (Alt.)
- NTO Ex. 14-D

- Relocation Claim Letter 13-Ex-9
- Request for Authorization to Proceed Ex. 3-C
- Specific Authorization to Relocate Utilities Ex. 14-C

- Other Exhibits