

Chapter 13 - Utility Coordination and Administration

1-1300 General

This section defines the District's role and responsibility as it relates to utility work being performed on a construction project. The responsibilities of the District are described for the Design Phase, the Preconstruction Phase, and during the construction of the project. The roles of the Utility Section and the Financial Management Office are also defined for the change-in-scope/cost overrun process.

1-1301 Design Phase

During design development, the District shall assign a Project Engineer to each project. The Project Engineer should attend the Utility Design meetings and become familiar with the work and utilities involved. The Project Engineer will also conduct plan reviews and field visits to assist the Utilities Section and the Office of Design in developing the scope of the utility relocation work and staging for the project. A general schedule for the relocation of work, an estimated cost breakdown and utility relocation plan sheets must be prepared by the Utility. The Project Engineer should assist the other units so that all issues are addressed through the plan review process prior to the contract being advertised.

1-1302 Preconstruction Phase

The Utility Company may be notified by the Department to order materials prior to starting construction. On most projects before the utility can begin its field work, the State's construction contract must have been awarded. The utility will receive a Construction Project Authorization Letter (PAL) or an Agreement from the Engineering Administrator. The Order to Start Letter will be issued by the District Engineer.

Under certain circumstances a utility can start relocation work prior to the award of the State's contract. In some instances the Federal Highway Administration will allow a utility breakout project to be initiated in advance of the construction project. In other instances the Department's Chief Engineer will give written authorization to begin the work early. If early utility work is authorized, the District will hold a Utility Pre-construction meeting and have weekly coordination meetings.

It is the Chief Inspector's responsibility to obtain utility agreements, plans, specifications and the estimates for the utility work from the Project Engineer/District Utility Coordinator and the Utility Section. These documents should be obtained and reviewed by the Chief Inspector so that they are familiar with the information contained in the documents prior to the utility coordination meetings and/or preconstruction meetings.

At the preconstruction meeting, the Chief Inspector should obtain the name, title and telephone number of the person(s) responsible for each utility's daily work and contact information for that person's supervisor, as backup. At all Pre-construction meetings the District shall review and discuss the following:

- District Contacts
- Planned Scope of Work
- Survey
- Problems and Concerns
- Maintenance and Protection of Traffic
- Schedules
- Administration of Agreements

1-1303 Construction Phase

1-1303A Utility Coordination

The Project Engineer shall ensure that there is regular communication and coordination among the utility representatives, Chief Inspector and the prime contractor's representative relative to work schedules (starting-completing, etc.), sequencing of the work, and traffic control.

A separate discussion will be introduced at all project progress meetings regarding project utility work. The discussion will include the following topics for each utility. Minutes of the meeting will be prepared and copies distributed to all those in attendance.

- Current status of the utility work.
- Each utility company's estimate of percent complete
- Problems or delays in accomplishing the work.
- Current budget status as reported by the utility.
- Anticipated completion date.
- Anticipated changes to the utility plans.
- Anticipated change in scope and the reasoning.
- Anticipated cost overruns as reported by each utility.
- Status of submission on CON 40 and CON 41 reports.

These items and pertinent discussions will be part of the report of meeting. The appropriate Utility Section Engineer should be invited to all progress meetings where significant utility issues are expected to be discussed. Distribution of meeting minutes will include the Principal Engineer-Utilities Section and the Financial Services Unit.

All requests by the utilities to work scheduled overtime must be submitted to the District Engineer prior to performing the work. If approved, a copy of the approval letter sent to the utilities should be forwarded to the Financial Services Unit and the Utilities Section.

Should the project experience delays in having the utility or utilities perform required work or if the utility company fails to attend the progress meetings, the Project Engineer should elevate this issue to the District and the Utility Section Engineer for their intercession in the matter.

1-1303B Inspection and Record Keeping

The Chief Inspector should require that the utility check-in at the start of each workday, providing the work force, major equipment, location, nature of work, and anticipated end of workday.

The inspector should record on their inspection report the classes of utility labor and equipment are present on the project site and how many hours were worked as well as the nature and location of the work.

It is the District's responsibility to ensure proper inspection coverage involving utility work during regular work hours. If a utility company schedules construction activity outside the regular work hours of the inspection team, overtime may be necessary. Generally, utility work is considered non-essential inspection. Exceptions to this rule may be allowed for critical work or when there is major impact to traffic operations. The approval process outlined in the Office of Construction overtime policy should be followed if additional inspection oversight seems warranted.

An essential part of the monitoring of reimbursable utility work is the detailed record keeping and description of the utility work performed each day. The work performed by each utility is to be recorded on the inspector's daily report form. This documentation should include the following:

- Name of utility company performing the work – also list utility's subcontractor – if applicable.

- Type of work being performed.
- List of work locations by stations. If the work includes overhead utility, pole numbers are also required.
- List labor, equipment, and major materials involved such as poles, conductors, ducts manholes, pipes, valves, etc.

1-1303C Review and signature of CON 40's and CON 41's

The CON 40 (or an approved equivalent) shall be prepared by the utility to report the daily labor, equipment, and materials (permanently) installed for review by the inspector.

A separate CON 40 shall be furnished for each utility company and each of its subcontractors, if applicable. The Inspector should be proactive to ensure that CON 40s are submitted in a timely manner. It should be an issue discussed at coordination and progress meetings and requested in writing if necessary.

The heading of the CON 40 must be filled out completely and accurately. Each CON 40 must include:

- The utility name
- The percentage complete
- The utility subcontractor (if applicable)
- Date(s) of the work
- The State project number (Federal No. – if applicable)

a. Labor

All labor by the utility or its representative, including inspection, engineering, supervision, traffic control, equipment operators must be included on the CON 40.

Labor must be shown by classification of employee(s), number of employees, and total hours of work.

All overtime must be segregated from regular time and shall be clearly indicated as “O.T.” Overtime must also be authorized by the District Engineer by letter.

b. Equipment

Equipment must be listed by type, manufacturer, model, equipment # if available, size or capacity, with total number of units.

The total number of hours must be reported the same way as for labor. Equipment operators shall be listed under labor and not equipment.

c. Materials

All major and minor materials installed for permanent use shall be recorded on the CON 40.

The CON 41 shall be used to report all temporary material installed as well as temporary and existing material removed. This report is prepared and submitted by the utility. Information reported on the CON 41 form determines depreciation and salvage credit on permanent material as well as credits for temporary material removed. The CON 41 is used to determine credits that are due the State.

The inspector shall compare the CON 41, indicating temporary materials removed to the previous CON 40 and/or CON 41, which lists temporary material charged to the project. The correct reporting of temporary materials used is important because the State receives at least 90% credit for materials returned to stores or for temporary materials installed that the utility company chooses to retain as their permanent facility.

The CON 41 must be filled out completely and accurately. Each CON 41 must include:

- The utility name.
- Dates of work.
- The State Project Number (Federal No. – if applicable).
- The temporary material installed and/or materials removed.
- The disposition of removed material i.e. Junked, scrapped or material returned to stores.

It is the Chief Inspector's responsibility to verify that the work was actually performed by comparing the daily inspection report against the CON 40 and CON 41. The Chief Inspector should only sign in the DOT signature box if they agree that the information in the CON 40 appears reasonable and appropriate. The Project Engineer must initial any CON 40's noting minor overtime that they authorized. Project Engineers may authorize overtime work in advance of the District Engineer's approval letter when necessary to eliminate a hazard or to avoid an additional shift.

At times, some utility work may be non-participating. The Chief Inspector should be familiar with the utility agreements and ensure on Federal Aid Projects that all non-participating work is segregated on the CON 40 and clearly identified as non-participating.

If a CON 40 or CON 41 does not appear reasonable and appropriate, the chief inspector should attempt to resolve the discrepancies with the utility representative. If the discrepancies can not be resolved, the Chief Inspector shall include an explanation as to why the CON 40 or CON 41 should not be signed.

After the Inspector has signed the CON 40/41 one copy shall be given to the Utility Company representative, one copy shall be retained for the project records and the original shall be forwarded to the District Utility Coordinator for processing and transmittal to the Financial Services unit.

1-1303D Change in Scope and Cost Overrun Requests

All utilities are to be reminded to submit their formal requests for a change in scope/cost overrun to the District as soon as the need is recognized. The need for a change in scope/cost overrun can be initiated by either the Utility Company, District or Financial Services.

The District utility coordinator is responsible for handling and processing all incoming change-in-scope/cost overrun requests. The Project Engineer and/or the Utility Section will provide assistance to the District utility coordinator in determining the validity of a request for change in scope/cost overrun.

Procedure to follow:

- a. The need for a change in scope/cost overrun may be identified by the Utility, District or Financial Services Unit. If the Financial Services Unit or District identifies the need, they will request the Utility to comply with item b.
- b. When requesting a change in scope/cost overrun the Utility must forward a letter to the District Engineer including a detailed explanation and estimate of cost.
- c. When the District receives the request from the Utility for cost overrun they will forward a copy of the request to the Utilities Section for review and comment. The Utilities Section will respond to the District with any comments or exceptions within 7 business days.

- d. The District is responsible for the review of scope changes. The Utility Section may be consulted if necessary.
- d. If the District determines the request is to be authorized, the District must review funding needs with Financial Services. If additional funds are needed, the District will request a new or revised project modification within 7 business days. The District will also request a work order as required.
- e. The Project Engineer Utility Coordinator will prepare an Authorization of change-in-scope/cost overrun letter. The Authorization of change-in-scope/cost overrun letter (w/a utility letter & estimate) along with a copy of the requested work order are forwarded to Financial Services. Financial Services initials the appropriate distribution line of the authorization letter indicating funds are available, then returns the letter to the District within 7 business days for further processing.
- f. After Financial Services approval, the utility coordinator will process the Authorization of Change in Scope/Cost Overrun letter for signature and distribution by the District Engineer. A copy of the utility's letter will be an attachment to the bcc list. Both the Utility Section and Financial Services must be copied on each change-in-scope/cost overrun letter.
- g. Upon receipt of the Authorization of Change-in-Scope/Cost Overrun, the Utilities Section will prepare and process an amended agreement if required.

Tracking System: The utility coordinator for each District, in conjunction with Financial Services, will track all requests for change-in-scope/cost overrun from the time the District receives the Utility's letter to final resolution. The Utility Section will be responsible for maintaining a database of agreement values and approved change-in-scope/cost overruns for each Project. Financial Services will be responsible for ensuring that utility company expenditures do not exceed approved amounts.