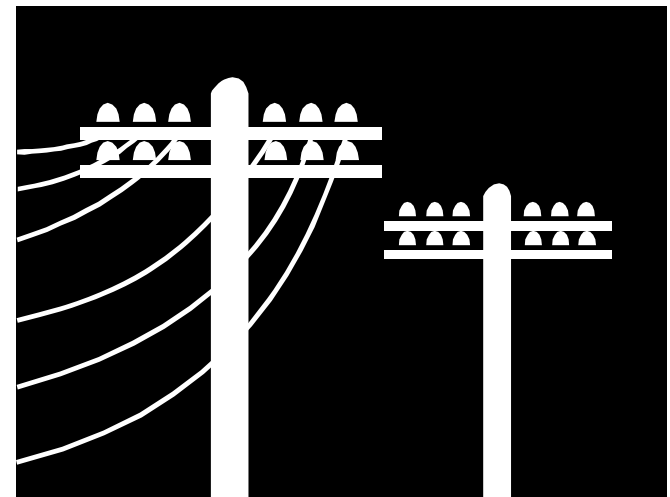




HIGHWAY/UTILITY PROGRAM OVERVIEW

Local Agency Certification Training

April 14, 2011





What we will be discussing

- Laws pertaining to Utilities.
- What forms are required on all projects.
- What is required for state and federally funded projects to reimburse utility relocation?
- What part of the utility relocation can be paid for?
- Process to pay the reimbursable utility.



Law's, Rules and Regulations

- Code of Federal Regulations: 23 CFR 645A
- ORS 366.321
- ORS 373.020
- OAR 734-055 Accommodation Policy



- Under 23 CFR 645A ODOT is the state agency designated to implement Oregon's federal-aid highway program. In addition, the Federal Highway Administration (FHWA) has assigned overall responsibility for county and city federal-aid road projects to ODOT. The local agency program is administered by ODOT through the Regional offices and their Local Agency Liaison (LAL).
- Federal regulations require the Local Public Agency (LPA) to have an approved program and procedures for utility relocation and accommodation to be eligible for federal funding reimbursement. Lacking a federally approved program, the LPA must follow the ODOT utility relocation/reimbursement procedures.



Reimbursable Utilities are Defined by:

- **ORS 366.321** - *Expense of relocating municipal facilities payable by department; exceptions*
- **ORS 373.020** - *Jurisdiction over streets taken over for state highway routing through cities; effect on public utility duties*



ORS 366.321

366.321 Expense of relocating municipal facilities payable by department; exceptions.

- (1) When location, construction, relocation, reconstruction, maintenance or repair of a state highway requires relocation of any facilities placed or maintained in or on a public right of way by any municipal corporation, or a district or authority established under ORS chapter 264, 450, 451, 523 or 545, the Department of Transportation shall pay the municipal corporation, district or authority whose facilities are so required to be relocated the reasonable expenses of relocation, less any benefits and salvage of the relocation.



ORS 366.321 Cont.

- (2) Subsection (1) of this section shall not apply to:
- (a) Facilities located in or on the right of way of a state highway under permits issued by the department upon the condition that the permittee would bear the cost of any relocation; or
 - (b) Facilities located in or on the right of way of a state highway where the municipal corporation, district or authority established under ORS chapter 264, 450, 451 or 545, has placed such facilities in or on the right of way of the state highway without a permit from the Oregon Transportation Commission or has refused to execute a permit as required by law or commission regulations. However, this paragraph shall not apply where such municipal corporation, district or authority has located facilities in or on the right of way of a city street or county road with the permission of the governing body of such city or county before such city street or county road was selected and designated a state highway by the Department of Transportation pursuant to ORS 366.290 or 373.010. [1967 c.272 §1; 1975 c.587 §1; 1975 c.782 §51a]



ORS 373.020

373.020 Jurisdiction over streets taken over for state highway routing through cities; effect on public utility duties.

- (1) Complete jurisdiction and control of streets taken over by the Department of Transportation as provided in ORS chapter 366 and ORS 105.760, 373.010, 373.015, 373.030 and this section, is vested in the department and extends from curb to curb, or, if there is no regular established curb, then such control extends over such portion of the right of way as may be utilized by the department for highway purposes. Responsibility for and jurisdiction over all other portions of the street or road remains in the city.
- (2) All cities retain the right to grant the privilege to open the surface of any such street or road, but all damage occasioned thereby shall promptly be repaired by the city, either itself or at its direction, and the responsibility for the cost thereof shall be upon the city permitting the opening.
- (3) Cities retain the exclusive right to grant franchises over, beneath and upon any such street or road, and to control and regulate such franchises and the utilization thereof, but the department may utilize any storm sewers thereon or thereunder without cost or charge therefor by the city.
- (4) Nothing contained in ORS chapter 366 and ORS 105.760, 373.010, 373.015, 373.030 and this section, relieves any public utility or telecommunications utility from the maintenance and repair of any street or portion thereof or the performance of any other obligation required under any franchise granted to it by any city. [Amended by 1979 c.186 §14; 1987 c.447 §121; 1995 c.79 §202]



OAR 734-055 - Department of Transportation, Highway Division, Pole lines, buried cables, pipe lines, signs, miscellaneous facilities, and miscellaneous operation.

Division 55 includes the DOT Highway Division's rules and regulations for issuing permits to occupy the State right of way. It also includes what conditions the Utility Owner may construct and maintain their facilities or relocate at the direction of ODOT.



UTILITY MANUAL

- The Utility Manual is CH 10 of the Right of Way Manual. The manual provides the process for relocating utilities.
- 10.900 relates to Local Agency Projects
- Appendix A: Laws, Rules, and Regulations
- http://www.oregon.gov/ODOT/HWY/ROW/docs/row_manual_chapter_10.pdf



Adjusting Utilities inside the project limits

- What is a Non-Reimbursable Utility
- What is a Reimbursable Utility



Non-reimbursable Utility

- A utility that is in the Right of Way by permit
- By a Franchise agreement unless specified otherwise in the agreement.



Reimbursable Utility

- Utilities that have a property right
- A City facility in a City Street
- County facility in a County Road
- State Highway routed over a City Street if the facility was there prior to the highway.



What part of utility facility is reimbursable

- The part which is within the project limits and found to be in conflict with the proposed construction.



Acceptable Expenditures

- Like kind that is currently in place.
- Upgrade due to code requirements or laws.
- Reimbursement based on Actual Cost as agreed upon in the original cost estimate (RIF). Reimbursement outside of the scope must be justified.



What is not an acceptable expenditure

- Betterments
 - Upgrading a facility for future use.
 - Relocate an Arial facility to an underground facility.
 - Betterments above and beyond what code requires.



Contact your Local Agency Liaison (LAL)

- If you have questions on whether something is reimbursable or not contact the LAL and they can assist you.
- All reimbursable documentation needs to be turned into the LAL to determine if the facility is eligible for reimbursement. The LAL will then turn the information over to the State Utility Liaison.



Required forms

- Conflict Letter (OAR 734-055)
- Reimbursement Information Form
- Reimbursement Certification Form
- Timing Letter (OAR 734-055)
- Utility Certification (23 CFR 635.309(b) and PD-02 PS&E Checklist)
- http://www.oregon.gov/ODOT/HWY/ROW/utility_lpa.shtml



Non-Reimbursable Conflict Letter - example



17355 sw boones ferry road • lake oswego, oregon 97035-5217
(503) 635-3618 • fax (503) 635-5395
www.otak.com

June 12, 2009

Clackamas River Water District
Bob George
16770 SE 82nd Dr.
Clackamas, OR 97015

Subject: *Utility Conflict Notification, Non-Reimbursable Work
SE Lake Road: SE Oatfield Road to SE Where Else Lane (Milwaukie)*
Clackamas County
Key No. 14064

Dear Mr. George,

Otak, Inc. is under contract with the Oregon Department of Transportation (ODOT) and the City of Milwaukie to make improvements to Lake Road by widening the existing street section, enhancing the existing bike lanes, and the addition of sidewalks to increase the overall safety of the public through the project limits. Bids are anticipated to be received for the above named project on approximately January 31, 2011. Construction at this site is expected to begin in April 2011.

Facilities owned by your company appear to conflict with the construction of the project and should be relocated or adjusted before construction begins. The conflicting facilities are located on public right-of-way; therefore, your facilities are not eligible for reimbursement.

Utility Conflicts

Please refer to the enclosed preliminary plan sheets that note and highlight the conflicting facilities. Facilities noted as "Potential conflict" are assumed to be in conflict and are required to be relocated within the schedule listed below until further investigation by your company can positively rule out the conflict. We ask your cooperation to further investigate "Potential Conflicts" by having your company pothole the sites to determine the exact depth and horizontal location as soon as possible.

The enclosed plans represent the complete mapping of your facilities, both locatable and unlocatable underground facilities, as provided by your company in accordance with OAR 952-01-80. You must review the mapping of your facilities on the enclosed plans for completeness and accuracy and contact me immediately for corrections to errors or omissions. If errors or omissions are discovered during construction, your company may be held responsible for delay claims that are caused by your company's failure to notify Otak of errors or omissions. Timely communication and coordination is critical to keeping the project on schedule so your assistance and cooperation is greatly appreciated.

The conflicting facilities must be completely relocated or adjusted by **March 1, 2011** so as not to delay the construction of the project. *If your company can not comply with the above completion date, you must contact me immediately and obtain written agreement on a*



Non-Reimbursable Conflict Letter – Cont.

Bob George

*SE Lake Road: SE Oatfield Road to SE Where Else Lane (Milwaukie)
Key No. 14064*

Page 2

June 12, 2009

revised relocation schedule. No changes can be made to the relocation schedule after February 1, 2011. The relocation schedule will be specified in the project contract documents and your company will be responsible to meet the schedule. Your company may be held responsible for delay claims that are caused by your company's failure to meet the specified relocation schedule(s).

Next Steps

You are requested to submit a sketch on the preliminary plan sheets showing your proposed relocation, and include your schedule for starting and completing the relocations. Please provide a schedule depicting the relocation time frame **within 30 days** of the conflict letter notification date. All correspondence and plans must be identified with the **project name and key number** as referenced in the subject line of this document. Please forward all your correspondence to:

Chad Maxwell
Utility Coordinator
Otak, Inc.
17355 SW Boones Ferry Road
Lake Oswego, OR 97035
503-699-2421
chad.maxwell@otak.com

Note:

Preliminary engineering and/or construction work cannot be started until a relocation plan and schedule have been approved.

For question regarding this notification and its requirements, please call directly.

Sincerely,
Otak Incorporated

Chad Maxwell
Utility Coordinator

Attachment: 30% Plan Set
Utility Conflict List

CM: dl
c: Darrin Stairs, Sarah Espinosa – Otak
Brenda Schleining – City of Milwaukie



Utility Conflict List - example

UTILITY CONFLICT LIST

Utility: Clackamas River Water District
 Project: SE Lake Road: SE Outfield Road to SE Where Else Lane (Milwaukie)
 Highway: N/A

County: Clackamas County
 Key Number: 14964
 Date: June 11, 2009

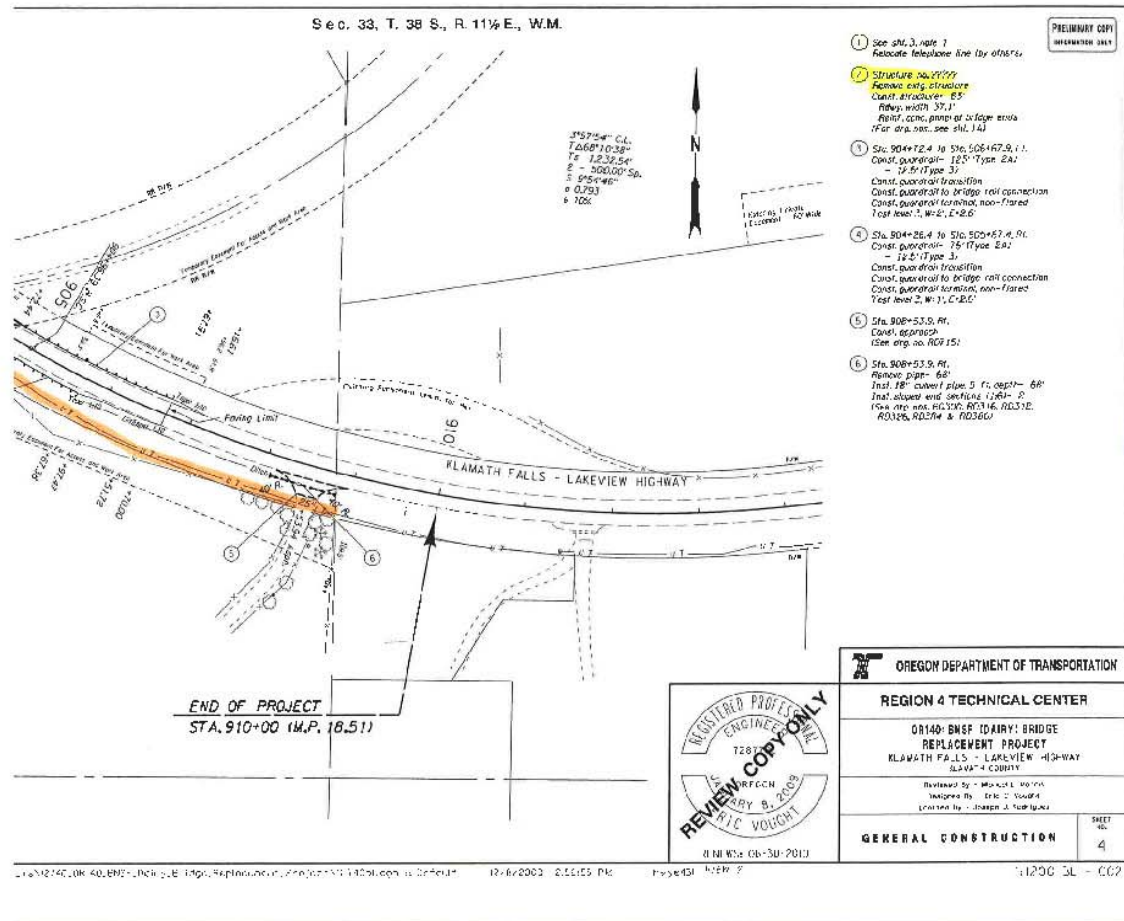
Item No.	Item	From				To				Public P/W	Private Prop.	Remarks
		Station	Offset	Side	Str. No.	Station	Offset	Side	Str. No.			
	Description	Station	Offset	Side	Str. No.	Station	Offset	Side	Str. No.	Yes/No	Yes/No	Item conflicts with
W1	Valve	50+31.50	5.5'	Lt	3	N/A	N/A	N/A	N/A	1	0	Road Construction
W2	Valve	50+34.08	10.9'	Rt	3	N/A	N/A	N/A	N/A	1	0	Road Construction
W3	Meter	50+49.39	35.1'	Rt	3	N/A	N/A	N/A	N/A	1	0	Handicap Ramp, Curb, and Sidewalk Construction
W4	Meter	50+49.14	16.5'	Lt	3	N/A	N/A	N/A	N/A	1	0	Road Construction
W5	Valve	50+54.53	12.7'	Lt	3	N/A	N/A	N/A	N/A	1	0	Road Construction
W6	Valve	50+58.36	8.6'	Lt	3	N/A	N/A	N/A	N/A	1	0	Road Construction
W7	Meter	51+30.13	28.3'	Lt	3	N/A	N/A	N/A	N/A	1	0	Driveway and Sidewalk Construction
W8	Valve	53+38.23	19.5'	Lt	3	N/A	N/A	N/A	N/A	1	0	Road Construction
W9	Cluster of Valves	53+41.43	12.2'	Rt	3	N/A	N/A	N/A	N/A	1	0	Road Construction
W10	Valve	53+52.42	38.5'	Lt	3	N/A	N/A	N/A	N/A	1	0	Road Construction
W11	Valve	53+58.24	12.7'	Lt	3	N/A	N/A	N/A	N/A	1	0	Road Construction
W12	Valve	53+60.19	20.4'	Lt	3	N/A	N/A	N/A	N/A	1	0	Road Construction
W13	Fire Hydrant	53+60.88	38.7'	Lt	3	N/A	N/A	N/A	N/A	1	0	Handicap Ramp and Sidewalk Construction
W14	Meter	55+61.53	23.8'	Lt	4	N/A	N/A	N/A	N/A	1	0	Grading and Curb Construction
W15	Fire Hydrant	55+71.12	43.6'	Rt	4	N/A	N/A	N/A	N/A	1	0	Storm Line, Handicap Ramp, and Sidewalk Construction
W16	Cluster of Valves	55+78.03	53.6'	Rt	4	N/A	N/A	N/A	N/A	1	0	Road Construction
W17	Valve	55+82.23	43.8'	Rt	4	N/A	N/A	N/A	N/A	1	0	Curb and Road Construction
W18	Cluster of Valves	55+83.07	20.7'	Lt	4	N/A	N/A	N/A	N/A	1	0	Curb and Road Construction
W19	Meter	56+55.66	23.9'	Lt	4	N/A	N/A	N/A	N/A	1	0	Driveway and Curb Construction
W20	Cluster of Valves	58+91.55	15.7'	Rt	5	N/A	N/A	N/A	N/A	1	0	Road Construction
W21	Valve	58+92.27	15.9'	Lt	5	N/A	N/A	N/A	N/A	1	0	Road Construction
W22	Valve	60+18.00	16.0'	Rt	5	N/A	N/A	N/A	N/A	1	0	Road Construction
W23	Fire Hydrant	60+13.78	23.1'	Rt	5	N/A	N/A	N/A	N/A	1	0	Planter, Curb, and Road Construction
W24	Meter	61+58.57	25.3'	Lt	5	N/A	N/A	N/A	N/A	1	0	Grading Activities
W25	Meter	61+57.59	25.5'	Lt	5	N/A	N/A	N/A	N/A	1	0	Planter Construction
W26	Cluster of Valves	62+95.19	14.1'	Rt	5	N/A	N/A	N/A	N/A	1	0	Road Construction
W27	Fire Hydrant	63+20.23	25.7'	Lt	6	N/A	N/A	N/A	N/A	1	0	Grading Activities
W28	Meter	63+20.30	25.6'	Lt	6	N/A	N/A	N/A	N/A	1	0	Grading Activities
W29	Valve	63+67.26	24.0'	Rt	6	N/A	N/A	N/A	N/A	1	0	Road Construction
W30	Valve	63+68.77	20.1'	Rt	6	N/A	N/A	N/A	N/A	1	0	Road Construction
Total Reimbursable Items =										0	0	



Marked up Plan Sheet

Updated 3-1-11

Example 4.9 – Plan Sheets – Marked up for Utility





Reimbursable Conflict Letter - *example*



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Region 3
3500 NW Stewart Parkway
Roseburg, Oregon 97470
Voice (541) 957-3571
Fax (541) 957-3615

April 30, 2009

Charter Communications
1981 NE Stephens Street
Roseburg, OR 97470

Subject: Conflict Letter with Reimbursable Work
I-5: Del Rio Road / Winchester Interchange
Pacific Highway
Douglas County
Key No.: 15186

Attention: Rod Justice

Bids will be received for the above named project on February 4, 2010. Facilities owned by Charter Communications conflict with the construction of the project and should be relocated or adjusted before construction begins. Please refer to the enclosed progress plan sheets that note and highlight the conflicting facilities.

These conflicting facilities are located on both public right of way and private property. Your company will be reimbursed for the cost of relocating the facilities shown to have a compensable property right, or prior rights. Your company must provide evidence, such as easements, fee title, "X"-Permit, service agreement, prescription or estoppel affidavits, etc., to verify Charter's eligibility for reimbursement. Reimbursement will be in accordance with the provisions of 23 CFR 645A (Code of Federal Regulations), which can be viewed at the following web site: www.fhwa.dot.gov/reports/utiliquid/

You are hereby directed to provide your estimated time requirements to relocate your facilities within 30 days. This letter serves as the written notice in accordance with OAR 734-055-045(2) which requires your company to respond within the time frame contained in this notice.

The project area base map and the progress plans represent the complete mapping of Charter Communication owned facilities, both locatable and un-locatable underground facilities, as provided by your company in accordance with OAR 952-01-80. The project base map and progress plans are being provided to Charter with this letter. A set of Advance plans for this subject project will be provided to you when they become available in May, 2009. These documents can be used to develop a relocation plan for your utility facilities that conflict with construction needs. Charter's facilities appear to be attached to poles owned by PacifiCorp. You will need to coordinate your relocation with PacifiCorp's relocation plans. The local contact for this project at PacifiCorp is Eugene Vecellio, phone number (541) 679-3614.



Reimbursable Conflict Letter – cont.

Page 2

You must review the mapping of your facilities on those documents for completeness and accuracy and contact me immediately for correction of errors or omissions. If errors or omissions are discovered during construction, your company may be held responsible for delay claims that are caused by your company's failure to notify ODOT of errors or omissions.

The conflicting facilities must be completely relocated or adjusted by December 31, 2009, so as not to delay the construction of the project. If your company can not comply with the above completion date, you must contact me immediately and obtain written agreement on a revised relocation schedule. No changes can be made to the relocation schedule after October 1, 2009. The relocation schedule will be specified in the project contract documents and your company will be responsible to meet the schedule. Your company may be held responsible for delay claims that are caused by your company's failure to meet the specified relocation schedule(s).

PRELIMINARY ENGINEERING AND CONSTRUCTION WORK THAT IS REIMBURSABLE CANNOT BE STARTED UNTIL YOU RECEIVE WRITTEN AUTHORIZATION TO PROCEED.

Your company is required to complete the attached Reimbursement Information Form (RIF) as a part of the agreement process for reimbursement. The form must be approved prior to starting any preliminary engineering work. You will receive a written "Notice to Proceed" only after the RIF has been approved. The RIF is needed to establish a budget and obtain funding, and to understand the necessary approvals and processes for accomplishing the work based on the methods declared by your company. When completing the RIF, it should be understood that the budget estimate is not an engineering estimate, but only a reasonably close estimate that should cover the worst case cost for the relocation. Prior approval is not required for preliminary coordination and engineering work needed to determine the full extent of conflicts, or to complete the Reimbursement Information Form.

The completed Reimbursement Information Form should be sent to Ralph Jennings at 3500 NW Stewart Parkway, Roseburg, OR 97470. The RIF can also be sent electronically to: Ralph.L.Jennings@odot.state.or.us or by Fax: (542) 957-3615.

For questions regarding this notification and its requirements, please contact me at (541)957-3571 or by email at Ralph.L.Jennings@odot.state.or.us.

Sincerely,

Ralph Jennings
ODOT Region 3 Utility Specialist
3500 NW Stewart Parkway
Roseburg, OR 97470

Enclosures: Progress Plans, printed April 16, 2009, & April 27, 2009.
Conflict List
Project Base Map
OAR 734-055-0045

cc: Heather Howe, State Utility Liaison; Mark Leedom, ODOT Project Leader.



Reimbursement Information Form **(RIF) example**

REIMBURSEMENT INFORMATION FORM TO BE COMPLETE PRIOR TO ANY PE WORK BY UTILITY

Utility Company: City of Portland Water Bureau
ODOT Key No.: 13712

1. Preliminary Engineering, in a "budgeted" estimate of \$ _____ will be accomplished by:

- Utility Forces: (obtain State authorization prior to proceeding with design work)
- Engineering Consultant through: (agreement with consultant must be approved by ODOT prior to starting PE work. As a minimum: rate schedule and work scope required for <\$10,000, detailed scope of work and estimate required >\$10,000)
 - New Engineering Contract
 - Continuing Agreement
- ODOT: (Utility to prepare written request and obtain acceptance by ODOT)

2. Construction, in a "budgeted" estimate of \$ 27,780 will be accomplished by:

- Utility forces: (written approval must be obtained before starting work)
- Competitive Contract: (written approval of PS&E must be obtained prior to advertisement of project. Approval of selection of lowest qualified bidder is required prior to award of contract)
- ODOT Contractor: (Utility supplies PS&E docs and request to add work. Agreement required if non-reimbursable work is included)
- Contractor with Continuing Agreement (agreement with contractor must be approved by ODOT prior to starting construction)

3. Betterment:

This work (will) (will not) result in a betterment to the company's system. Betterments are upgrades or increases in functional capacity not attributable to the highway construction project. If a betterment will result, a detailed cost split must be shown in the estimate.

4. Expired Service Life:

This work (does) (does not) affect a complete and independent unit of our system, such as a building, plant, station, etc. If so, a calculation for the credit needs to be shown in the estimate. To calculate the Expired Service Life use the following equation.
$$\frac{\text{Expired Service Life of the Replaced Facility}}{\text{Estimated Service Life of Replaced Facility}} \times (\text{Original Cost}) = \text{Amount of Credit}$$

5. Billing will be based on:

- Actual Cost Basis in accordance with 23 CFR 645.117

Construction administration and/or inspection costs must be based on actual costs unless agreed upon otherwise. Cost based on a percentage of construction is allowable only for purposes of estimating. All costs, which are reimbursable, will be kept in separate work order files. All such records will be retained by the utility for a period of not less than three (3) years from the date of final payment and will be subject to audit by representatives of the State and Federal Government.

By signing below I understand and acknowledge that: All reimbursable utility relocation work must have written ODOT authorization prior to starting work. Estimates and bills must conform with, and are limited by, 23CFR 645A (Code of Federal Regulations), state law, administrative rules, regulations and state relocation policy. In accordance with 23CFR 645A, final billings will be submitted within one-year following completion of the utility relocation work, or run the risk of not being paid unless other arrangements are made.

Authorized Company Representative:

Cherri Warnke, Interagency Liaison, 503-823-6036

1120 SW 5th Ave, Room 600

Portland, OR 97204

Portland, OR 97204

Cherri Warnke 10/21/09
Signature of Authorized Company Representative Date

cwarnke@water.ci.portland.or.us
e-mail address



Transmittal Letter

TRANSMITTAL REQUEST FORM

Original Date:
Dates Revised:
Project Key Number:
Utility:

TO: Heather Howe, State Utility Liaison
Oregon Department of Transportation

FROM:

REQUEST APPROVAL FOR:		
UTILITY LET CONTRACTS:	<input type="checkbox"/> PE Consultant Agreement Approval	<input type="checkbox"/> PS&E Approval Prior To Advertise
	<input type="checkbox"/> Contract Change Order (CCO)	<input type="checkbox"/> Other:
WORK BY UTILITY FORCES:	<input type="checkbox"/> PE/Const Authorization	<input type="checkbox"/> Construction Authorization
	<input type="checkbox"/> CCO:	
CONSTRUCTION BY ODOT:	<input type="checkbox"/> PS&E Approval for work included in ODOT contract (Include Terms for Partial Reimbursement)	
	<input type="checkbox"/> Contract Change Order Approval:	
FUNDING HAS BEEN SECURED FOR A STIP "UTILITY PHASE" AS FOLLOWS:		
TOTAL STIP "UR" PHASE DOLLARS ALLOCATED: \$		
<input type="checkbox"/> REQUEST PROGRAMMING OF FUNDS TO EXPEDITE UTILITY AUTHORIZATION ***** JUSTIFY REQUEST BELOW *****		

* Authorization will take between 3-4 weeks for full federal oversight projects. Otherwise, authorization will require 1-2 weeks.

BRIEF DESCRIPTION OF APPROVAL REQUEST:

SEND APPROVAL TO (Company name, contact, address, telephone number and e-mail address):

SEND COPIES TO (Company name, contact, address, telephone number and e-mail address) :

ATTACHMENTS:

<input type="checkbox"/> Reimbursement Information Form	<input type="checkbox"/> Utility Estimate	<input type="checkbox"/> Relocation Plan or Sketch
<input type="checkbox"/> Reimbursement Certification Form	<input type="checkbox"/> Easement Document	<input type="checkbox"/> Prescription Form
<input type="checkbox"/> Estoppel Form	<input type="checkbox"/> Conflict Notification Letter	<input type="checkbox"/> Conflict List or Conflict Plan Sheet
<input type="checkbox"/> Certification of Consultant	<input type="checkbox"/> Draft Consultant PE Agreement	<input type="checkbox"/> PS&E Docs
<input type="checkbox"/> Bid Tabulation	<input type="checkbox"/> Bidders Plans and Specs	<input type="checkbox"/> Contract Change Order
<input type="checkbox"/> Other:	<input type="checkbox"/>	<input type="checkbox"/>



Reimbursement Certification Form example

Reimbursement Certification Form

PROJECT NAME: US26: SE 51st Ave - I-205 Sec.
ODOT KEY NO.: 13712

I, Jane Estes, am the Region Utility Specialist, for ODOT. I have field inspected the utility facilities to be relocated or adjusted on the above captioned project. From this field inspection, I have determined to the best of my ability, that such utility facilities owned by City of Portland Water Bureau, to be relocated or adjusted for which we are requesting reimbursement, are located as follows:

- % on private property by easement or service agreement
- % on City Street right-of-way
- % on County Road right-of-way
- % on State Highway right-of-way
- 100% on State Hwy Routed over City Street

Reimbursement is requested on the following basis:

- Private property by right of: easement, prescription, estoppel,
- Private property by right of: service agreement
- City facility located on City Street right of way
- City facility located on State Hwy routed over City Street (Per ORS 373.020)
- Utility facility located on State Highway right of way by "X" Permit. "X" Permit No. _____
- State Park Utility facility located on State Highway right of way prior to May 20, 1980.
- Pursuant to the provisions of ORS 366.321 as described below:
 - State highway project where municipal corporation, district or authority established under ORS 264, 450, 451, 523 or 545 is located in or on public right of way, other than state highway. Utility is established under ORS _____
(Chapter No.)
 - Municipal corporation, district or authority established under ORS 264, 450, 451, 523 or 545, originally located in or on state highway right of way prior to becoming state highway, and without a permit
State Highway No. _____ established on: _____
(They No.) (Date)
Utility established under ORS _____ and originally installed on: _____
(Chapter No.) (Date)

(Signature)
Jane Estes

Jane Estes

October 20, 2009
October 20, 2009



Timing Letter example

Bridge/Structures • Roadway/Civil • Specifications, Permitting & Utilities
Survey/Geomatics • Construction Engineering Management



CONSULTING
ENGINEERS

April 23, 2009

Mike Conley
Sprint
2635 East Main Street
Cottage Grove, OR 97424

Re: Hersey Street Sidewalk Reconstruction
City of Ashland
Key No. 16553
OBEC Job No. 649-002

Dear Mr. Conley:

Subject: Utility Relocation Timing Requirements

This letter is to advise Sprint that OBEC Consulting Engineers is an authorized contractor for the City of Ashland (City) and will be performing utility coordination activities for the subject project. In its capacity as authorized contractor, OBEC will serve as the "Engineer" in performing all notice and compliance requirements for utility removal, relocation, or repair.

Based on your site meeting with Jeff Bernardo and your relocation plan, Sprint relocation/adjustment work will be completed as summarized below:

Relocation Tasks: Sprint will complete the following tasks:
(Note: all location calls are in the form "Sta. (line) (station)-(offset) (direction)" and all offsets are from centerline. Dimensions are approximate.)

1. Station "H" 7+40 to "H" 7+50, 21' Lt. Remove concrete from Fiber Optic bundle and move away from proposed inlet.
2. Station "H" 11+25 to "H" 11+35, 22' Lt. Remove concrete from Fiber Optic bundle and lower bundle to four feet below finished grade.
3. Station "H" 13+84 to "H" 14+55, 22' Lt. Remove concrete from Fiber Optic bundle and move away from proposed 12" storm sewer pipe.

Contact Information: Mike Conley, 2635 East Main Street, Cottage Grove, OR 97424. Phone No. (541) 942-0213, Cell (541) 543-3771

Relocation Schedule: Relocation tasks will be completed prior to construction. The work completed prior to construction, summarized above, shall be completed not later than June 30, 2009.

EUGENE - Corporate Office
541.683.6990
Fax: 541.683.6576
920 Courtney Club Road, Suite 100B
Eugene, Oregon 97401-6089

PORTLAND AREA
503.620.8163
Fax: 503.320.8416
5005 SW Meadows Road, Suite 120
Lake Oswego, Oregon 97035-4288

SALEM
503.589.4180
Fax: 503.589.4141
2235 Mission Street SE, Suite 100
Salem, Oregon 97302-1295

MEDFORD
541.774.5590
Fax: 541.774.5591
831 O'Hara Parkway
Medford, Oregon 97504-4005

www.obec.com



Timing Letter example cont.

Mike Conley
April 23, 2009
Page 2



I concur with your relocation plans, and you are directed to proceed with relocation work at any time, as long as required permits to occupy the roadway right-of-way have been granted by City.

It is your obligation to apply for the necessary permit(s) in advance of the work to be performed in order to meet the above completion time commitment.

If you fail to remove/relocate your facilities by the completion date set forth above and such failure results in payment by City to its contractor of any claim for extra compensation, Sprint will be liable to City for the amount paid by City to the contractor as a direct result of such failure.

If the information summarized above is incorrect or incomplete, please call me as soon as possible so that I may address your concern and make any necessary revision.

Thank you for your cooperation.

Sincerely,

Doug K. McCart
Utility Coordinator

DKM:vks

Enclosure: Approved Relocation Plan

cc: Jim Olson, PLS, Ashland PW *
Kelli Sparkman, ODOT *
Heather Howe, ODOT *
Jeff Bernardo, OBEC *
Corporate File

* w/o enclosure



Utility Certification example

STATE OF OREGON DEPARTMENT OF TRANSPORTATION

UTILITY CERTIFICATION

Local Agency

Date: April 24, 2009

To: Kelli Sparkman
Local Agency Liaison, ODOT

Project: City of Ashland Contract for Personal Services
ARRA Project No 2007-17
Oak – Ann Street Section (Hersey Street Sidewalk Reconstruction)

Key No: 16553

This is to certify that for this project based on plans dated April 13, 2009, all utility work has been completed or that all necessary arrangements have been made for it to be undertaken and completed as required for proper coordination with the physical construction schedule.

Appropriate notification identifying all utility relocation work together with status of/or schedule for completion for each utility company involved within the limits of this project has been made a part of the special provisions.

The following utilities are in the project limits and will be adjusting, relocating, or installing facilities, before, during, or after, construction. Relocation time requirements for these utilities are attached to this Certification.

- Sprint

The following utilities are within the project limits but no conflicts are anticipated:

- | | |
|--------------------------|-----------------------------------|
| • Pacific Power | • Avista Utilities |
| • Qwest Local Network | • City of Ashland, Electric Dept. |
| • Qwest Communications | • City of Ashland, Water Dept. |
| • Charter Communications | • City of Ashland, Cable TV |

Utility Certification: Doug K. McCart, Utility Coordinator
Print Name: Doug K. McCart

UTILITY EXCEPTIONS

The following Utilities have been appropriately notified of the project and the impacts to their facilities however a schedule for their relocation work has not been verified with the utility. The utilities shown below have been directed to relocate their facilities within a specified time-duration estimated by our staff and included in the contract special provisions. The letters for these utilities are attached to this certification.

- N/A

Utility Certification - Exception: _____, Local Agency Signature
Print Name: _____
Title: _____



Contact Information

Heather Howe

State Utility Liaison

4040 Fairview Industrial Dr SE MS#2

Salem, OR 97302

Heather.c.howe@odot.state.or.us

Voice: 503-986-3658

Fax: 503-986-3625

www.oregon.gov/ODOT/HWY/ROW/utility_resource.shtml



Oregon Department of Transportation

