

XIII. UTILITY AND RAILROAD

UTILITY COORDINATION SERVICES TO BE PROVIDED BY CONTRACTOR

- A. The contractor shall track and document the cost of preliminary engineering and the cost of construction hours spent working to coordinate design, relocation and construction with each "non-reimbursable" utility within state highway right of way required to relocate because of the construction project. Utility coordination can include activities such as; surveying and mapping of utilities; meetings and correspondence for the determination and resolution of utility conflicts; design changes specifically for utility conflict resolution. The Contractor shall provide a separate cost accounting of utility coordination expenditures in their monthly billings to ODOT. A final accounting of the total utility coordination costs, for each utility, shall be provided to the Railroad & Utility Engineer after preliminary engineering is complete and a final accounting after all utilities relocations are completed for the project.
- B. The Contractor shall determine all Utility Coordination Services necessary for the project. Contractor shall conduct all tasks and provide all documents or products necessary for the project including, but not necessarily limited to, any or all of the following:

Following are the basic categories and the types of tasks that occur under each of those categories:

1. Project Scoping

- Identify utilities (existing and proposed)
- Prepare utility report
- Notify utility companies, in writing, of project scope, schedule and potential impacts
- Define initial level of utility involvement (deliverables and commitments)
- Make initial determination of utility location property rights (fee, easement, permit, "X" permit, franchise, estoppel, prescription, ORS, etc.)
- Make initial determination of potential utility reimbursement costs for budgeting purposes

2. Project Development (identify, resolve and confirm utility impacts)

- Locate and map utility facilities in project area
- Determine utility conflicts by utilizing accurate location data, including 3-dimensional data as necessary
- Verify location data and conflicts with utility companies
- Develop detailed list of all utility conflicts for each utility
- Determine reimbursement eligibility for utilities with conflicts, obtain written property right documentation
- Work in coordination with utility, designers, maintenance and construction manager to determine best resolution of utility conflicts
- Notify utilities, in writing, of the project schedule, the specific conflicts with their utility facilities, the requirement to relocate, to obtain a permit and pay a fee per the Oregon Administrative Rules. Request relocation plan and relocation schedule, a cost estimate if appropriate, permits requirements, timing of property access rights, any other requirements, and the time that the information is required

- Work with utilities to determine best relocation schedule and any coordination requirements with the construction project
- Confirm utility relocation schedule in writing with each utility
- Prepare written utility relocation specifications for the Contract Special Provisions
- Prepare a Timing & Status report

3. Reimbursable Utility Relocation Requirements

- Follow requirements of 23 CFR 645 and “Program Guide, Utility Adjustments and Accommodation on Federal-Aid Highway Projects”
- Obtain compensable property right documents
- Prepare certification for reimbursement
- Notify and advise utility of reimbursement and authorization requirements per 23CFR 645 and ODOT procedures

4. Construction

- Schedule and chair a utility relocation pre-bid meeting if applicable
- Attend utility pre-construction meeting if applicable
- Attend construction contractor pre-construction meeting
- Help with resolution of unanticipated utility conflicts during construction

All written reports notifications, or communications regarding utility coordination will be copied to the appropriate Region Utility Specialist and Railroad & Utility Engineer. All reimbursable utility relocation work, including utility preliminary engineering, will require authorization through the Region Utility Specialist prior to any reimbursable work to take place. Authorization may take up to twenty (20) working days from receipt, to the Railroad and Utility Engineer, of an acceptable request prior to any reimbursable work to take place.

The research, cooperation, coordination, relevant reports, resolution and mitigation of utility conflicts must conform to and adequately represent the requirements of the following laws, rules, regulations and guides:

- Code of Federal Regulations, 23 CFR 645
- FHWA Program Guide, Utility Adjustments and Accommodation of Federal-Aid Highway Projects
- Oregon Laws, ORS 758, 366.321
- Oregon Administrative Rules, OAR 734-55
- ODOT Public Improvement Utility Project Guide

Required letters, agreements, certifications, etc., can be found on the ODOT web site:

<http://www.odot.state.or.us/rowutilrailpub/index.html>

If ODOT determines that any deliverables are not acceptable and that any deficiencies are the responsibility of the Contractor, ODOT shall prepare a detailed written description of any deficiencies and an associated time frame for correction, and deliver such notice to Contractor. Contractor shall correct any deficiencies at no cost to the ODOT.

RAILROAD CORRINATION SERVICES TO BE PROVIDED BY CONTRACTOR

Contractor shall determine all Railroad Coordination Services necessary for the project. Contractor shall conduct all tasks and provide all documents or products necessary for the project including, but not necessarily limited to, any or all of the following:

During the development of a project, Contractor must notify the railroad in writing of any impending project that will impact railroad property.

Following are the basic categories and the types of tasks that occur under each of those categories:

1. Project Scoping
 - Notify railroad of impending project and potential impacts
 - Invite railroad to meetings
 - Obtain early approvals or written direction from railroad on project requirements

1. Project Development
 - Obtain railroad design requirements
 - Obtain any railroad permits necessary for surveys on railroad property
 - Determine impacts to railroad and negotiate resolution through design changes or railroad relocation/modifications
 - Obtain railroad estimates for reimbursable relocation/modification work
 - Prepare application to Rail Division for alterations to the approach and crossing of any railroad/highway crossing
 - Obtain any and all other permits required of railroad (encroachment of pipes, lines, etc.)
 - Determine railroad right of way requirements and purchase through normal right of way process
 - Prepare State-Railroad agreements for use of railroad properties or adjustments to railroad facilities

All written reports, notifications, or communications regarding railroad coordination will be copied to the Railroad & Utility Engineer. All reimbursable railroad work, including preliminary engineering, will require authorization by the Railroad & Utility Engineer. Authorization may take up to twenty (20) working days from receipt of an acceptable request prior to any reimbursable work to take place.

The research, cooperation, coordination, relevant reports, resolution and mitigation of railroad impacts must conform to and adequately represent the requirements of the following laws, rules and regulations:

- Code of Federal Regulations, 23 CFR 646
- Oregon Laws, ORS 366.335, 366.365, ORS chapter 824
- Oregon Administrative Rules, OAR 741-50

Required letters, agreements, certifications, etc., can be found on the ODOT web site:

<http://www.odot.state.or.us/rowutilrailpub/index.html>

If ODOT determines that any deliverables are not acceptable and that any deficiencies are the responsibility of the Consultant, ODOT shall prepare a detailed written description of any deficiencies and an associated time frame for correction, and deliver such notice to Contractor. Contractor shall correct any deficiencies at no cost to ODOT.