



FDM 18-5-1 WisDOT - Central Office

December 30, 2004

Central office staff assist the regions, provide WisDOT with specialized information, recommend proposed policy and establish procedures in accordance with approved policy. Utility coordination on a typical project may involve the Bureau of Highway Development (BHD), the Bureau of State Highway Programs and the Bureau of Financial Services. Consult the manual in each functional area for proper procedures to be followed in that particular area.

1.1 Bureau of Highway Development

Although the central office areas mentioned above all have some responsibilities relating to utilities, the BHD Design Services Section has the primary responsibility. Some of its duties are:

1. Assist the regions during the development of projects involving utilities.
2. Provide information for WisDOT in utility matters.
3. Represent WisDOT in matters requiring the clearance and approval of other regulatory agencies.
4. Formulate and recommend for WisDOT approval policies, standards, and procedures for utility coordination.
5. Review and analyze plans, utility parcel agreements, utility agreements, real estate documents, billings, utility contract change orders, requests for reimbursements due to second moves, and other documents developed for utility projects and recommend to the Chief of Design Services for approval.
6. Determine whether utility coordination is complete and a project may be advertised for letting.
7. Review and approve utility billings recommended for payment by the regions and forward to the Bureau of Financial Services.

1.2 Bureau of Highway Real Estate

1. Review right of way plats and process relocation orders. (Plats may have utility parcels on them.)
2. Advise on acquisition of utility rights by award of damages procedures.

1.3 Bureau of Highway Operations

1. Establish the Utility Accommodation Policy (<http://www.dot.wisconsin.gov/business/rules/property-96.htm>) for utility installations on state trunk highways.
2. Review proposals to attach utility facilities to highway structures.
3. Review and approve utility permit applications in situations where permit approval authority has not been delegated to the region offices.

1.4 Bureau of State Highway Programs (BSHP)

1. Authorize utility parcel agreements (lump sum or audit) for charging.
2. Close completed projects based on notification from region through Bureau of Financial Services that final payment has been made.

1.5 5 – Division of Business Management-Bureau of Financial Services

1. Encumber utility project after BSHP step 1 above.
2. Process billings and pay vouchers and arrange for payment checks for compensable work.
3. Audit utility company records to determine if charges made for compensable work on utility parcels are reasonable and proper.

FDM 18-5-5 Highway Regions

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The region offices of the Division of Transportation Systems Development are the focal point of utility coordination. They must administer the Utility Accommodation Policy

(<http://www.dot.wisconsin.gov/business/rules/property-96.htm>), recognize potential conflicts between utility facilities and proposed highway improvement projects, obtain appropriate land rights, negotiate and administer utility agreements, convey the necessary utility coordination arrangements in the highway contract documents, and maintain a liaison with the utility companies.

5.1 Long Term Planning and Project Scheduling

The region is responsible for developing a Six Year Highway Improvement Program and informing utility companies and municipalities of the projects in the program. This is usually done by holding an Annual Region Utility Conference and publishing a handbook of upcoming projects which is distributed at the conference. The conference is a good opportunity to provide information regarding the six-year program and other utility-related items of interest to the attendees.

5.2 Ongoing Utility Accommodation

The region is responsible for administering the Utility Accommodation Policy which permits a utility to use state highway lands if the use is compatible with highway safety and highway maintenance operations. The region reviews utility applications and either approves or denies the permit when delegated to do so, or recommends that the Bureau of Highway Operations approve or deny the permit. The region is also responsible for monitoring the work covered by the approved permit.

5.3 Facilities Development Process

The region is responsible for identifying and evaluating utility facilities along proposed highway improvement projects and determining whether there is a potential for conflict with the proposed project. They must determine whether the highway design can be developed to be compatible with existing utility facilities and if not, what utility relocation work is required. The Plans, Specifications and Estimate (PS&E) documents should provide the highway contractor with sufficient information regarding the location of utility facilities and the degree of coordination required during highway construction to enable the contractor to bid the project appropriately.

For compensable utility relocations¹, the region must program, budget, and establish utility projects. They must negotiate utility agreements, and obtain the appropriate easement release documents or acquire land owned by the utility for areas that lie within new highway right-of-way.

5.4 Utility Agreement Administration and Highway Construction

The region is responsible for administering the utility agreements, filling out weekly reports and related project documents, reviewing and recommending approval of billings and sending the billings to the Bureau of Technical Services for processing.

The region is responsible for coordinating and monitoring the status of utility relocations and adjustments prior to and during highway construction.

5.5 Region Utility Coordinator

The Region Utility Coordinator is responsible for many of the above activities. They function as the contact person for utility coordination within the region. The duties of the Region Utility Coordinator may vary, but all coordinators do the following:

1. Provide guidance on utility related matters to all business areas of the region.
2. Act as liaison between the region and the utilities industry.
3. Negotiate required compensable utility agreements.
4. Certify that utility coordination arrangements have been made for improvement projects prior to the submittal of the PS&E documents.
5. Act as liaison between the region and the Acquisition & Services Section, Bureau of Technical Services.

FDM 18-5-8 Local Projects

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For a project developed by a local public agency (LPA), the following describes responsibilities for utility coordination. See also the WisDOT Guide to Utility Coordination at:

<http://wisconsindot.gov/Pages/doing-bus/eng-consultants/cnslt-rsrcs/util/default.aspx>

¹ See [FDM 12-10-1](#) for descriptions of the three types of compensable utilities.

State/federal funds used for real estate and construction, state acquires right-of way.	Federal funds used for real estate and construction; LPA acquires right-of-way.	Federal funds used for construction but not real estate, including situations where no plat is required
Department oversees utility coordination through the region utilities unit or consultant using department procedures, forms, and agreements.	LPA performs all utility coordination using department procedures, forms, and agreements. Master Consultant reviews plat and reviews and forwards agreement to the Acquisition & Services Section of the Bureau of Technical Services.	LPA performs all utility coordination using department procedures. Suitable forms and agreements have been developed for use by LPA. (See WisDOT Guide to Utility Coordination Chapter 17). If LPA has their own forms, they may use those. LPA provides Master Consultant a plat and certification by letter or resolution that all necessary utility parcels have been obtained. No department approvals of individual agreements are required.

FDM 18-5-10 Consulting Engineers on State and Local Projects

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Consulting engineers sometimes do design work on state highway projects and sometimes on local projects. They are required by contract to perform utility coordination work for the projects in accord with the requirements of the Facilities Development Manual. This normally includes all coordination functions as described in “Facilities Development Process” in [FDM 18-5-5](#). The negotiation of compensable utility agreements is performed by the WisDOT on state highway projects and by the local authority on other projects. Consultants should know the legal aspects of parcel identification and negotiation to provide the technical support and guidance expected by local officials.

The Consultant will:

1. Comply with the requirements of TRANS 220 for projects on the state trunk highway system, exclusive of connecting highways. See [FDM 18-1-15](#) for a copy of TRANS 220.
2. Confer with all utilities to exchange information.
3. Consider whether existing utility facilities can be accommodated by the highway design.
4. Keep the highway authority informed of the status of utility coordination.
5. Provide plans and information to the highway authority.
6. Prepare the Utilities Status Report.

Use a utility coordination task list similar to either [Attachment 10.1](#) or [Attachment 10.2](#) on all state trunk highway consultant contracts. Either version is acceptable. Use a utility task list similar to [Attachment 10.3](#) for all consultant contracts involving local roads. These lists clearly define what is expected of the consultant regarding utility coordination. These task lists may be modified to meet region needs. It is expected that the responsibility for each task will vary from project to project.

For more complete information on consultant responsibilities, see [Chapter 8](#).

LIST OF ATTACHMENTS

- [Attachment 10.1](#) STH Utility Coordination Task List
- [Attachment 10.2](#) STH Utility Coordination Task List (alternate format)
- [Attachment 10.3](#) Local Project Utility Coordination Task List

FDM 18-5-15 Federal Highway Administration

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The Federal Highway Administration (FHWA) has established rules and regulations that must be followed by state and local highway agencies when acquiring utility land rights where federal-aid funds are used. These rules and regulations are found in Part 645A of the Federal Aid Policy Guide (<http://www.fhwa.dot.gov/legregs/directives/cfr23toc.htm>).

Most federally funded highway improvement projects are covered by the WisDOT/FHWA Agreement on Federal Aid Project Administration and Oversight (see [FDM 5-5-15](#)). This agreement exempts federally funded projects from the requirement for WisDOT to seek federal authorization of utility parcel agreements.

FDM 18-5-20 Regulatory Agencies

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Utility service in Wisconsin is regulated principally by the Public Service Commission (PSC). The PSC is an independent, quasi-judicial regulatory body whose jurisdictional powers and duties are delegated to it by the Wisconsin Legislature. Existing public utility companies need PSC approval for major construction, to buy or sell plant facilities, and to extend or discontinue service. The PSC regulates the rates charged by most public utilities and the services they offer, and sets safety standards. These decisions are made on the basis of staff recommendations and public input through hearings.

Some utility service in Wisconsin is regulated by federal agencies. The Federal Communications Commission determines interstate phone rates and equipment. The Federal Power Commission sets charges for natural gas to producers and pipeline suppliers as well as sets rates for all electricity sold wholesale. The Nuclear Regulatory Commission controls the siting of nuclear plants and the nuclear materials used for generating electricity.