



FACILITIES DEVELOPMENT MANUAL

Wisconsin Department of Transportation

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FDM 18-1-1 Purpose and Scope of Chapter

December 11, 2014

1.1 Originator

The Chief of Acquisition & Services Section, Bureau of Technical Services is the originator of this chapter. All questions and comments on the contents of this chapter should be directed to Michael Baumann, Statewide Utility Engineer, at (608) 267-4461.

1.2 Purpose and Scope

Utility companies have traditionally constructed their facilities on or adjacent to state highway, local road, and municipal street corridors to serve customers that are also served by the road network. Because of this traditional sharing of these transportation corridors there is always the potential for conflicts.

The objective of good utility coordination in highway design is the continued shared use of the highway corridor which permits the construction, maintenance and safe operation of the highway with minimal impact on utility facilities.

It is not always possible to design around all existing utility facilities. To reduce or eliminate utility conflicts, it may be necessary to modify the highway design, relocate them off highway right-of-way or rearrange the utilities within existing or new highway right-of-way to be compatible with the new construction. The cost of relocating these facilities may be financed entirely by the utility company, entirely by the highway agency, or shared between them.

To accomplish this relocation and resolve conflicts requires continuing liaison, coordination, and cooperation between the Wisconsin Department of Transportation (and its consultants), local highway agencies (and their consultants), and utility company representatives.

The purpose of this chapter is to provide guidelines for conducting this coordination process and to briefly outline the procedures to be followed when negotiating compensable reimbursement agreements with utility companies.

This chapter has been developed primarily for the use of region project development staff responsible for highway improvement projects and for designated utility coordination staff in each region and in the central office.

Consulting engineers who are under contract with WisDOT or with local highway agencies to prepare plans for highway improvement projects should also be familiar with the provisions of this chapter.

County highway commissioners and municipal officials should also be familiar with the provisions of this chapter. They should ensure that all utility coordination steps have been completed at the time of PS&E submittal to WisDOT.

A separate document, the WisDOT Guide to Utility Coordination (<https://wisconsindot.gov/Pages/doing-bus/eng-consultants/cnslt-rsrcs/util/default.aspx>) contains additional guidance on utility coordination for highway improvement projects. Unless otherwise directed, all utility coordination on state or federally funded improvement projects shall be in accordance with this chapter and the WisDOT Guide to Utility Coordination.

Utility coordination is part of the overall communication plan for a project. Refer to [FDM 2-20-5.8](#) - Communication Management (and other references in FDM 2-20) for a discussion of communication from a project management perspective.

FDM 18-1-5 Importance of Continuing Liaison

December 30, 2004

Liaison with utility companies must be a continuing process, both on a program and a project basis. Regular communication and interaction with utility company representatives allows the early identification and resolution of potential utility conflicts on improvement projects.

On a program basis, developing and updating the Six Year Highway Improvement Program provides utility representatives with information they can use for long range planning, budgeting, and scheduling of their system improvements depending on when a highway improvement is scheduled.

On a project basis, utility coordination should be a major consideration, from the time project development

begins until construction is completed. By recognizing that conflicts with utility facilities are an important design issue (like drainage, traffic, pavement structure, and construction methods), they can be properly considered in plan development. The importance of good utility coordination is recognized in various laws of the state. See [FDM 18-15-1](#), ss. 84.063 and 182.0175, Wis. Stats. place specific responsibilities on designers and contractors relating to planning and carrying out work around utility facilities.

Early contact with utility companies to exchange information will help the designer to better consider the impact of utilities on the design and vice versa. Regular communication with utility representatives as the project is being developed will keep the utility company aware of project plans and will help the designer understand the utility company's concerns.

FDM 18-1-10 Summary of Utility Relationships

December 30, 2004

The diverse and conflicting operations and uses of transportation corridors by highway and utility interests can be a source of conflict between the highway agency and the utility owner. The relationship is put to the test each time the highway agency determines that a segment of highway is to be improved and utility facilities must be altered or relocated.

Utility companies usually have the choice of using the public right-of-way or building on private property. Wisconsin Statutes (ss. 84.08, 86.07(2), 86.16, and 182.017) permit utilities to use the public right-of-way as long as their facilities do not interfere with the construction, maintenance, and safe operation of the highway, road, or street. Much of the time they elect to use the public right-of-way because no easement is required; and, they have ready access to their facilities via all-weather roads which they do not have the responsibility to maintain. However, since utilities within the existing highway right-of-way are there by permit, when the highway improvement requires the relocation of the utilities, the cost of relocation must usually be borne by the utility. Utility companies are fully aware of this when they elect to use the highway right-of-way and generally accept it as part of the cost of doing business.

In some situations however, utility companies choose to build on private easement just outside of and paralleling the highway right-of-way. If the type of facility being installed requires only minimal maintenance without the need for regular access by large vehicles, some of the advantages of accessing it directly from the adjacent public roadway may be less important to them than the security of their facility from highway related operations. The cost of any future relocation of any part of their facility on private property resulting from a highway improvement project on the adjacent highway, must usually be borne by the highway agency.

In either situation, the cost of relocating the utility facility is ultimately borne by the citizens and businesses of the state, whether as ratepayers or as highway users. Therefore, both the highway agency and the utility company should strive to maintain a good working relationship with the other. The objective is a shared use of the transportation corridor that will permit the construction, maintenance and continued safe operation of the transportation facilities with minimal impact on utility facilities

FDM 18-1-15 Trans 220 Project

February 28, 2007

Trans 220 is an administrative rule the department was required to promulgate under s. 84.063 "Utility Facilities Relocation", Wisconsin Statutes, Laws of 1991. The rule applies only to improvement projects on highways designated as part of the state trunk highway system, exclusive of connecting highways. Since administrative rules have the force of law, TRANS 220 sets forth certain legal requirements for the facilities development process.

The provisions of TRANS 220 are incorporated into [FDM 18-10 Attachment 1.1](#). Region Utility Coordinators and designers involved in utility coordination should also become familiar with the rule itself as shown here: <http://www.legis.state.wi.us/rsb/code/trans/trans220.pdf>. Form [DT1079](#) may be used to track key steps of the rule through approval of a utility company work plan.

Trans 220 files are to be retained three (3) years after the utility project or the companion highway construction project is closed.



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

February 28, 2007

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

February 28, 2007

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:

<https://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

December 30, 2004

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

December 30, 2004

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

December 30, 2004

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.

STH Utility Coordination Task List

Note: All Utility Coordination shall be done in accordance with the Facilities Development Manual and the “WisDOT Guide to Utility Coordination” unless otherwise noted.

- The region will provide list of known utilities in the project area. The consultant is responsible for verifying this list with a call to Diggers’ Hotline and inquiries to local units of government.
- Send Form [DT1077](#) with cover letter and exhibits to all utility companies with a potential for facilities in the project area. Send a copy to the Region Utility Coordinator. Chapter Trans 220.04, [FDM 18-10-10](#)
- Field locate utility facilities in project area. [FDM 18-10-15](#)
- Remove manhole covers and determine flow line elevations and pipe sizes. Expose existing utility facilities and obtain elevations (pothole) at the following locations _____. Note: This will have to be coordinated with the utility.
- Obtain system maps from the utilities. Compare the system maps with the highway plan information to assure that all utility facilities are shown properly. {Chapter Trans 220.05(1)}
- Show existing utility facilities on plat, plans, and cross sections. [FDM 18-10-25](#)
- Identify potential utility conflicts and report them to the utility and to the Region Utility Coordinator.
- Invite utilities to Initial Kick-off Meeting. [FDM 18-10-10](#)
- Invite utilities to all Public Information Meetings.
- Hold _____ utility coordination meetings on the project. These meetings will be held at the _____% and _____% stage of the project. Chapter TRANS 220.05(4), [FDM 18-10-35](#)
- Provide a ___ size copy of the draft plat to the Region Utility Coordinator for approval after all existing information, including utilities, has been added.
- Provide a ___ size copy of the final plat to the Region Utility Coordinator for review prior to plat approval.
- Draft utility conveyance documents. (Conveyance of Rights in Land, Quit Claim Deed, or Temporary Highway Easement forms)
- Region/consultant/local unit of government (select one) will record signed conveyance documents.
- Send form [DT1078](#) with cover letter, plans and related exhibits. Send copies of the plan, forms and letters to Region Utility Coordinator. Chapter TRANS 220.05, [FDM 18-10-30](#) and [FDM 18-10-45](#)
- Region/local unit of government will send notice of reimbursable work.

- Review utility work plans; send them to the region with recommendations for corrective actions if required.
- Send Work Plan Approval and/or Start Work Notices to utility companies.
- Send copies of all correspondence with utilities to the Region Utility Coordinator.
- The region will approve utility work plans after receiving them from the consultant.
- Write “utility” section of the special provisions and revise as needed based upon information provided by the utilities and/or Region Utility Coordinator.
- Prepare the Utility Status Report (Form [DT1080](#)) as part of the PS&E submittal package. [FDM 18-10-40](#)
- Provide R/W staking for utilities as needed. R/W staking need be done only in the areas requested by the utility, not the entire project. Assume this will be done ___ times.
- The region will negotiate reimbursable work utility contracts.
- Provide ___ size plans and plats; ___ size cross sections, in paper or electronic format (.dgn files) to all utilities. Assume ___ utilities will need copies.
- Provide revised plan sheets with changes from previous plans indicated, as required. Chapter TRANS 220.05(12), [FDM 18-10-45](#)
- Maintain TRANS 220 Log (Form [DT1079](#)), and provide copies to the Region Utility Coordinator as part of the PS&E submittal to the region. [FDM 18-1-15](#)
- Review utility permits for compatibility with highway project design and recommend corrective action if necessary.
- The region will approve utility permits.
- Send a final (reduced size) plan set and copy of the “Utility” portion of the Special Provisions to each utility with facilities in the project area just prior to or soon after the final PS&E submittal to the region.
- Follow-up on status of utility relocations between PS&E submittal and the pre-construction meeting.
- Conduct Pre-Bid Utility Meeting for potential bidders to discuss utility relocations and utility coordination during construction.
- Attend pre-construction meeting to discuss current status of relocations

STH Utility Coordination Task List

[This task list is to be filled out by the region utility coordinator, the region project manager and, when a project is being assigned to a consultant firm, the design consultant.]

Design Project ID _____ Project Title & Subtitle _____ County _____
 Highway _____ Date _____

Note: All Utility Coordination shall be done in accordance with the Facilities Development Manual and the “WisDOT Guide to Utility Coordination” unless otherwise noted.

	TASK	PDS	UTIL. UNIT	CONS.	DATE DUE	DATE COMP.
1	Provide Concept Definition Report (CDR) and copies of any subsequent revisions.					
2	Provide Utility Coordination Task List as it pertains to the specific project.					
3	Provide list of known utilities in the project area.					
4	Verify according to Trans 220.04(1) the list created in #3. FDM 18-10-10					
5	Participate in project scoping meeting.					
6	Send Form DT1077 Project Notification with cover letter and exhibits to utilities with a potential for facilities in the project area. <i>TRANS 220.04</i> ; FDM 18-10-10					
7	Invite utilities to Initial Kick-off Meeting. FDM 18-10-10					
8	Maintain TRANS 220 Log, Form DT1079 . FDM 18-1-15					
9	Obtain system maps from the utilities. If handled by consultant, provide copies to the region utility coordinator on projects with new right-of-way. FDM 18-10-10 Compare the system maps with the highway plan information to confirm that all utility facilities are shown properly. <i>TRANS 220.05(1)</i>					
10	Field locate utility facilities in project area. FDM 18-10-15 _____ Remove manhole covers. Determine flow line elevations and pipe sizes. _____ Expose existing utility facilities and obtain elevations (pothole) at the following locations: _____ NOTE: This will have to be coordinated with the facility owners.					
11	Provide 30% plan to region utility coordinator for review prior to 30% Plan Review Meeting.					
12	Show existing utility facilities on plat, plans and cross-sections [i.e., plot the horizontal locations of all buried and above ground utility facilities on mainline and side road cross sections for the region utility coordinator and the utilities].					
13	Invite utilities to all Public Information Meetings.					
14	Provide a full size draft plat to the region utility coordinator for review after all existing information, including compensable and non-compensable utility facilities and easements, has been added.					
15	Provide a full size final plat to the region utility coordinator for review, including compensable and non-compensable utilities, prior to plat approval.					
16	Provide a copy of the DSR to region utility coordinator					
17	Provide 60% plan and profile and cross-sections to region utility coordinator for review prior to 60% Plan Review Meeting.					
18	Monthly: Send copies of all correspondence with utilities, and utility-related documents/logs to the region utility coordinator.					

	TASK	PDS	UTIL. UNIT	CONS.	DATE DUE	DATE COMP.
19	Identify potential utility conflicts. If done by consultant, provide copy to region utility coordinator. FDM 18-10-20					
20	Hold utility coordination meeting before DT1078 packages are mailed to utility companies.					
21	NO PLAT: Send Form DT1078 Project Plan Transmittal with plans and related exhibits. Include cover letter, conflict list, and utility work sheet. <i>TRANS 220.05</i> ; FDM 18-10-30					
22	PLAT: Send Form DT1078 Project Plan Transmittal with plat, plans and related exhibits. Include cover letter, conflict list, and utility work sheet, notice of reimbursable work, and release of rights. FDM 18-10-30 and FDM 18-15-15					
23	Provide to the region utility coordinator ___ sets of ___ size <u>plans</u> , ___ size <u>plats</u> , and ___ size <u>cross-sections</u> which are all complete enough for use by utility companies in evaluating potential conflicts and developing a relocation design. Depending on utility preference, these can be in paper or electronic format (.dgn files).					
24	Draft & record releases of rights (conveyance/ Quit Claim/ temporary release of easement).					
25	Provide revised plan sheets with changes from previous plans indicated, as required. <i>TRANS 220.05(12)</i> ; FDM 18-10-45					
26	Provide information of hazardous material sites to utilities and region utility coordinator. With this information clearly state what hazardous material has been found, where it has been located, other potential sites, who will be responsible for the removal, handling of the removal, storage of material that has been removed, & the cost associated with any and all dealing of the hazardous material on this WisDOT highway project.					
27	Provide information of environmental conditions, as it is associated with this project, to utilities and region utility coordinator. This includes wetlands, bedrock, historical and archaeological sites, endangered species, underground storage tanks, etc.					
28	Provide monthly updates to the region utility coordinator regarding progress on any land acquisition necessary, as it is associated with this project. Include with updates the status of any information on site clearance of parcels or razing contracts.					
29	Hold a utility coordination meeting after the 1078 packages have been mailed to involved utility companies, but before work plans are due back. <i>TRANS 220.05(04)</i> ; FDM 18-10-35 and FDM 18-20-5					
30	Review Utility work plans as they are received. Recommend corrective action if necessary. FDM 18-10-35					
31	Review Utility estimates for reimbursement as they are received. Negotiate reimbursable work utility agreements. (Return receipt mail may be used if necessary) FDM 18-15-20 and FDM 18-20-1					
32	Send notice to utilities of having received their work plan, cost estimate, Release of Rights, Waiver letter, etc. An email notice is acceptable. (CC: the Region Utility Unit.)					
33	Identify and resolve (or recommend resolution for) any conflicts among the various utility work plans. <i>TRANS 220.05(4)</i>					

	TASK	PDS	UTIL. UNIT	CONS.	DATE DUE	DATE COMP.
34	Send utility cost estimates and agreements to Central Office for approval.					
35	Approve utility work plans. (CC: the Region Utility Unit.) FDM 18-10-35 ; TRANS 220.05(7)					
36	Send Work Plan Approval and Start Work Notices to utility companies. TRANS 220.05(7)					
37	Provide 90% plan and profile and cross-sections to region utility coordinator for review prior to 90% Plan Review Meeting.					
38	Review DT1553 utility permits for compatibility with highway project design. Recommend corrective action if necessary.					
39	Approve DT1553 utility permits.					
40	Conduct field meetings with all utilities.					
41	Write the utility section of the highway contract special provisions, based upon work plans provided by the utility owners and/or the region utility coordinator. Use when appropriate: "These plans show utility facilities existing at the time of the original survey in _____ of _____. Facilities installed after this are addressed in the specials."					
42	Review the utility section of the highway contract special provisions.					
43	Update utility contacts for General Notes sheet on final plan based upon contact information provided by utilities from work plans.					
44	Prepare Form DT1080 Utility Status Report (USR) as part of the PS&E submittal package. FDM 18-10-40					
45	Provide R/W staking for utilities as needed. R/W staking is needed only in the areas where utility facilities will be placed, not the entire project. Estimate this will be needed _____ times.					
46	Send a final, reduced size plan set and copy of the utility portion of the highway contract special provisions to each utility with facilities in the project area just prior to or soon after the final PS&E submittal to the region. FDM 18-10-45					
47	Hold a utility coordination meeting after all work plans have been approved but before utility relocations begin. <i>Chapter TRANS 220.05(04)</i> ; FDM 18-10-35 and FDM 18-10-45					
48	Follow-up on status of utility relocations between PS&E submittal and the preconstruction meeting.					
49	Conduct Pre-Bid Utility Meeting for potential bidders to discuss utility relocations and utility coordination during construction.					
50	Attend the Pre-construction meeting and answer any questions regarding the utility coordination efforts.					
51	Process utility agreement Contract Change Orders.					
52	Process utility Second Moves.					
53	Process utility billings.					

Local Project Utility Coordination Task List

Note: All Utility Coordination shall be done in accordance with the Facilities Development Manual and the “WisDOT Guide to Utility Coordination” unless otherwise noted.

- Identify utility companies with facilities within the project area.
- Send project notification letter and exhibits to all utility companies with a potential for facilities in the project area. Ask them to verify that they have facilities in the area and also request utility system maps for the project area. Compare the system maps with the highway plan information to assure that all utility facilities are shown properly.
- Field locate utility facilities in project area. *DO NOT DEPEND ON SYSTEM MAPS FOR LOCATIONS!!!* Facilities must be field located.
- Remove manhole covers and determine flow line elevations and pipe sizes.
- Expose existing utility facilities and obtain elevations (pothole) at the following locations _____.
Note: This will have to be coordinated with the utility.
- Show existing utility facilities on plat, plans, and cross sections. (Horizontal location only, unless elevations have been obtained by a survey crew.)
- Identify potential utility conflicts and report them to the utility. The utility is ultimately responsible for determining conflicts but the highway designer is more familiar with the project and is best suited for determining the initial list of potential conflicts.
- Invite utilities to Initial Kick-off Meeting.
- Invite utilities to all Public Information Meetings.
- Hold ___ utility coordination meetings on the project. These meetings will be held at the ___% and ___% stage of the project.
- Draft utility conveyance documents. (Conveyance of Rights in Land, Quit Claim Deed, or Temporary Highway Easement forms)
- Consultant or local unit of government (select one) will obtain and record signed conveyance documents.
- Send a copy of the plans that are sufficiently complete to allow for the design of utility facilities along with a cover letter explaining the project and notifying the utility of any sensitive areas in the project area.
- Consultant or local unit of government (select one) will send notice of reimbursable work to the utilities.
- Review utility work plans, approve work plans or return with recommendations for corrective actions if required.
- Send Work Plan Approval and/or Start Work Notices to utility companies.
- Write “utility” section of the special provisions and revise as needed based upon information provided by the utilities.
- Prepare the Utility Status Report (Form DT1080) as part of the PS&E submittal package. (DOT let projects)

- Provide R/W staking for utilities as needed. R/W staking need only be done in the areas requested by the utility, not the entire project. Assume this will be done ___ times.
- Consultant or local unit of government (select one) will negotiate reimbursable work utility contracts.
- Provide ___ size plans and plats, ___ size cross sections, in paper or electronic format (.dgn files) to all utilities. Assume ___ utilities will need copies.
- Provide utilities with revised plan sheets with any changes from previous plans indicated, as required.
- Review utility permits for compatibility with highway project design and recommend corrective action if necessary.
- Send a final (reduced size) plan set and copy of the "Utility" portion of the Special Provisions to each utility with facilities in the project area just prior to, or soon after, the final PS&E submittal.
- Follow-up on status of utility relocations between PS&E submittal and the Pre-construction meeting.
- Conduct Pre-Bid Utility Meeting for potential bidders to discuss utility relocations and utility coordination during construction.
- Attend pre-construction meeting to discuss current status of utility relocations.



FDM 18-10-1 Overview

February 28, 2007

This section describes the major utility coordination activities needed during the development of a highway improvement project. Utility coordination is the same for both compensable and non-compensable utility work until the time compensable utility parcels are identified.¹ The degree of utility coordination needed depends on the nature and extent of the highway improvement work.

As the complexity of a highway improvement project increases, the severity of impacts on utility facilities becomes greater. Seven general levels of improvement projects are classified in the Six-Year STH improvement program: Resurfacing, Pavement Replacement, Reconditioning, Reconstruction, Expansion, Bridge Rehabilitation, and Bridge Replacement². Regardless of the proposed level of improvement of a project, it is essential that a general knowledge of the types and locations of all utilities within the project limits be obtained. Then, as the project is being developed, a more complete and detailed knowledge about the utilities will be required depending on the level of the improvement. A detailed field survey of utilities and coordination with utility representatives is essential wherever the surface of the land is being disturbed.

Resurfacing and pavement replacement projects may have work in localized areas that could affect utilities. This may include: elimination or shielding of roadside obstacles, culvert replacements, signals, signing, spot curb and gutter replacement, and intersection improvements.

Reconditioning projects may include improvement of an isolated grade, curve, intersection, or sight distance problem; changing the subgrade to widen shoulders or to correct a structural problem; replacing or expanding existing storm sewer systems; grading ditches and slopes to improve drainage or flatten vehicle recovery areas; adding parking lanes; or reconstruction of less than 50% of the length of a project. All of these activities could affect utility facilities.

Reconstruction projects rebuild both the pavement and subgrade of an existing highway. This includes flattening of grades, improvement of curves, widening of the roadbed, storm sewer installation, and drainage improvements. These projects often have an extensive impact on utility facilities. Utility coordination from the very beginning is especially important for reconstruction projects since more lead time is needed by both utilities and the highway agency to make the necessary arrangements. Early and regular discussions between utility and highway design staffs may help to minimize the cost of conflicts by considering existing utility facility locations when making highway design decisions. Detailed field information along with an understanding of the impacts on and related costs of utility facilities is required. When new right-of-way is being acquired, utility relocations from within the new right-of-way may require extensive negotiations with reimbursement agreements and release of rights documents needed.

Expansion projects include the same types of work associated with reconstruction projects, but also involve the construction of additional through travel lanes, and may include construction of an entirely new street or highway on new alignment. Utility coordination on these projects is very important and, like reconstruction projects, should be part of the decision making process from the beginning of the project. The impact of utility coordination on highway design becomes increasingly important, both economically and in relation to project scheduling, as the degree of conflicts and the complexity of the highway project increases.

When the highway is being upgraded to a freeway, additional utility coordination efforts are required because of the more restrictive accommodation policy requirements for freeways. This requires additional lead time and some major facility relocations may require review and approval from the Public Service Commission or other outside regulatory agencies.

Bridge Rehabilitation projects include the repair, restoration, widening, or replacement of the components of an existing structure and any ancillary improvements for drainage or bridge approaches. The complexity of utility coordination on these projects will vary. If a utility facility is attached to the structure, coordination efforts could be considerable. The designer must also consider construction equipment operations, such as crane placement and operation with regard to the locations of existing overhead utility lines. Temporary utility line relocations or shutdowns of lines may be necessary during construction operations.

Note: as stated in the WisDOT Guide to Utility Coordination, (<https://wisconsindot.gov/Pages/doing-bus/eng->

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

² See [FDM 3-5-2](#) for definitions and additional information.

[consultants/cnslt-rsrcs/util/default.aspx](#)), WisDOT discourages the attachment of utility facilities to highway structures.

Bridge Replacement projects are the building of a new bridge at the location of an existing structure or at a new location. These projects are similar to Bridge Rehabilitation projects with respect to crane operations and attachment of utility facilities on the existing bridge. Additional conflicts are possible when a new location is involved.

Although local rural highways and roads are generally constructed to lower standards than state highways, the level and type of improvement, not the class of highway, should govern the extent of utility coordination performed. There are differences in the utility coordination process between state highway projects and local road and street projects. These differences include who performs specific functions of the utility coordination process, not whether the function needs to be performed.

Note: Designers should remember that s. 84.063 stats, and TRANS 220 apply only to state trunk highways.

Where consulting engineers are employed by local units of government to prepare highway plans, the local highway officials rely heavily on the consultant to take the lead and provide technical expertise and guidance in coordinating their plan development with utility companies. While on state highway projects, whether designed by a consultant or not, the utility parcel negotiation and acquisition process is normally done by WisDOT. On local projects this is the responsibility of local officials.

[Attachment 1.1](#) and [Attachment 1.2](#) show graphically the coordination steps involved in highway project development. [Attachment 1.1](#) shows a flow chart of the general utility coordination process on state trunk highway projects. [Attachment 1.2](#) shows a flow chart of utility coordination on local projects.

LIST OF ATTACHMENTS

Attachment 1.1	General Utility Coordination Process on State Highway Projects
Attachment 1.2	Utility Coordination on Federal/State Funded Local Unit Projects

FDM 18-10-5 Annual Utility Conference

December 30, 2004

The first opportunity utility representatives may have to learn about future highway improvement projects is at the Annual Utility Conference conducted by each region. The conference should be viewed as a forum for exchange of ideas and concerns as well as a means of supplying information about future improvement projects. All utility companies operating within the region should be invited. Consulting engineering firms, county and local officials, and interested central office and Federal Highway Administration staff should also be invited.

Region representation ideally should include personnel from all region functional areas so that they may hear of the concerns of the utility representatives and provide answers to their questions.

A highway improvement program booklet should be prepared and distributed to conference attendees. This booklet should contain the following information.

Project location maps -

Project related data -

- Project I.D.
- Type of work
- Anticipated need for new R/W
- When R/W acquisition is expected to begin
- When plans are expected to be available
- When project is expected to be ready to let to contract

Most of this information can be obtained from the region's detailed project development scheduling system. Other good sources of information are the approved Six Year Highway Improvement Program and other federal-aid and state-aid county and local road programs.

A number of projects in the state administered highway program are initiated and sponsored by local units of government. In addition, as a matter of courtesy to the local units of government, local officials should be encouraged to present information on projects funded and administered by their agencies.

Highway program booklets should include information about projects as far out in the program as they can be identified. It is a good idea to include upcoming or ongoing corridor studies and other long-term study areas. An

opportunity for discussion and questions should be provided.

In addition to the highway programs, special topics may be presented. These may include new policies and procedures, special problem areas, or utility company presentations.

Questions and comments by utility representatives should be encouraged in order to improve the spirit of cooperation and in order to clarify, standardize, and streamline utility coordination procedures.

FDM 18-10-10 Obtaining General Utility Information

February 28, 2007

10.1 Sources for Utility Information

Each region should develop and maintain a file of information about private and municipal utilities operating in their region. This information is essential to the smooth operation of the utility coordination process. There are many sources available for this file. Some sources can provide general information on an area-wide basis while other sources can provide information on a specific project basis. Information may be in the form of service area maps covering a utility's entire territory or detailed construction maps of a specific segment of the system. Both general and specific information are useful depending on the situation. Computer data bases may be used to organize detail of specific locations of facilities.

10.1.1 Public Service Commission

The Public Service Commission maintains records on the location of individual utility companies which they regulate, and the extent of their service areas. This may be a source to identify a utility not found by other means.

10.1.2 Statewide Utility Associations

State associations of gas, electric, telephone, or cable television utilities may be contacted to obtain statewide or regional maps showing service areas or territories by type of utility. The following statewide utility associations are located in the Madison area:

1. Wisconsin Utilities Association, (608) 257-3151
2. Wisconsin State Telephone Association, (608) 833-8866
3. Wisconsin Electric Cooperative Association, (608) 835-9009
4. Wisconsin Cable Communications Association, (608) 256-1683
5. Municipal Electric Utilities of Wisconsin, (608) 837-2263

Please note that not all utility companies belong to the associations.

10.1.3 Local Public Utilities

Municipalities along a proposed project route may own and operate their own public utilities. Commonly this includes water and sanitary sewer, and sometimes electrical and gas services. There may also be a local independent water or sanitary district established to provide these services. Local officials should be able to provide information on whom to contact.

10.1.4 Records From Utility Permits

When a utility company applies to the region for a permit to do work on state highway right of way, they identify the type of facility, the specific location of the work using a sketch or detailed plan, and the section, township, range, and county where the work is performed. These permits are kept on file for many years. The information from current and past permits may be reviewed to prepare a list of utility companies in the area.

10.1.5 Field Survey Observations

As a normal part of the field survey, visible above ground and marked underground utility facilities will be referenced to the survey line. However, the surveyors should be on the watch for unusual features that could give a clue to otherwise unidentified utility lines.

10.1.6 Utility Locating Services

A One-Call service called DIGGERS HOTLINE has been established through a cooperative effort of a number of utility companies. When a person wishes to have buried utilities in an area marked, they can call DIGGERS HOTLINE. DIGGERS HOTLINE personnel then notify all utility company subscribers of the service who may have facilities in the area. Not all utility companies are subscribers to the service, so it will be necessary to call those who are not. DIGGERS HOTLINE personnel will tell the caller which utility companies they will be notifying.

10.1.7 Referrals From Other Utility Companies

Utility companies not only know the boundaries of their territory but also who serves the adjacent territory. Sometimes the wrong utility company is contacted for information. The company contacted will usually provide information about which utility serves the area.

10.1.8 Recorded Utility Easements

During the course of conducting title searches for right of way plat preparation, records of utility easements should be found. There may be a separate recorded document or there may be a reference in a property deed, certified survey, or development plat. The boundaries of such easements may be located very precisely or they may be traceable only in general terms. Not all recorded easements are occupied by actual facilities and it may be discovered that an unused easement exists for a utility company that has no facilities elsewhere on the project.

10.1.9 TRANS 220 Notification and Required Utility Owner Response

After determining which utility companies may have facilities located within the limits of a state trunk highway improvement project, the utility owner must be notified in accordance with TRANS 220.04. Form [DT1077](#) should be used for this notification (see [Attachment 10.1](#)).

[Attachment 10.2](#), [Attachment 10.3](#), and [Attachment 10.4](#) show sample cover letters that can accompany Form [DT1077](#). Within 60 days of this notification, the utility owner must provide the department with a description and the general location of each utility facility in the vicinity of the improvement.

10.2 Request for Utility System Maps

Once the various utility companies are identified, it is important to know the boundaries of their respective service areas. Each utility should provide maps showing the limits of their service area.

As soon as a highway project is authorized for design, all known utility companies should be asked for their maps showing the locations of their facilities near the project. The letter may also request the name of the person who should be contacted at the time facilities need to be field located. This letter may be combined with the invitation to attend the initial kick-off meeting.

10.3 Initial Kick-off Meeting

All utility companies who may have facilities in the area of the project should be invited to the initial kick-off meeting. They should be requested to bring along maps showing the location of their facilities along the project if maps have not been received previously. This meeting provides an early opportunity to inform the utilities of the basic concepts being considered for the project. It gives the region an early indication of the types of utilities that may be present. Utility companies have an opportunity to clarify concerns about potentially major conflicts that should be considered when investigating alternate locations or designs for the highway.

Also at this time the region should determine the name and address of the utility representative to be contacted with regard to utility planning, design, acquisition, and construction. Better liaison will be achieved and earlier decisions made if meetings and correspondence are cleared through only one designated contact in the region and in the company.

10.4 Use of Utility Company System Maps

From information provided by the utility companies at the initial kick-off meeting, it is recommended that the project designer assemble a composite utility map showing general locations of known utilities along the project. This composite map can be a useful reference as the project is being developed to determine areas of potential conflict. Utility location information shown on the plan must be field located and not based solely on system maps.

The designer should recognize that the accuracy and reliability of utility system maps varies with the type of utility involved. This is especially true for underground facilities.

1. Gas Distribution Mains: Maps generally reference the lines well, with distances shown from the right of way line or existing highway centerline and from side roads.
2. Buried Telephone Cables: Maps generally give only enough detail to indicate if cables are within the project area and whether they are inside or outside the existing highway right of way. There is usually no indication of how far the cable is from the right of way line or the centerline of the highway. Sometimes the drawings are only schematic and do not identify many landmarks that can be related to highway features.
3. Overhead and Underground Electric Facilities: Maps from electric companies are generally drawn to scale and show the location of each pole and underground cable with respect to the right of way line.

Pole maps may have dimensions showing pole spacing and distances from side roads, but generally do not show distances from the right of way line. Underground cables will be shown as either inside or outside the right of way and may be drawn to approximate scale. Some companies have numbering systems for identifying each pole and codes which identify size and capacity of underground cables.

4. Gas and Petroleum Transmission Pipelines: Locations of long distance lines are usually shown only on small scale county maps with about the same accuracy as a highway route is shown. These maps are suitable for spotting the general location on a mosaic or preliminary plan. However, the actual locations are usually well marked in the field.

No matter how accurately the maps locate the horizontal position of a buried utility, they tell little about the depth below the ground surface. Telephone and electric cables and gas mains do not usually have to be laid at a fixed grade or slope like gravity sewers or at a minimum depth below frost penetration to prevent freezing like water pipes. They are usually placed only as deep as safety codes or utility company policies require to provide normal protection from potential damage. The nominal depth is usually 2 ½ to 3 feet. Direct-buried cables can vary widely from nominal depth. Depending on the difficulty of installation, there may be as little as 12 inches of cover over a cable. The only way to know for sure is to have the utility company expose the underground facility and measure its depth.

10.5 Utility Coordination Meetings (Preliminary Design Phase)

Once the project concepts and scope have been determined it is a good idea to invite the affected utility companies to a project meeting. The purpose of the meeting is to exchange information about the proposed highway improvement and how it might affect utility facilities. The utility companies can provide information regarding their facilities that will help the designer to avoid or design around high cost utility facilities and thus minimize the overall project cost. These high cost facilities are design constraints that need to be identified early in the design process. There may be additional scheduling constraints that will affect the improvement project construction schedule. For example, an overhead high voltage electric transmission line may require that pile driving be scheduled in the fall or winter, when electric loads are lower and the transmission line can be temporarily taken out of service.

Notification of the improvement project may affect future utility plans for the area and appropriate design or schedule changes to planned future upgrades can be made to have the highway and utility projects coincide, further reducing costs and inefficiencies. The sharing of information early in the design process is beneficial to both WisDOT and the utility industry.

The activities associated with this meeting can also be part of the Initial Kick-off Meeting. In that case another meeting is not necessary at this time.

LIST OF ATTACHMENTS

Attachment 10.1	Proposed Highway Improvement Notice
Attachment 10.2	Sample Trans 220 Notification Letter
Attachment 10.3	Sample Trans 220 Notification Letter and Invitation to the Initial Kick-off Meeting
Attachment 10.4	Sample Notification for Non-Trans 220 Project

FDM 18-10-15 Field Locating and Surveying Utilities

December 30, 2004

15.1 Scope of Field Locating

The extent to which utility facilities need to be field located and surveyed will vary with the scope and complexity of the project. Resurfacing and pavement replacement projects may require utility surveys only at intersections being improved, at storm sewer installations, or where culverts are being replaced or extended. Reconditioning, reconstruction and expansion projects usually require utility surveys the full length of the project. The important consideration is that in all areas where grading or excavation is anticipated, underground utilities should be field located and surveyed. An evaluation of the information provided on the utility company system maps or the composite utility map will be helpful in determining the need for field locating.

It is desirable to collect extra information in areas where upgrading of the scope of the project is possible.

15.2 Scheduling Utility Surveys

Above ground facilities are readily identifiable and easily surveyed. However, surveying underground utilities requires special coordination with utility companies to have utilities marked and surveyed in the most efficient manner.

If utility information will be shown on the plans, it must be field located. A more complete and accurate survey will be obtained if there is little or no snow cover. Scheduling field utility surveys should be done cooperatively by the designer, the Utilities Coordinator, and the Surveys Coordinator. One person should be the contact person for requesting field locating services from the utility companies.

When notified that excavation will begin in an area, utility companies are required by statute to mark all facilities in the required area within three working days. For planning purposes however, where the amount of marking may be quite extensive and where no immediate excavation is expected, utilities are allowed up to two weeks to finish the work. If a more immediate response is needed, direct contact with the utility company representative is advisable.

15.3 Standardized Utility Markings

Existing utility lines are marked with color-coded spray paint, lath, ribbons, or flags, as follows:

- Electric--Safety RED
- Sewer--Safety GREEN
- Water--Safety Precaution BLUE
- Communications--Safety Alert ORANGE
- Gas and Oil--High Visibility Safety YELLOW

15.4 Surveying Utilities

Utilities may be surveyed by one of two methods; stationing and offset from a marked reference line or angle and distance from control points. Using either method, measurements should be accurate to 0.1 foot. Measurements of this precision are important in order to establish the exact position of the facility with respect to the existing right-of-way boundary and to determine whether the costs to relocate the facility are eligible for reimbursement.

Underground facilities should be measured to the centerline of the cable, conduit or pipeline and associated structures (pedestals, manholes, etc.), with the size of the structure indicated.

When measuring above ground facilities by stationing and offset, their position should be established relative to the existing right-of-way. When measuring by angle and distance from control points, the control points may have no readily apparent relationship with the existing right-of-way. Therefore, measurements should be made to the center of the pole or structure. Computations may then be used to determine the position of the pole or structure with respect to the existing right-of-way line. Poles that appear to be marginally in or out of the existing right-of-way may have to be re-measured from the known location of the existing right-of-way line. Another approach would be to measure to the center of poles and pedestals and add the diameter or cross dimension of the feature in the notes.

Planimetric maps produced from aerial photography often show the locations of utility poles visible in the aerial photography. The aerial mapping process does not provide pole locations sufficiently accurate enough to be used for determining their precise position in relation to existing highway right-of-way boundaries. Symbols representing the pole or pedestal location are centered on the feature and NOT scaled to actual size. Field verification may be needed.

In complex areas and where overhead wires or cables cross the highway, the route of the wires or cables from pole to pole should be shown in the survey notes. There may be a need to determine the elevation of aerial facilities so that existing and future roadway clearances can be checked. (CAUTION: a utility company representative should assist in making the measurements unless indirect measurement methods are used.)

FDM 18-10-20 Identifying Utility Conflicts

December 30, 2004

It is recommended that all utility data collected on field survey be plotted to scale on a base map which may be used later for plan sheets or right of way plats. This includes all surface structures such as poles, cabinets, pedestals, hydrants, manholes, and valve boxes, as well as underground gas, oil, telephone, electric, cable television, water, sanitary sewer, and storm sewer lines.

Prints of the base map can be used by the designer to see the relationship between the design and the utility facilities, to evaluate possible conflicts, and to help decide how to avoid or resolve the conflicts.

When potential conflicts between utilities and proposed designs are identified, the designer must decide how serious the conflict is and what options are available to resolve the conflict. Sometimes conflicts can be resolved only by relocating the utility facility. However, if conflicts are identified early enough, minor design changes may be sufficient to reduce or eliminate the conflict without any significant increase in project cost or adverse impact on highway function or safety.

Major utility facilities (high voltage electrical transmission lines and poles or towers, large diameter pipelines and long distance communication lines), are very difficult and expensive to move. As long as there are no other constraints, consider designing around them. Similarly, conflicts with less significant utility facilities may be reduced or eliminated entirely by making a minor adjustment to the design along the project.

Some examples of highway/utility conflicts are:

1. Surface and buried utilities in roadway grading areas, ditches, and backslopes.
2. Poles and other above ground facilities within minimum clear zone distances.
3. Buried utility lines around bridge substructure construction.
4. Overhead line clearances where cranes will be used, such as bridge construction or marsh excavation, and minimum required overhead line clearances in fill areas.
5. Buried utility facilities conflicting with new storm sewers and pipe culverts.
6. Location of manhole and valve box castings for paving or resurfacing projects.
7. Driveway reconstruction.

Discuss potential conflicts with utility company representatives to seek input from them on ways to resolve the conflicts. In addition, utility companies will give the designer a rough estimate of possible total utility relocation costs so that the designer can better evaluate the costs of alternatives which involve utilities. The total utility relocation cost should be considered regardless of whether a utility move is compensable or non-compensable.

Through these contacts, the designer will better understand the utility company's problems. The utility company will generally be more receptive to moving their facilities if needed when they have had a part in the plan development. Such a discussion could result in development of a solution that may be advantageous to both parties.

FDM 18-10-25 Utility Information on Right-of-way Plat & Plans

February 28, 2007

25.1 Title Searches for Utility Easements

Title searches for land parcels are required to develop a chronological report of encumbrances against a property. All easements on each parcel shall be identified, including utility easements. Utility easements may go as far back as 1920 or before and, since land transfer conveyances do not always include reference to existing easements, title searches for utility easements should go back as far as land records will allow.

Title searches should be made for all land parcels where new right-of-way is anticipated. This should include not only fee title acquisition parcels but also areas of permanent or temporary limited easements or construction permits. Utility companies may have easement rights within all the above areas and a release of rights or Temporary Release of Easement must be obtained from the utility before highway construction may proceed.

See [Chapter 12](#) for additional information on title searches and title reports.

25.2 Legal Determination of Existing Right-of-way

Usually the compensability of a utility relocation will depend on whether or not the existing utility facility is located within the limits of the existing highway right-of-way. Generally the width of existing right-of-way can be established from existing plats or from other records on file. When the exact width of the right-of-way cannot otherwise be defined because no known records exist, s. 80.01(2), stats provides for the presumption that it was initially laid out as four rods wide. This is 66 feet.

In the latter case care should be taken in determining the existing centerline of the right-of-way. It is sometimes difficult to determine that centerline (and the right-of-way boundary) with precision. A small change in the right-of-way centerline may affect the compensability of utilities located near the right-of-way boundary.

25.3 Utility Information on Right-of-way Plat

See [Chapter 12](#) for guidance on how utility information should be shown on right-of-way plats.

Land rights information includes utility purchased easements and other use agreements found in title searches and general utility easements established as part of land platting and certified surveys. The recording information for Utility Easements should be referenced on the plat along with a list of the parcels that are affected by the easement, see [FDM 12-10 Figure 1.8](#). The owner of the land right should be identified.

The above detail on plats is important for successful utility coordination for the following reasons:

1. Utility facilities must be shown with respect to the existing and new right-of-way limits so utility parcels

can be established. This full delineation of utilities makes it easier to determine the proportion of any facility which is within existing right-of-way, within new right-of-way, and outside new right-of-way. This information is needed to establish what part of utility relocation costs are compensable.

2. Because of the sequence of operations in plan development, the plat is the first complete drawing showing proposed alignment and proposed right-of-way in relation to the existing highway. The plat also gives stationing that can be related to the cross-sections. The completed plat and plotted cross-sections provide the basic information the utility company engineers need to start identifying conflicts and determining where they may be able to put relocated or replacement facilities. The timely completion of utility relocation plans makes it essential that utility companies be provided with detailed plans and cross-sections as early as possible. This early start is also important since reimbursable utility agreements on major projects can take a year or more to negotiate.

25.4 Identification of Parcels (Compensable Utility Relocations)

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

A utility parcel or parcels should be established when information from title searches or other sources indicates that a utility company has an easement, use agreement or other land right or the actual presence of a utility facility within the new right-of-way. The details of identifying and delineating parcel limits on the plat are explained in [Chapter 12](#).

Usually only one parcel is established for each utility company along a highway improvement project. However, there may be situations when more than one parcel will be needed for a utility company. When two adjacent right-of-way plats along the same highway improvement project have compensable facilities owned by the same company, different utility parcels could be used for each right-of-way plat.

If a utility company has two or more types of facilities, such as gas and electric, it is often desirable to assign a parcel number for each type of facility.

If the highway improvement project is divided into a number of highway construction contracts and a utility company's facilities are affected by several of the highway contracts, it may be advantageous to establish multiple parcels for that company with the parcel limits corresponding approximately with the highway contract limits. This way the company and the department can concentrate on reaching agreement on the parcel which is affecting the first highway contract.

25.5 Utility Information on Other Plan Exhibits

All utility facility type and location information shown the plan sheets shall conform to Quality Level B or Quality Level A as defined in the American Society of Civil Engineers (ASCE) Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data (<http://www.asce.org/bookstore/book.cfm?book=4276>), CI/ASCE 38-02. Briefly, Quality Level B means that all utility location information must be field located. Quality Level A means that horizontal and vertical location as well as facility size and type information must be provided by exposing the structure and collecting the data. See the ASCE Standard Guideline document for additional detailed information regarding data quality levels.

Use Quality Level A whenever underground utility facilities may conflict with highway construction and the utility cannot verify the depth of their facility. Use Quality Level B in all other cases.

See [Chapter 15](#) for guidance on how utility information should be shown on the various types of plan sheets.

FDM 18-10-30 Notice and Plan to Utilities

February 28, 2007

At the earliest possible date in the development of a highway project, the region should furnish copies of highway plans to each utility company with facilities on the highway project. These plans should include sufficient detail to allow the utility to evaluate conflicts and determine how they propose to resolve the conflicts. Show the field-located horizontal location of utility facilities on cross sections sent to utility companies. Show vertical locations also, if known.

Stamp the plans "APPROVED FOR DESIGN OF UTILITY ADJUSTMENTS" (rather than "PRELIMINARY" or "PRELIMINARY - NOT APPROVED"), and date. This may reduce concern on the part of utility companies about designing a relocation of their facilities on the basis of these plans.

A cover letter (called "Notice of Potential Conflict"), should outline the basic scope of the project, identify potential conflicts and give dates when the project is scheduled for letting. The utility should be requested to verify the locations and nature of their facilities, make additions or corrections and contact the region to resolve discrepancies. [Attachment 30.1](#) is an example of a Notice of Potential Conflict.

If any utility facilities requiring relocation are eligible for reimbursement, this letter is called a "Notice of Compensable Work". This letter contains the same information as the Notice of Potential Conflict but it should also inform the utility of the extent of their eligibility and the need to prepare appropriate relocation plans and cost estimates. If appropriate they should also be requested to verify the locations of both active and inactive easements and other land interests they hold and, if necessary, provide supporting evidence to substantiate these land interests. The "Notice of Compensable Work" should be written by, or in consultation with the Region Utility Coordinator.

Designers should remember that utility companies that may have to relocate at their own expense should be kept as well informed as the company that may be entitled to reimbursement.

If any of the utility's planned relocation will be on highway right of way, the utility should be advised to submit a permit application as soon as possible.

TRANS 220 Project Plan

For TRANS 220 projects at least one set of the improvement plan suitable for the design of utility facility alterations or relocations must be sent to each utility owner. Use Form [DT1078](#) (see [Attachment 30.2](#)) to transmit the plan. This form should be supplemented with a cover letter such as is shown in [Attachment 30.3](#), [Attachment 30.4](#), or [Attachment 30.5](#). TRANS 220 project plans sent to utility companies shall have the following statement on their title page: "TRANS 220 Project Plan for design of utility facility alterations or relocations."

LIST OF ATTACHMENTS

Attachment 30.1	Notice of Potential Conflict-Non Trans 220 Project
Attachment 30.2	Project Plan Transmittal Form DT 1078
Attachment 30.3	Sample Cover Letter - No Utility Parcel Required
Attachment 30.4	Sample Cover Letter - Parcel But Not Relocation
Attachment 30.5	Sample Cover Letter - Parcel and Compensable Work

FDM 18-10-35 Utility Relocation Process

December 30, 2004

35.1 Utility Relocation Plan Preparation (Work Plan)

Although there are differences in the process for compensable and non-compensable utility relocations, there are certain steps that must be taken in either case by the utility company to arrange for relocation of their facilities.

1. The utility staff must determine what must be moved, and how, where, and when it can best be accomplished. This may involve meetings with highway designers, either in the office or at the job site.
2. If a compensable utility relocation is involved, they must prepare and submit to the region the relocation plan and estimate, reimbursement agreement and release of rights documents necessary to execute the agreement.
3. If the relocation is non-compensable, the utility should discuss their relocation plan with the highway designer. Utility relocation plans should be submitted for review if the new facility will be adjacent to or occupy the highway right of way.
4. If portions of any utility relocation are within the highway right of way, the utility must apply for a permit from the region to do the work.
5. For TRANS 220 projects the utility owner must submit a work plan to perform utility facility alteration or relocation work needed to accommodate the highway improvement. The work plan must be returned to the Department within 60 - 150 days depending on the complexity of the project as stated in TRANS 220.05(4). (See [Attachment 35.1](#) for a worksheet that can be used as a work plan.)

35.2 Region Review of Utility Relocation Plans

Region design staff should make a detailed review of utility company relocation plans. The review may include work both within the right of way and outside the right of way, as shown on plans submitted for the parcel agreement and on any plans required for permits.

Examples of items that should be evaluated for any work within the highway right of way or temporary easement areas are as follows:

1. Check the locations of proposed utility facilities against highway plan details to identify potential conflicts that need to be resolved. These details include slope intercept lines, fill heights, private driveways, culvert and sewer installations, structure construction, temporary and permanent stream channel changes, and temporary roads and stage construction.
2. Determine if proposed above ground facilities are within the clear zone established for the project.
3. Determine if new overhead facilities provide adequate aerial clearances in locations where cranes will be working.
4. Determine if above ground facilities are located in areas of intersection vision corners.
5. On freeways and other controlled access highways, determine whether all above ground facilities and access points to underground facilities, are located outside controlled access lines.
6. If the utility plan shows future expansion of their facilities, check the future locations against the highway plans.
7. Jointly with the Region Permits Coordinator evaluate whether the proposed installation complies with the requirements of the department's Utility Accommodation Policy.³
8. For TRANS 220 projects, designers must adhere to the process of TRANS 220.05(7) if the owner's work plan is not compatible or reasonable

Conflicts between the highway and proposed utility relocation should be discussed with the utility. The designer should provide any needed assistance to the utility in their redesign.

35.3 Utility Coordination Meetings (Final Design Phase)

On some projects it may be appropriate to bring together all utility companies affected by the highway project. The meeting should discuss and plan a workable sequence of utility alterations so that the utility work can be coordinated and, where possible, completed in advance of highway work.

At the meeting the highway designer should explain the improvement project, stressing the areas of potential conflicts. Other WisDOT staff should be involved, as appropriate, to discuss their areas of expertise such as:

- Real estate acquisition progress,
- Unusual items or areas within the project such as sensitive environmental areas, Hazardous material contamination sites,
- Historic sites,
- Any community events that will be occurring during construction and need to be accommodated.

If erosion control or storm water controls are a concern, they should be discussed also. The utility companies should then discuss where their facilities are and what can be done to either accommodate them or to relocate them.

On most reconstruction projects, at least two coordination meetings should be held. The first meeting should be in the preliminary design phase, so that any design constraints caused by utility facilities can be identified. The second meeting should be after the utility companies have received highway project plans and have had enough time to develop their facility relocation plans. By bringing the utility companies together with the highway designer at this stage of the project, proposed relocation plans can be discussed and modifications made to accommodate each other's plans. The coordination meetings can foster joint use or joint trenching among the utility companies, and minor design changes to the highway plans may make the entire project more efficient. The second meeting can help the highway designer understand the intent and sequencing of the utility facility relocations. Any potential conflicts can be identified and resolved before the final work plans are approved.

On large, complex projects additional periodic utility coordination meetings may be required.

35.4 Permits

WisDOT has the statutory responsibility to regulate the installation of utility facilities along or across the limits of the State Trunk Highway System (ss 84.08, 86.07(2), 86.16, 182.017). WisDOT issues permits to utilities in accordance with developed policies and procedures. The purpose of the permit is to make clear the conditions under which highway right of way is occupied by a utility and the location at which it is occupied. Information about permit policy and procedure may be obtained from the State Highway Maintenance Manual Chapter 96 "Utility Accommodation Policy", or by contacting the region office.

The Region Operations, Project Development and other affected region sections, should confer on the effects of

³ NOTE: This policy discourages the placement of utility facilities on highway structures.

proposed utility construction upon the right of way. They should review the application to determine if the location and design of the proposed facility comply with the Utility Accommodation Policy and are compatible with the proposed highway improvement project. Except for the following situations, the region has been given authority by the Bureau of Highway Operations to approve or deny a permit.

Permit applications for utility work which involves freeway or interstate highways, or blasting are forwarded with a recommendation to the Bureau of Highway Operations. They will analyze the permit request and approve the permit as received or as modified.

35.5 Early Relocation of Utility Facilities

The goal of the department is to have all utility relocations completed before the highway project is let to contract. For highway projects let during the winter months for work during the next construction season, the utility relocation work should be completed during the prior construction season. The department staff should give the utility companies all the encouragement and assistance possible to accomplish the relocation of their facilities during this prior construction season.

The region staff can encourage early relocation of utilities by:

1. Field staking the highway reference lines and monumenting the new right of way boundaries.
2. Expediting the review and approval of utility permits.
3. Assigning the necessary staff to monitor the installation of new and relocation of existing utilities.

To further encourage utility companies to relocate their facilities in advance of highway project lettings, the department has been authorized by the State Legislature (ss. 84.065) to provide interest-free loans to utility companies to provide "up-front" money for the costs of non-compensable utility relocations. The Region Utility Coordinator or the Design Services Section can provide information and loan application materials to interested parties.

LIST OF ATTACHMENTS

[Attachment 35.1](#) Utility Worksheet

FDM 18-10-40 Utilities Status Report

August 17, 2020

40.1 Initial Submittal With PS&E

As part of the documentation to be included with the PS&E submittal to the central office, the region shall prepare a Utilities Status Report (USR) on Form [DT1080](#). A blank copy of the form is available at <https://wisconsindot.gov/Documents/formdocs/dt1080.doc>. The USR is intended to (a) summarize the utilities on the project and (b) report on the status of compensable utility work.

The instructions for completing the USR for state truck highway projects is available at <https://wisconsindot.gov/dtsdManuals/utility/chapter15.pdf>.

On highway projects sponsored by a county, municipality, or other local unit of government, where liaison with utility companies is handled by the local unit of government or by their consultant, the local unit shall be responsible for the timely preparation and submittal of the USR through the region. However, it is still the responsibility of the region to monitor the liaison activities and review the correctness of the information on the USR because the region will be administering the highway construction contract. The instructions for completing the USR for projects sponsored by a county, municipality, or other local unit of government is available at <https://wisconsindot.gov/Documents/doing-bus/eng-consultants/cnslt-rsrces/util/process-complete-utility-status-report-local.pdf>.

WisDOT uses the USR to certify to FHWA that the project is clear for letting or to defer certification due to the necessary utility coordination arrangements have not been made and/or UTL's or UA's are not yet clear. Where a utility land interest must be acquired, no project will be awarded until the acquisition has been completed.

40.1.1 Supporting Documentation Required

The region will need copies of agreements and conveyances or "releases of rights" in order to sign the USR. On state projects, these documents should be in the region files. On local projects, the local unit of government or their consultant must obtain these documents. Copies of these should be sent to the region, either as soon as they are acquired, or with the USR submittal.

40.2 Central Office Review

The USR is used by the Acquisition & Services Section to verify that all utility arrangements have been made and that all utility land interests have been acquired. The USR is the basis for certifying to the FHWA that all utility coordination has been completed on projects requiring special review and for proceeding to let all projects.

40.3 Revision of Utilities Status Report and Special Provisions

After initial submittal of the USR with the P. S. & E., the region should keep the Acquisition & Services Section informed of any changes in the utility situation that may have an impact on the contractor's plan of operation. A joint evaluation of these changes should be made to determine whether they are significant enough to warrant a change in the USR. If necessary, updated USR information should be provided by a revised form, electronic mail, fax or written memo. A revised utilities special provision should also be provided.

LIST OF ATTACHMENTS

[Attachment 40.1](#)

[Attachment 40.2](#)

Utilities Status Report

Example - Utilities Status Report

FDM 18-10-45 Pre-Construction Activities

December 30, 2004

Utility coordination operations in the region must continue actively between the time the project PS&E is submitted to the central office and the highway construction operations begin. It is recommended that each region assign one person (preferably the Utility Coordinator) the responsibility of monitoring the placement and relocation of utility facilities between submittal of the PS&E and the pre-construction conference.

Activities at this time may include:

- providing additional project information to utility companies
- keeping the Region Construction staff informed of the status of utility relocation activities
- reviewing utility permit applications
- providing copies of and interpreting to construction staff any compensable utility agreements
- arranging for survey crews to mark the highway right of way and reference lines so that utility companies may field locate proposed facilities
- participating in pre-bid meetings, utility coordination meetings, and pre-construction conferences.

45.1 Furnishing Final Plans to Utilities

45.1.1 Non-Trans 220 Projects

When final highway plans are available, the region should send all utility companies complete sets of final plans and draft special provisions that relate to utilities. A cover letter should indicate if there have been plan changes that will affect locations of present or proposed utility facilities. Any such changes must be identified. The utility should be requested to review the draft special provisions and return comments to the region within a specified time period.

45.1.2 Trans 220 Projects

The plans sent to the utilities as part of the [DT1078](#) transmittal should be fairly complete. The utility companies must be notified of any changes to the plans after the DT1078 submittal is sent that may affect their existing or proposed facilities. TRANS 220.05(12) requires that a revised set of plans with the revisions identified be sent to utility companies. Utility companies have 60 days to review the changes and submit a new work plan if necessary. The revised work plan should be reviewed to determine if any changes to the special provisions are

warranted. It should be noted that TRANS 220.06(1) states "*If the department requires additional work to a utility facility after the facility has been relocated or adjusted in accordance with a work plan approved by the department, the department shall bear the reasonable cost of the additional work.*" Failure to notify a utility of changes to the plan could result in the department paying for the adjustment of the utility facility, and a delay to the highway contractor.

When final plans, or revised plans, are sent to the utility the cover memo should include the current scheduled letting date of the proposed highway improvement project. It should also request that any uncompleted utility relocation or adjustment work be scheduled as soon as practicable. If the adjustment is compensable, no utility construction work can be authorized until appropriate agreements are executed between the department and the utility company. They should again be reminded that permits are required for utility work within the highway right of way, and that permit requests should be submitted as soon as possible to avoid a delay in getting approval to begin the work.

45.2 Pre-Bid Meeting

On complex highway construction projects, a pre-bid meeting may be called to explain to prospective highway bidders the details of the project work. Utility representatives should be invited to the meeting. This will provide an opportunity for them to learn details of the project, including any proposed work-staging requirements that may affect their facility relocation schedules. In addition, they will be available to report on the status of their operations and the extent of their work that will need to be coordinated with the contractor's operations.

45.3 Final Construction Notice to Utilities

Upon award of a highway project, the region should notify the affected utility companies, and advise them of the name and address of the highway contractor. They should be encouraged to contact the contractor's representative to begin coordinating their activities with those of the contractor and to provide information that may be helpful to the contractor in planning his construction schedules.

45.4 Utility Coordination Meeting (Construction Phase)

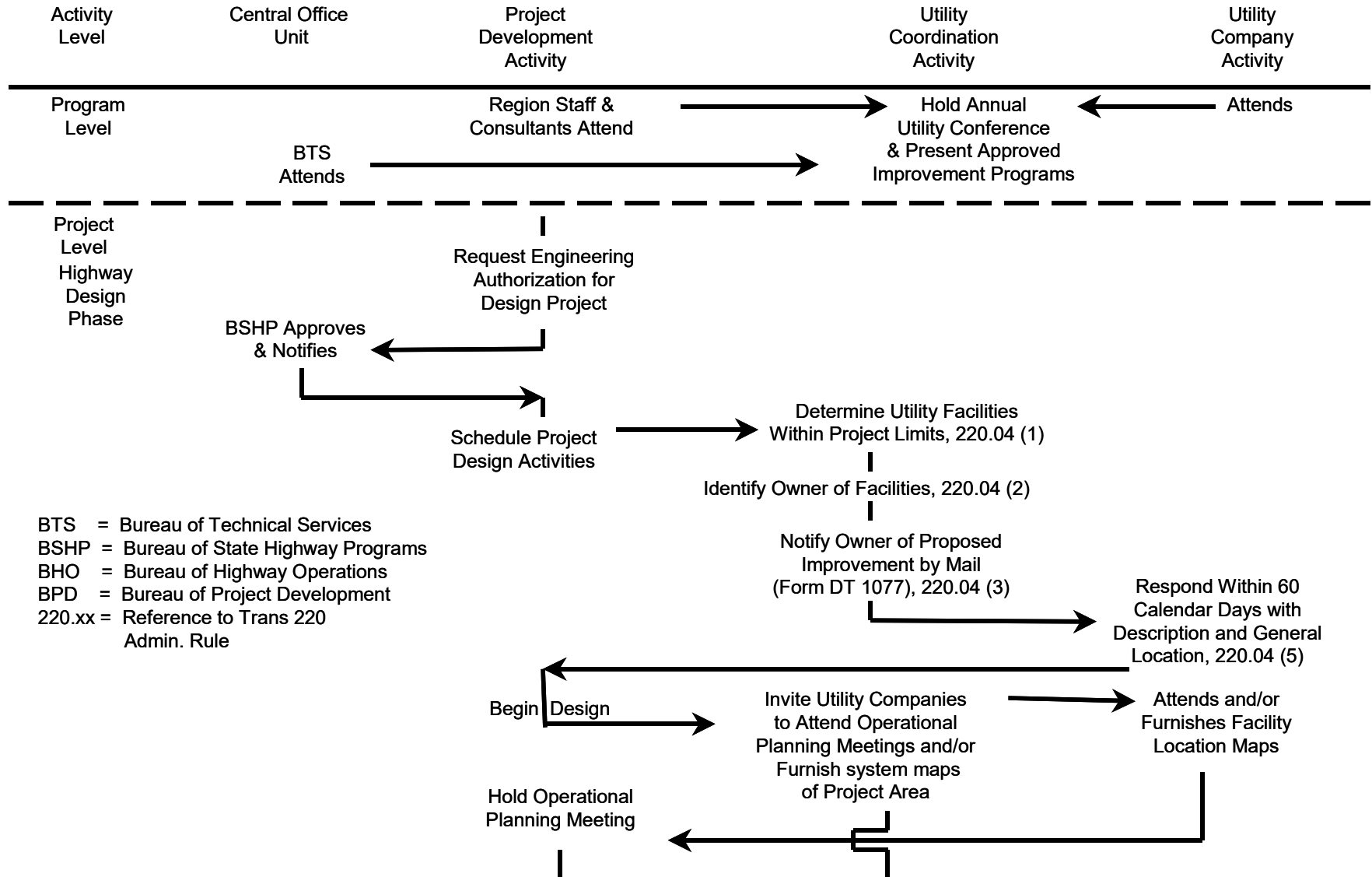
It may be of mutual advantage to meet with all utility companies affected by a highway project. The utilities should discuss and plan a workable sequence of utility removals and construction so that their utility rearrangements can be coordinated with each other and with the contractor's operations.

45.5 Pre-construction Conference

All utilities on a project should be invited to the pre-construction conference to learn the schedule of the highway project construction and to discuss the status of their proposed relocations. The field contact person for the utility should be encouraged to attend. Attendance at this conference is particularly important for those projects on which the utility cannot work in advance of highway construction but must closely coordinate work operations with the highway contractor. If the utility adjustments on a project are extensive, it may be beneficial to hold a meeting prior to the pre-construction conference attended by the contractor, the utilities and WisDOT. This meeting would be used to discuss in detail the field coordination needed.

General Utility Coordination Process on State Highway Projects

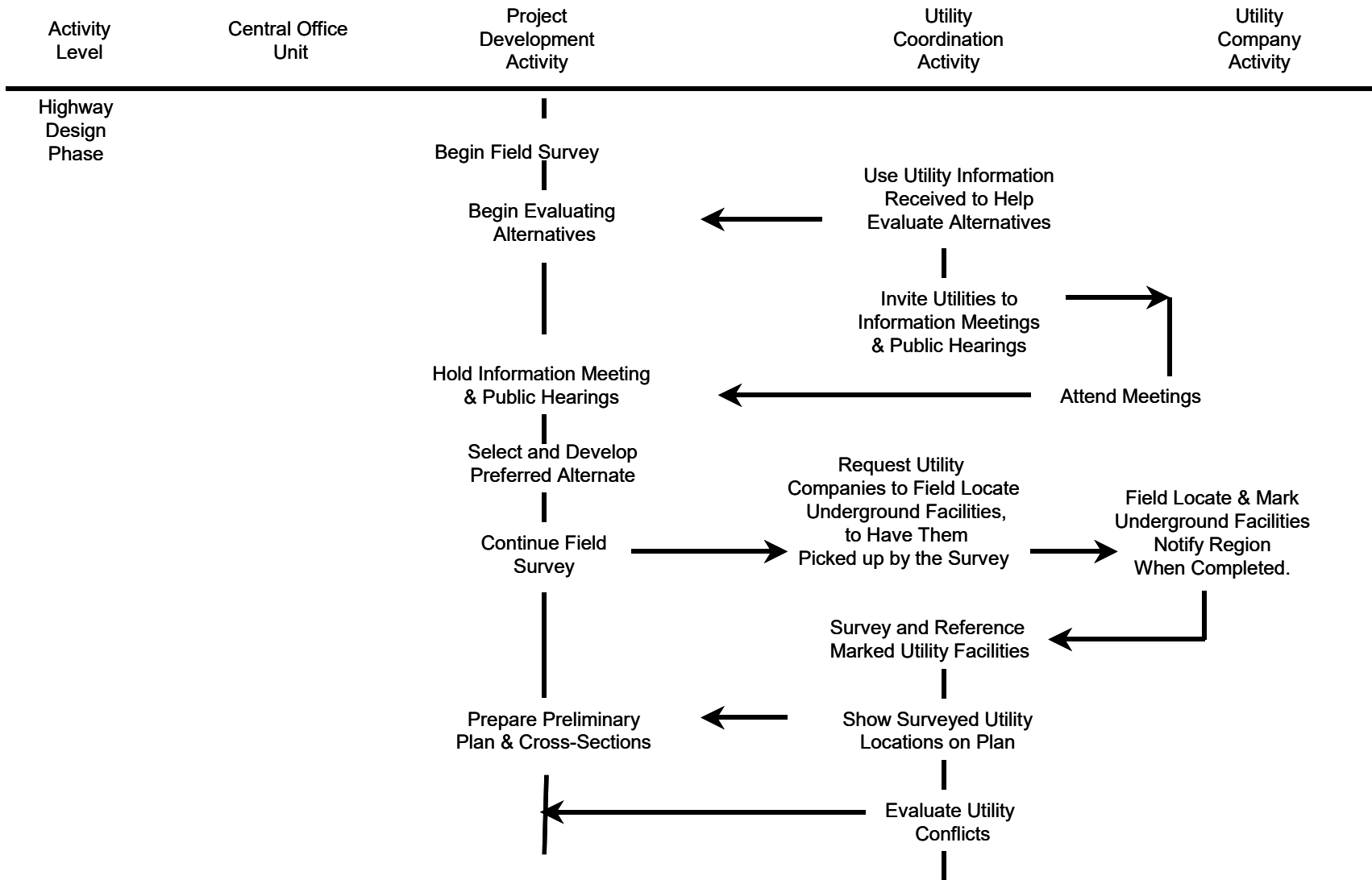
Region Office Staff or Consultants



BTS = Bureau of Technical Services
 BSHP = Bureau of State Highway Programs
 BHO = Bureau of Highway Operations
 BPD = Bureau of Project Development
 220.xx = Reference to Trans 220 Admin. Rule

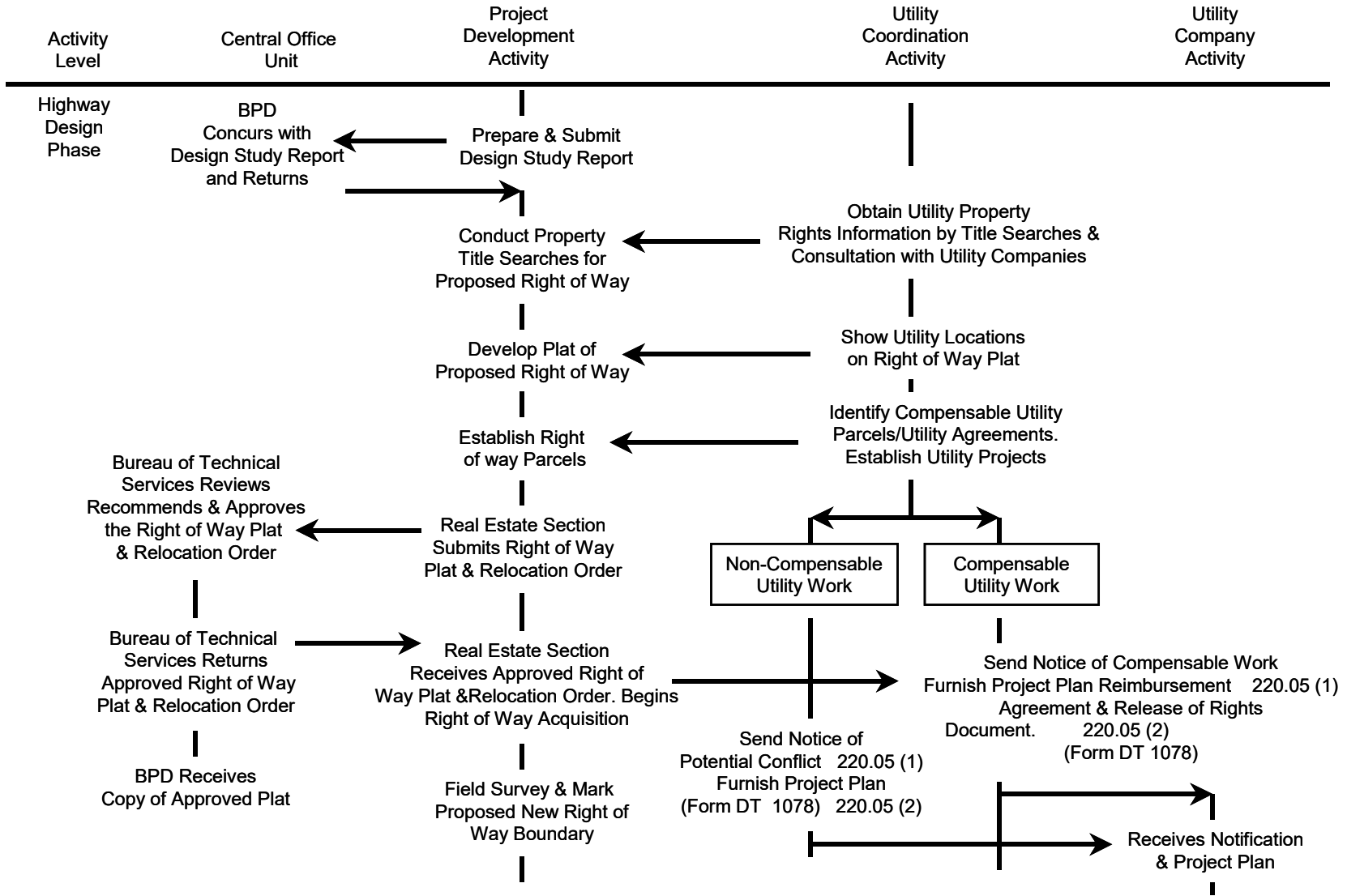
General Utility Coordination Process on State Highway Projects

Region Office Staff or Consultants



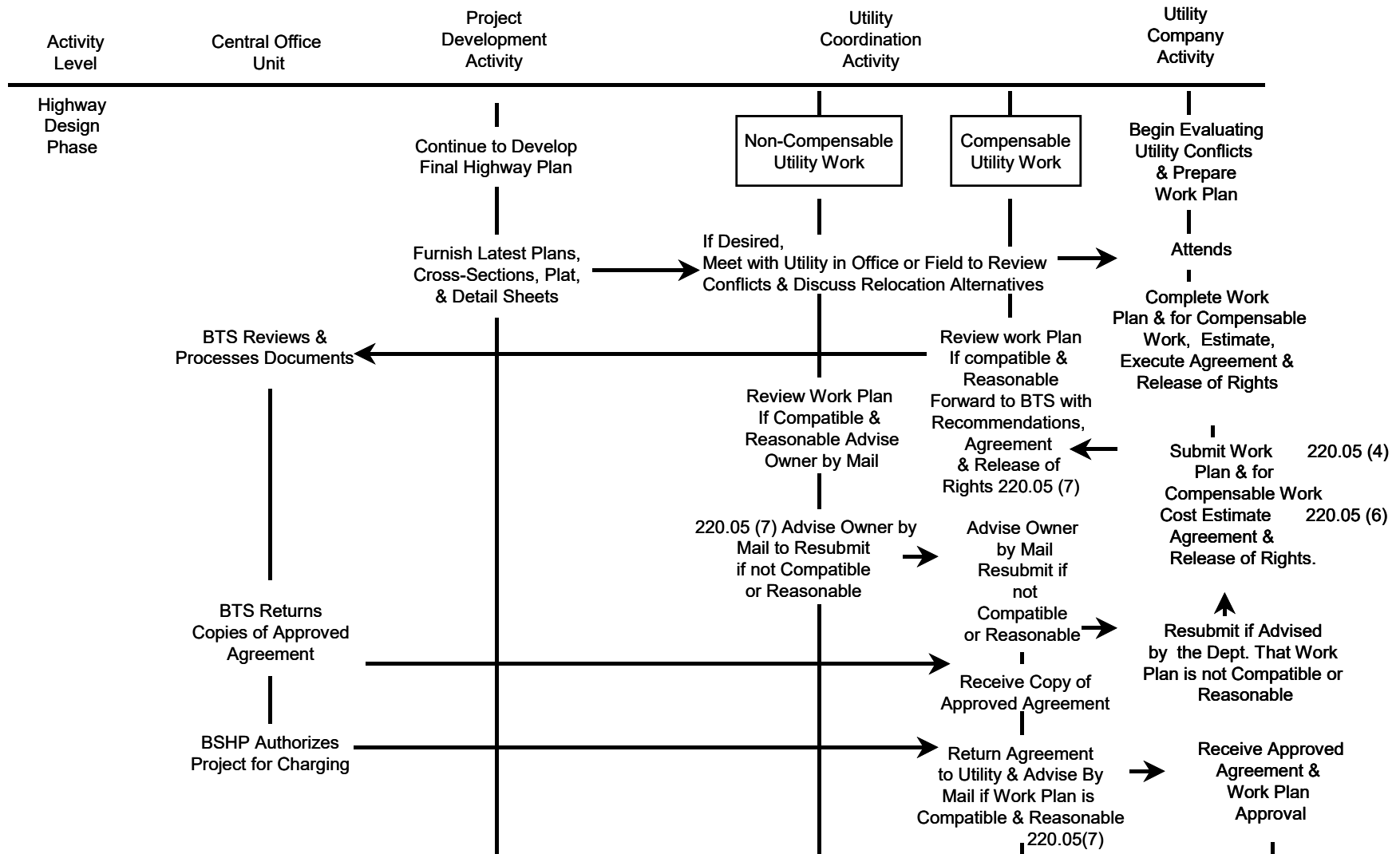
General Utility Coordination Process on State Highway Projects

Region Office Staff or Consultants



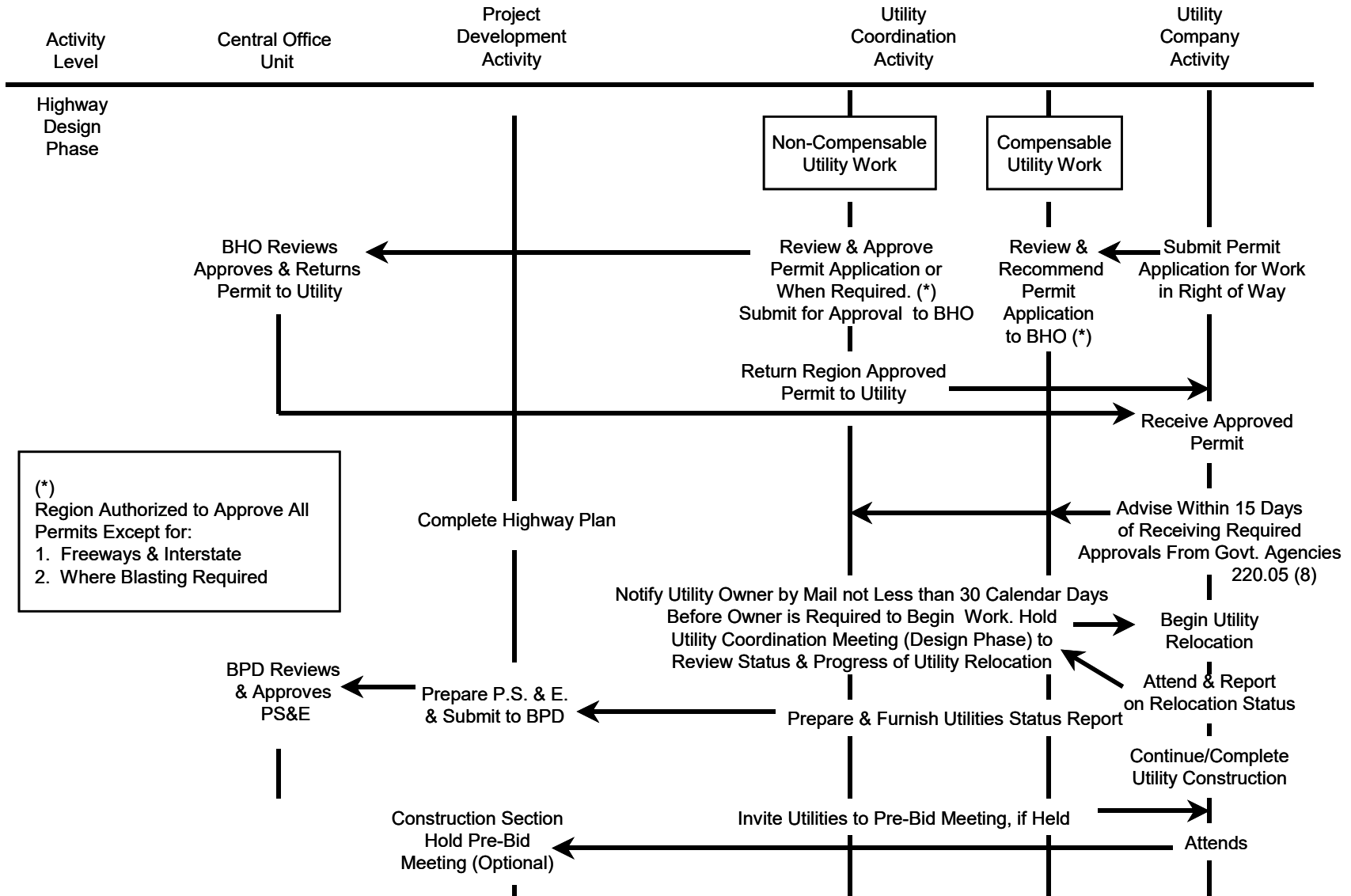
General Utility Coordination Process on State Highway Projects

Region Office Staff or Consultants



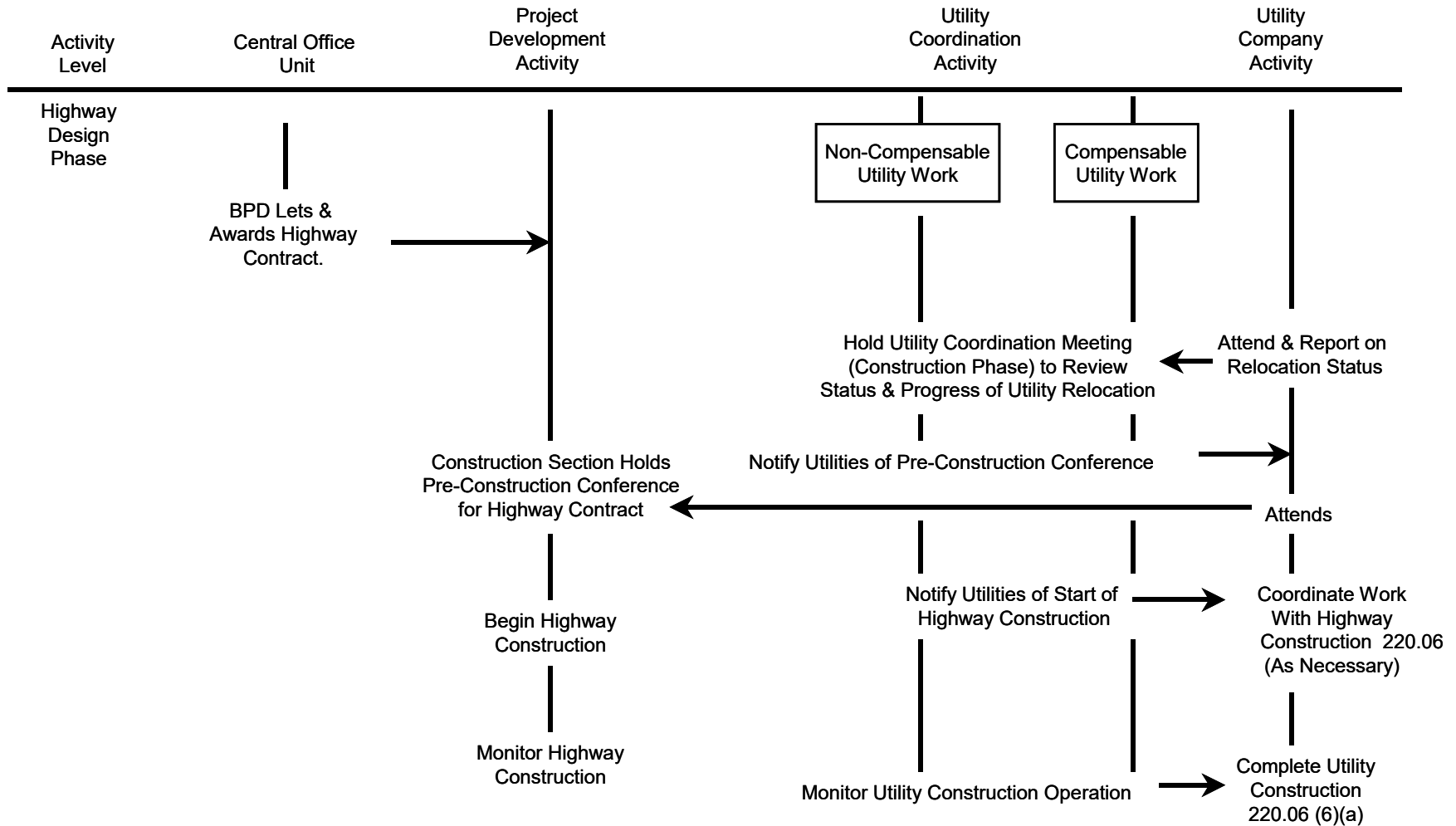
General Utility Coordination Process on State Highway Projects

Region Office Staff or Consultants

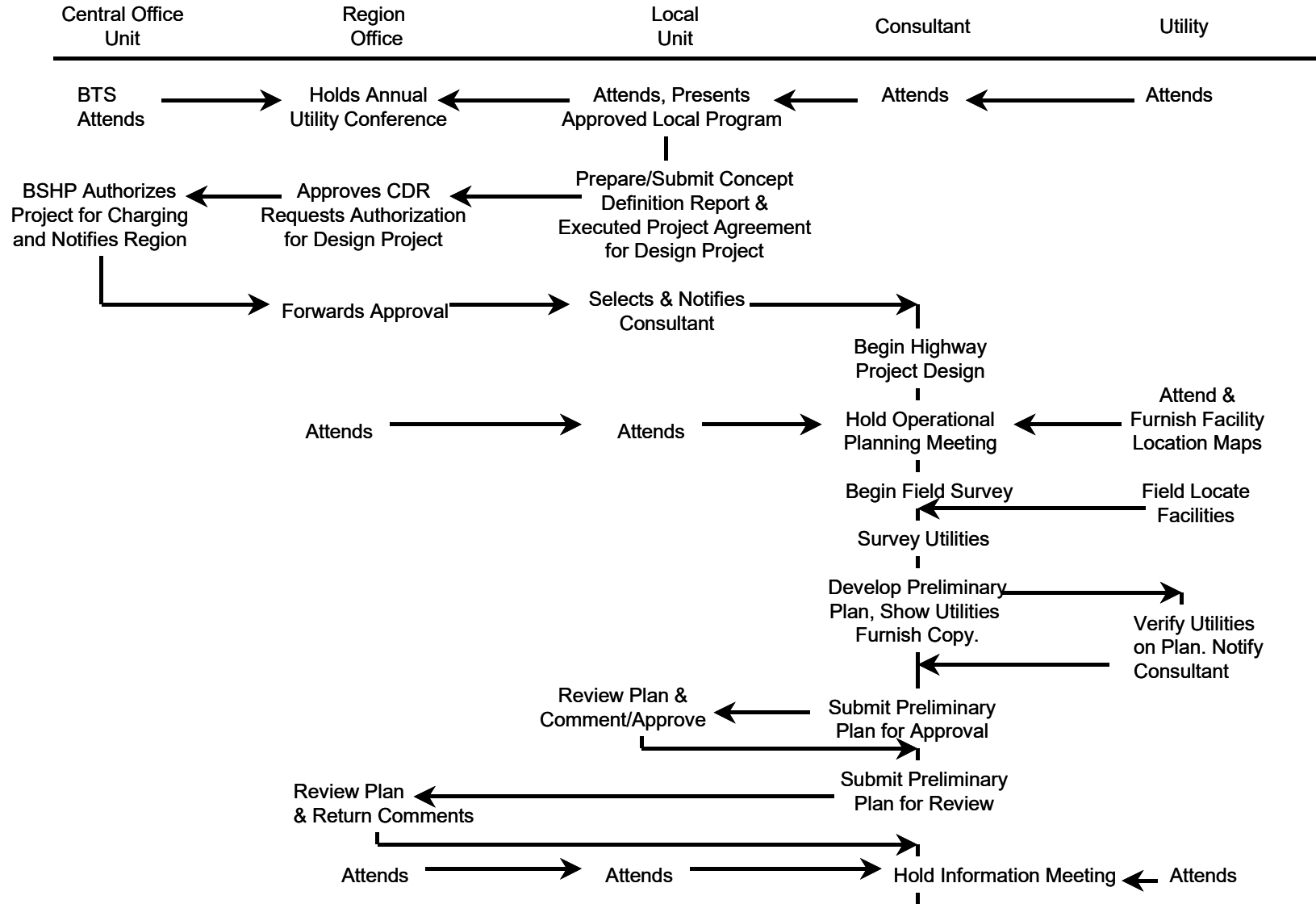


General Utility Coordination Process on State Highway Projects

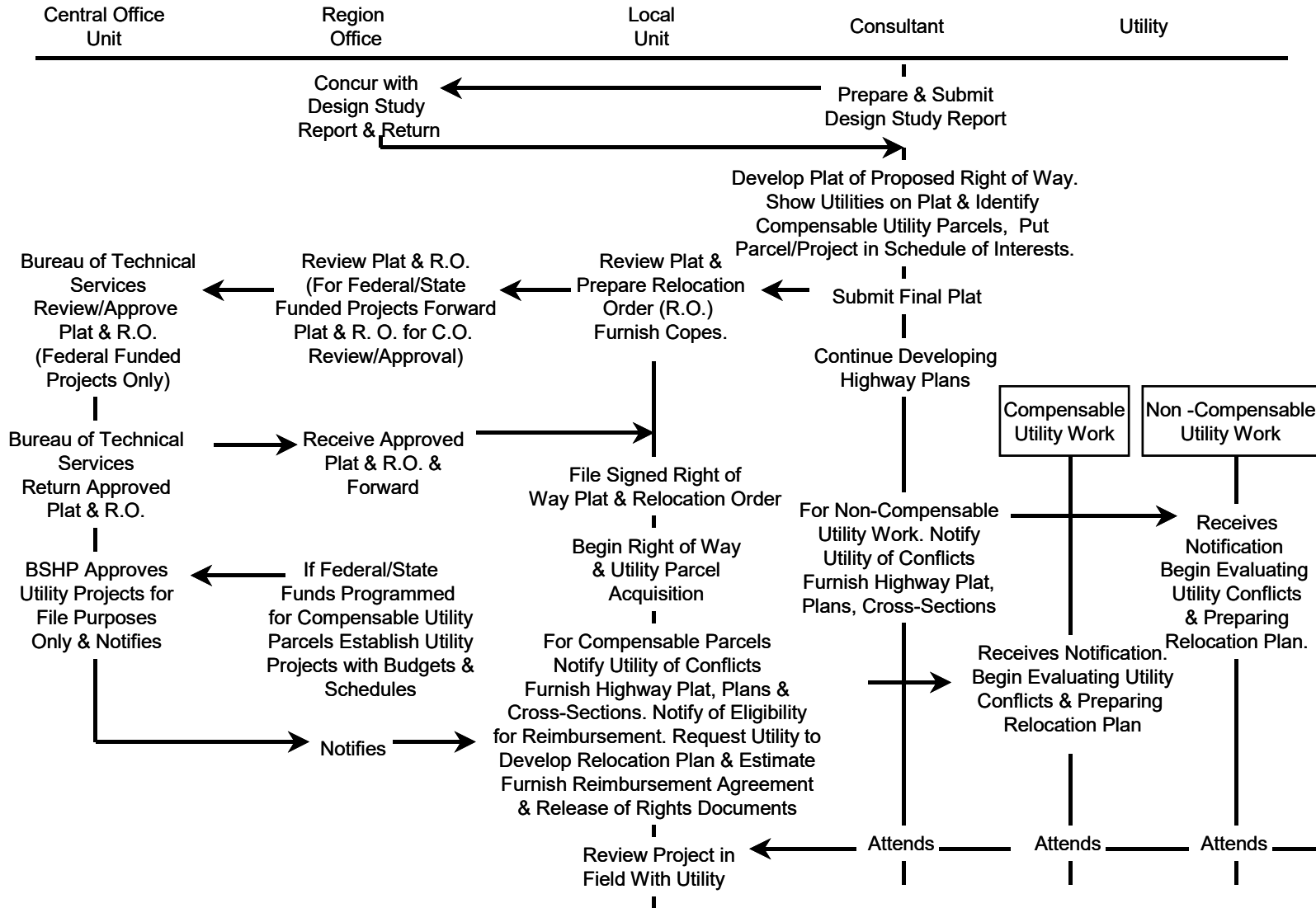
Region Office Staff or Consultants



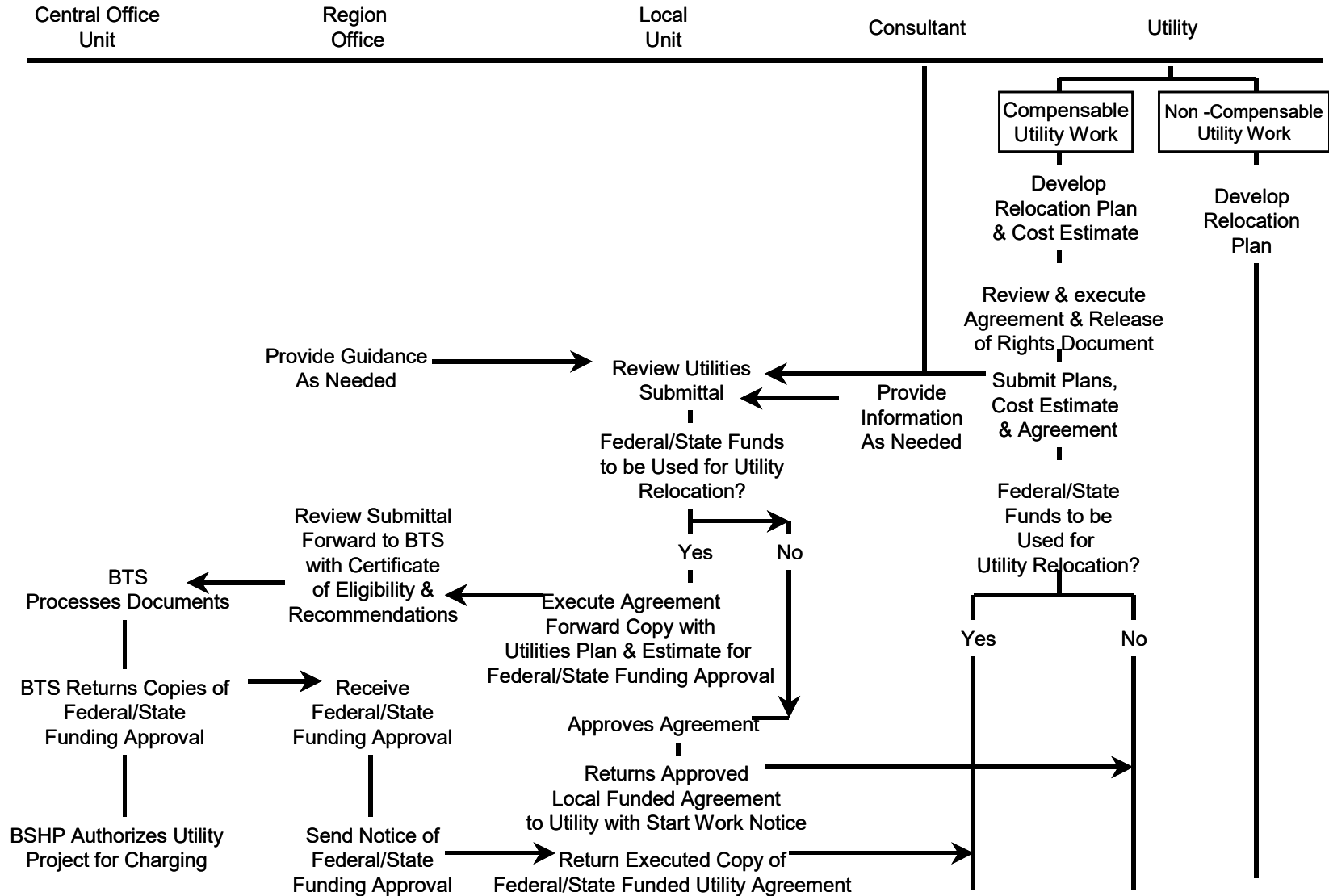
Utility Coordination on Federal/ State Funded Local Unit Projects



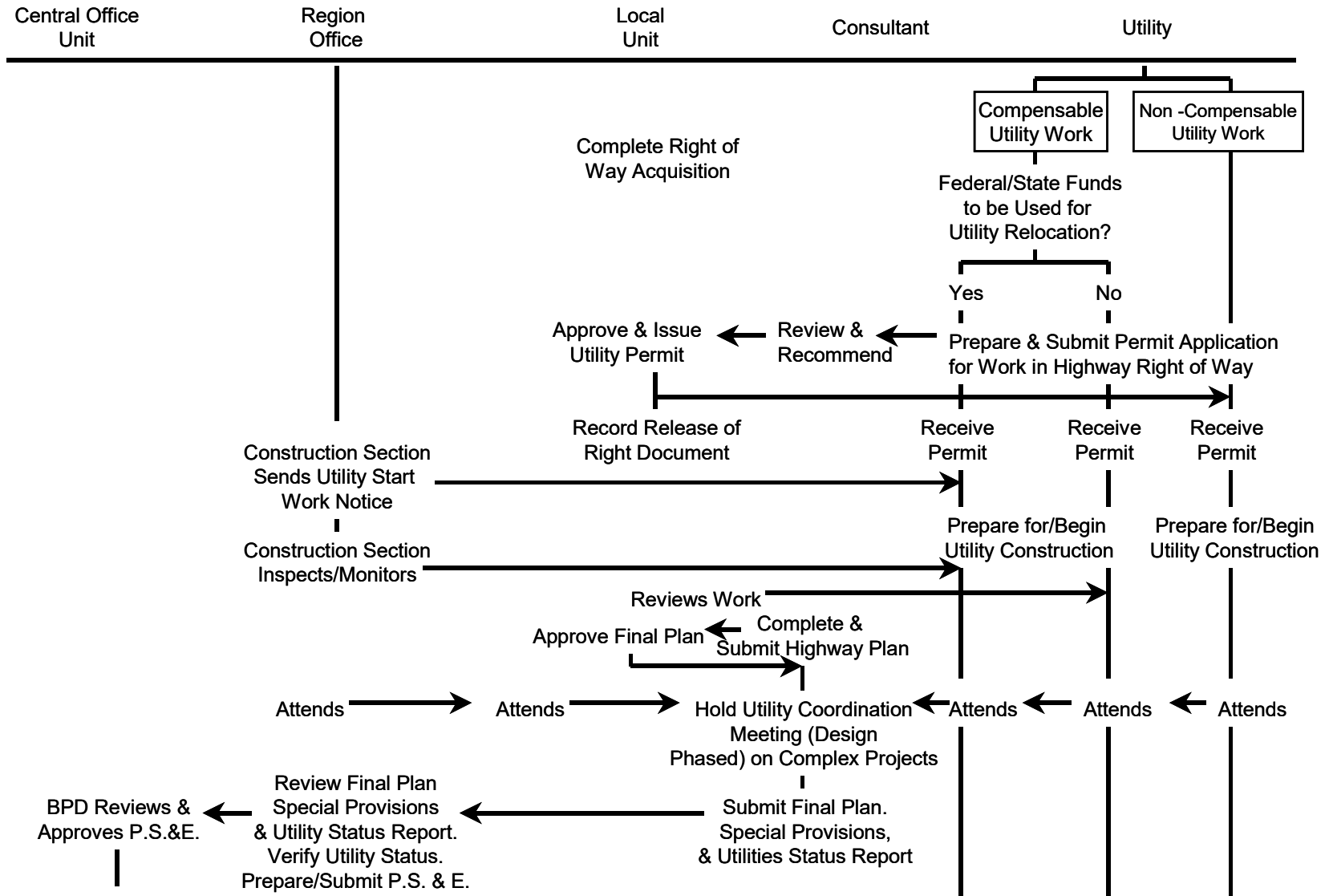
Utility Coordination on Federal/ State Funded Local Unit Projects



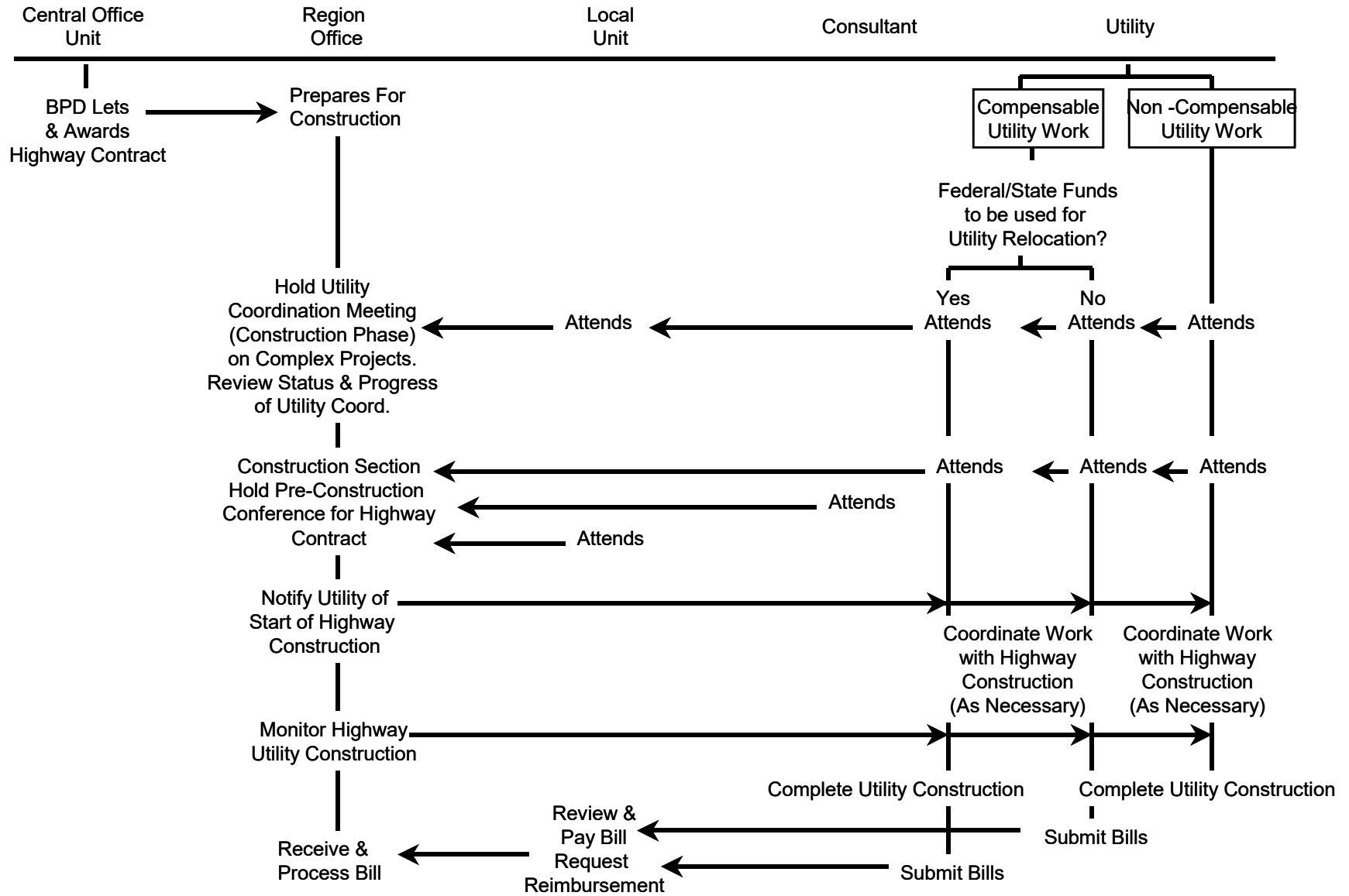
Utility Coordination on Federal/ State Funded Local Unit Projects



Utility Coordination on Federal/ State Funded Local Unit Projects



Utility Coordination on Federal/ State Funded Local Unit Projects



PROPOSED HIGHWAY IMPROVEMENT NOTICE

Wisconsin Department of Transportation

DT1077 10/2005 (Trans. 220 WI Admin. Code)

Pursuant to s.84.063 Wisconsin Statutes, this notice advises that the Wisconsin Department of Transportation is planning the improvement identified below.

To	From – Name, Address, City, State, ZIP Code <i>Wisconsin DOT, SW Region 2101 Wright Street Madison, WI 53704-2583</i>
Improvement Project ID <i>5080-00-04</i>	County <i>Sauk</i>
Highway Route Number or Name <i>STH 23 & 154</i>	
Improvement Limits <i>Loganville - Reedsburg</i>	
General Description of Work to be Done <i>This project consists of the replacement of two existing bridges (B-333 & B-334) with wider bridges. The approaches on both bridges will be widened for a least 200 feet on each side of the structures.</i>	
Utility Coordination Desired Completion Date <i>2007</i>	Anticipated Year of Improvement Construction <i>2008</i>

Transportation Region Name <i>Southwest Region</i>
Consultant Name

John H. Simpleton 1/2/2007
 (Region or Consultant Representative Signature) (Date)
 (If Computer-filled, Brush Script Font)

Utilities Coordinator
 (Title)

NOTICE ACKNOWLEDGEMENT

Return this form within 7 days of receipt to address shown above.

Receipt of the above notice is acknowledged.

- We have no utility facilities in the vicinity of the improvement.
- We have utility facilities in the improvement vicinity and will provide a description and general location within 60 days of the above notification date as required by s.84.063(2)(b) Wis. Stats.
- We have utility facilities in the improvement vicinity; their description and general location are identified below. (Attach additional sheets if necessary.)

Utility Name
Utility Representative Name – Please Print

 (Utility Representative Signature) (Date)

 (Title)

Wisconsin Department of Transportation

Date

TRANS 220 PROJECT

PROPOSED HIGHWAY IMPROVEMENT NOTICE

JEFF MULLOY
BADGER POWER AND LIGHT COMPANY
123 PATRICIA STREET
ELKHORN WI 53121

RE: STH 11 - USH 14 Road
(East and West Mineral Point Road Intersections)
STH 184
Rock County

Design Project 5972-01-01
Construction Project 5972-01-72

The information in this letter is meant to satisfy the legal requirements of Trans. 220. Enclosed are the following:

- 1) An 8 1/2" x 11" map of Rock County and 8 1/2" x 11" plat maps of the Towns of Center and Janesville, showing the location of this project. This project is in Sections 33, 34, 35 and 36, Town 3 North, Range 11 East, the Town of Center, Rock County.
- 2) A copy of the Concept Definition Report, which provides information on the scope of the project.
- 3) A list of other utility companies and contact people. This list may be of benefit to you when coordinating with the other companies in the area.
- 4) Form DT1077, PROPOSED HIGHWAY IMPROVEMENT NOTICE. **NOTE: You will need to return the Notice Acknowledgment at the bottom of this form within seven days of your receiving it, with one of the three options marked.** A business reply envelope is enclosed to assist you.

As noted on the DT1077 form, Trans. 220 requires that you provide within 60 days a description of your facilities within the project limits. "Description" as used here generally means providing a copy of your system maps/facility records.

If these records and maps are stored electronically, we are capable of accepting copies of these facilities on a CD, on a disk, or through e-mail. The software your company uses will determine how we can accept your information. If you use a GIS-based system the information would have to be provided on a CD or disk. AutoCAD or MicroStation files can be sent via e-mail to me at ernest.peterson@dot.state.wi.us

If you have any questions about software compatibility or electronic file transfer, please contact Bernie Gehrman at xxx-xxx-xxxx or at bernard.gehrman@dot.state.wi.us

If you have facilities in the vicinity of this project, I'll be contacting you again with Form DT1078, PROJECT PLAN TRANSMITTAL, which will be accompanied by plans approved for use in designing your facility relocations. Months, or even a few years, may elapse before these final plans are sent.

We expect that there will be new storm sewer constructed under this highway project. Therefore, we'll need to know the depth of your sanitary sewer and water mains, and whether there are risers for any sanitary sewer laterals which could conflict with new storm sewer. [USE THIS LANGUAGE ONLY WHERE APPROPRIATE.]

The DOT's Utility Accommodation Policy discourages attachments to structures. Therefore, the reconstruction of the bridge at _____ provides an opportunity to design an alternate route for the gas main, sanitary sewer main,

and communications cables which are currently attached to this bridge. We expect your company to find another route for your facility which would avoid an attachment to the new structure. [ADAPT AS NEEDED AND USE WHERE APPROPRIATE.]

I would like to thank you in advance for your cooperation and assistance in our project development efforts.

Sincerely,

Ernest J. Peterson
Region Utilities Coordinator

Enclosures

Wisconsin Department of Transportation

TRANS 220 PROJECT PROPOSED HIGHWAY IMPROVEMENT NOTICE AND INVITATION TO INITIAL KICK-OFF MEETING

Date:

K'DU COMMUNICATIONS INC.
ATTN: SHER THAGUNNA
POST OFFICE BOX 192
MADISON WI 53701

RE: STH 11 - USH 14 Road
(East and West Mineral Point Road Intersections)
STH 184

Design Project 5972-01-01
Construction Project 5972-01-72
Rock County

The information in this letter is meant to satisfy the legal requirements of Trans. 220.

An initial kick-off Meeting will be held on Wednesday, April 1, 1999 at 9:00 AM in the Green and Rock Rooms at Southwest Region – Madison Office. We will be discussing our basic project design and asking for input from the people present. This is an excellent time to exchange preliminary information, and to make us aware of any impacts which the proposed highway design may have on your facilities. In addition, please come prepared to discuss potential right of way acquisition needs which your company may have.

We expect that there will be new storm sewer constructed under this highway project. Therefore, we'll need to know the depth of your sanitary sewer and water mains, and whether there are risers for any sanitary sewer laterals which could conflict with new storm sewer. [USE THIS LANGUAGE ONLY WHERE APPROPRIATE.]

The DOT's Utility Accommodation Policy discourages attachments to structures. Therefore, the reconstruction of the bridge at _____ provides an opportunity to design an alternate route for the gas main, sanitary sewer main, and communications cables which are currently attached to this bridge. We expect your company to find another route for your facility which would avoid an attachment to the new structure. Please come to the OPM prepared to discuss this issue. [ADAPT AS NEEDED AND USE WHERE APPROPRIATE.]

Enclosed are the following:

1. An 8 1/2" x 11" map of Rock County and 8 1/2" x 11" plat maps of the Towns of Center and Janesville, showing the location of this project. This project is in Section 36, Town 3 North, Range 11 East, the Town of Center, Rock County.
2. A copy of the Concept Definition Report, which provides information on the scope of the project.
3. A list of other utility companies and contact people. This list may be of benefit to you when coordinating with the other companies in the area.
4. Form DT1077, PROPOSED HIGHWAY IMPROVEMENT NOTICE. **NOTE: You will need to return the Notice Acknowledgment at the bottom of this form within seven days of your receiving it, with one of the three options marked.** A business reply envelope is enclosed to assist you. Since the OPM is 60 days from now, you could satisfy the Trans. 220 requirements by bringing your facility records/system maps to the meeting.

If these records and maps are stored electronically, we are capable of accepting copies of these facilities on a CD, on a disk, or through e-mail. The software your company uses will determine how we can accept your information. If it is a GIS-based system the information would have to be provided on a CD or disk. AutoCAD or MicroStation files can be sent via e-mail to me at clem.smith@dot.state.wi.us

If you have any questions about software compatibility or electronic file transfer, please contact Maya Thagunna at xxx-xxx-xxxx or at maya.thagunna@dot.state.wi.us

If you have facilities in the vicinity of this project, I'll be contacting you again with Form DT1078, PROJECT PLAN TRANSMITTAL, which will be accompanied by final plans approved for use in designing your facility relocations. Months, or even a few years, may elapse before these final plans are sent.

I would like to thank you in advance for your cooperation and assistance in our project development efforts.

Sincerely,

Clem Smith
Region Utilities Coordinator
608-246-3854

Enclosures

Wisconsin Department of Transportation

February 24, 1995

PROPOSED HIGHWAY IMPROVEMENT NOTICE FOR NON-TRANS 220 PROJECT

ERIC M. WILSON, PCV
KATHMANDU POWER AND LIGHT COMPANY
P. O. BOX 192
NEPAL WI 53769

RE: STH 11 - USH 14 Road
(East and West Mineral Point Road Intersections)
STH 184 Rock County

Design Project 5972-01-01
Construction Project 5972-01-72

The Wisconsin Department of Transportation has scheduled a highway improvement project for STH 184 at both the east and west intersections with Mineral Point Road in Rock County. This letter is being sent to inform you of this project and to request your help in determining if there are any potential conflicts with your existing facilities. Please send us your system maps for your facilities in the area of the project. These maps will be used to verify utility facility ownership on our plans. If you don't have any facilities in the area, please let us know and we will remove your name from future mailings.

We expect that there will be new storm sewer constructed under this highway project. Therefore, we'll need to know the depth of your sanitary sewer and water mains, and whether there are risers for any sanitary sewer laterals which could conflict with new storm sewer. [USE THIS LANGUAGE ONLY WHERE APPROPRIATE.]

The DOT discourages attachments to structures. Therefore, the reconstruction of the bridge at _____ provides an opportunity to design an alternate route for the gas main, sanitary sewer main, and communications cables that are currently attached to this bridge. We expect your company to find another route for your facility that would avoid an attachment to the new structure. [ADAPT AS NEEDED AND USE WHERE APPROPRIATE.]

Enclosed are the following:

1. An 8 1/2" x 11" map of Rock County and 8 1/2" x 11" plat maps of the Towns of Center and Janesville, showing the location of this project. This project is in Section 36, Town 3 North, Range 11 East, the Town of Center, Rock County.
2. A copy of the Concept Definition Report, which provides information on the scope of the project.
3. Three 11" x 17" preliminary plan sheets, marked 4.3, 4.4, and 4.5 in the upper right hand corner, and three 1"=100' scale preliminary sheets, marked A, B, and C.
4. A list of other utility companies and contact people. This list may be of benefit to you when coordinating with the other companies in the area.

Please send me copies of your facility system maps/records for the proposed construction area so that we may use them to compare against our survey information. Sometimes it is difficult to "connect the dots" that are picked up by our survey crews from field markings.

If you have facilities in the vicinity of this project, I'll be contacting you again with final plans approved for use in designing your facility relocations. Months, or even a few years, may elapse before these final plans are sent.

I would like to thank you in advance for your cooperation and assistance in our project development efforts. If you have any questions, please contact me at xxx-xxx-xxxx.

Sincerely,

Karisa Rusch
Region Utilities Coordinator
Enclosures

Wisconsin Department of Transportation _____

August 6, 1999

MARK VIDAS
BRUNETTE ELECTRIC COOPERATIVE
5308 MARSH ROAD
MCFARLAND, WI 53558

Dear Mr. Vidas,

NOTICE OF POTENTIAL CONFLICT
Non-TRANS 220 Project

RE: Project I.D. 3421-00-71
Delavan - Darien Road
(Delavan - Allens Grove)
STH 15 Walworth County

The Wisconsin Department of Transportation will be reconstructing the above project. Work will include widening of shoulders, changing the grade line from CTH X to CTH D, curb and gutter storm sewer work in Delavan and in Allens Grove, replacing the box culvert at Turtle Creek, and re-decking the bridge over Swan Creek.

Brunette Electric Cooperative (BEC) has facilities that are in conflict with this project which is scheduled for construction in 2001. Please review the enclosed materials to determine where your facilities are in conflict with the proposed highway project and to develop a relocation plan.

Enclosed for your use are the following:

1. A county map showing the general location of the project. This project is located in Sections 23, 24, 26, 27, 31 and 32 of Darien Township, Town 2 N, Range 15 East in Walworth County.
2. Right-of-Way Plat 3421-00-21. Please review this plat carefully. If BEC's facilities are not shown correctly, please let us know so that we can correct our records. **It is very important that your facilities are shown correctly on this plat.** This information is placed on our construction plan and detail sheets which are used by all construction field personnel. **Uncorrected location errors could have serious consequences.**
3. Plan and profile sheets and cross-sections for the mainline and crossroads for the portions of the project where you have facilities.
4. Storm sewer design detail sheets for the portions of the project in Delavan and Allens Grove.
5. A "Utility Worksheet" form to assist you in providing the information we need regarding your relocation plans.
6. A list of utility contact people for this project. This list may be used to coordinate your relocation activities with the other utilities.

7. List of real estate commitments made to property owners that may affect your design. There may be additional commitments made later, which will be forwarded to you.

There are two environmentally sensitive areas on the project:

The property near Station 125+00 on the right is a former gas station. Contaminated soils have been detected in that area. Additional information regarding this site can be obtained by calling Gayle Monroe at (xxx) xxx-xxxx.

The house at 516 Barnes Street (Station 137+00 left) is on the National Register of Historic Places. Any aboveground facilities in that area should be designed with that in mind. If you have any questions regarding this site or the suitability of your design, please contact Joan Bruggink at (xxx) xxx-xxxx.

We have identified potential conflicts with BEC facilities from Station 120+50 to Station 250+00, and on CTH X and CTH D near the STH 15 intersections. However, it is important that you independently evaluate all possible conflicts.

DEADLINES: The design complete date for this project is April 1, 2000, with a construction letting date of October 15, 2000. The work is scheduled to take place during the 2001 construction season. It would be best if you could do your relocation work in the summer and fall of 2000. **We will need a reply from you by January 30, 2000** so that we can include the information regarding your relocation work into our highway plans. **Your reply should consist of sketches of your proposed work along with the completed "Utility Worksheet" form.** If you prefer not to use the form, you must at least provide the information requested on the form.

If you have any questions regarding this letter, utility coordination, or utility permits, please contact me at (xxx) xxx-xxxx.

Additional contact people for this project:

Design questions: Dave Solberg, xxx-xxx-xxxx

Real Estate acquisition questions: Craig Rusch, xxx-xxx-xxxx

Survey questions: Jim Kropp, xxx-xxx-xxxx

We appreciate your cooperation and assistance in our project development efforts.

Sincerely,

Ron Smith
SE Region Utility Coordinator

PROJECT PLAN TRANSMITTAL

Wisconsin Department of Transportation

DT1078 11/2005 (Trans. 220 WI Admin. Code)

Pursuant to s.84.063 Wisconsin Statutes, the Wisconsin Department of Transportation is furnishing the number of sets specified below of the available plan showing all existing utility facilities known to the department where they will conflict with the improvement identified below.

To	From – Name, Address, City, State, ZIP Code
Improvement Project ID <i>6918-00-71</i>	County Columbia
Highway Route Number or Name <i>Bus USH 51</i>	
Improvement Limits <i>Main Street to Broadway Avenue, City of Portage</i>	
Number of Plan Set(s) <i>Two</i>	Anticipated Year of Improvement Construction
Project Classification <i>Reconstruction</i>	Work Plan Due Date <i>8/31/1994</i>

For the purposes of Trans. 220.05(4), this improvement is classified as indicated above. Your work plan is required at the above address on or before the due date indicated.

Transportation Region Name <i>Southwest</i>
Consultant Name

 (Region or Consultant Representative Signature) (Date)
 (If Computer-filled, Brush Script Font)

Region Utilities Coordinator

 (Title)

PROJECT PLAN ACKNOWLEDGEMENT

Return this form within 7 days of receipt to address shown above.

Receipt of the above transmittal is acknowledged.

Utility Name
Utility Representative Name – Please Print

 (Utility Representative Signature) (Date)

 (Title)

Wisconsin Department of Transportation

December 23, 1998

TRANS 220 PROJECT
PROJECT PLAN TRANSMITTAL
No utility parcel

Justin Woods
Alliant Energy
P.O. Box 192
Lone Rock, WI 53556

RE: Potosi - Cassville Road
(Potosi - CTH "N")
STH 133

Design Project I.D. 5205-03-00
Construction Project I.D. 5205-03-71
Grant County

This letter is being sent to satisfy the legal requirements of Wisconsin Statute 84.063 and Administrative Rule TRANS 220:

- 1) **Within 7 days of receipt of this letter, you'll need to sign and return the "Notice Acknowledgment" portion of the Project Plan Transmittal form. A business reply envelope is enclosed.**
- 2) **Within **** days you'll need to submit a Work Plan to describe what relocations will be required by this project. A Utility Worksheet is enclosed to help you develop a complete Work Plan.**

Within the limits of this project, your company has facilities, some of which are in conflict with this proposed project. A list of conflicts is attached. Even though we're providing this list, the final responsibility for conflict identification lies with you.

Remember that in fill sections and in transitions between cuts and fills, it is common for cuts of from 6" to 18" to occur when removing the existing pavement or topsoil, before the fill is added. Further, pay particular attention to ditch cuts; culvert, end wall, and cattle pass replacements and extensions; and driveway construction. All of these seemingly minor operations can affect your facilities in major ways.

(OPTIONAL PARAGRAPH, INCLUDE ONLY THOSE ITEMS THAT APPLY)

Enclosed are the following:

1. Project Plan Transmittal form (DT1078) and Project Plan that includes a Right-of-Way Plat, Plan and Profile Sheets, cross sections, and intersection details.
2. Utility Worksheet, as mentioned above.
3. County map showing the general location of this project.
This project is located in Sections 19, 29, 28, 27, 34, 35 and 36 of Waterloo Township in Town 3 North, Range 4 West, Grant County.

4. Project Synopsis, which includes a list of environmentally sensitive areas.
5. List of Possible Conflicts.
6. List of utility contact people for this project. This list may help you coordinate your relocation work with the other utilities.
7. List of real estate commitments made to property owners that may affect your design. There may be additional commitments made later, which will be forwarded to you.

DEADLINES: As stated on Form DT1078, we will need your **Work Plan or the enclosed Utility Worksheet and sketches by May 15, 1999.** This project's design complete date is July 1999, with a construction bid letting scheduled for March 2000.

We appreciate your cooperation and assistance in our project development efforts.

Sincerely,

Deb Brucaya
SW Region Utility Coordinator

CONTACTS LIST:

Deb Brucaya	608-246-3853	Technical Service Section - Utility Unit
Ben Heninger	608-246-3172	Project Development Section - Project Sup.
Sean Mulloy	608-246-5861	Project Development Section - Project Manager
Riley Heninger	608-246-7918	Technical Service Section - Survey Coordinator
Kevin Watts	608-246-7390	Technical Service Section - Real Estate Agent

Enclosures

This letter may be used on Trans. 220 Projects for utility companies that do not have a land interest. (There is no utility parcel for this company on the right of way plat.)

December 23, 1998

JUSTIN T WOODS
ALLIANT ENERGY
P.O. BOX 192
LONE ROCK WI 53556

TRANS 220 PROJECT
PROJECT PLAN TRANSMITTAL
No relocation required

RE: Potosi - Cassville Road
(Potosi - CTH "N")
STH 133

Design Project I.D. 5205-03-00
Construction Project I.D. 5205-03-71
Grant County

This letter is being sent to satisfy the legal requirements of Wisconsin Statute 84.063 and Administrative Rule TRANS 220:

1. Within 7 days of receipt of this letter, you will need to sign and return the "Notice Acknowledgment" portion of the Project Plan Transmittal form. A business reply envelope is enclosed.
2. Within **** days you will need to submit a Work Plan to describe what relocations will be required by this project. A Utility Worksheet is enclosed to help you develop a complete Work Plan.

Facilities and/or easements owned by your company have been identified in areas of proposed new right of way being acquired for this project. It will be necessary to acquire easement rights from your company. I expect no conflicts between our proposed construction operations and your facilities within the project limits, so I have not included a utility agreement form in this mailing. However, we will need a release of rights document from your company.

I am not sending a release of rights document at this time because the Transportation Project Plat for this project has not been recorded at the County Register of Deeds office. The appropriate release of rights document will be sent to you after the plat has been recorded.

If you agree with this "no conflict" determination after you have reviewed the enclosed plans, then you can fulfill your TRANS 220 Work Plan responsibilities by doing the following:

1. State under Item 1, on the enclosed Utility worksheet **"A relocation plan is not needed. We have reviewed the proposed plan and agree with the DOT that no conflicts are expected between the highway work and our facilities."** (or a variation of this).
2. State under Item 6 that your facilities are shown accurately.
3. List a contact person in Item 8.
4. Fill out the date, name and phone number of the person who prepared the worksheet.
5. Return the worksheet.

If you disagree with this "no conflict" determination, please call me to explain and I will send you the appropriate utility agreement documents.

Remember that in fill sections and in transitions between cuts and fills, it is common for cuts of from 6" to 18" to occur when removing the existing pavement or topsoil, before the fill is added.

Further, pay particular attention to ditch cuts; culvert, end wall, and cattle pass replacements and extensions; and driveway construction. All of these seemingly minor operations can affect your facilities in major ways. (OPTIONAL PARAGRAPH, INCLUDE ONLY THOSE ITEMS THAT APPLY)

Enclosed are the following:

1. Project Plan Transmittal form (DT1078) and Project Plan that includes a Right-of-Way Plat, Plan and Profile Sheets, cross sections, and intersection details. A self-addressed return envelope is included to assist you in meeting the 7-day "Notice of Acknowledgment" deadline.
2. Utility Worksheet, as mentioned above.
3. Conveyance of Rights form DT1660. **(Do not send at this time if a Transportation Project Plat (recordable plat) is involved.)**
4. County map showing the general location of this project. This project is located in Sections 19, 29, 28, 27, 34, 35 and 36 of Waterloo Township in Town 3 North, Range 4 West, Grant County.
5. Project Synopsis, which describes the work to be done and includes a list of environmentally sensitive areas.
6. List of utility contact people for this project. This list may help you coordinate your relocation work with the other utilities.
7. List of real estate commitments made to property owners that may affect your design. There may be additional commitments made later, which will be forwarded to you.

DEADLINES: As stated on Form DT1078, we will need your Work Plan or the enclosed Utility Worksheet by May 15, 1999. This project's design complete date is July 1999, with a construction bid letting scheduled for March 2000. I will send you the release of right document as soon as it is available.

We appreciate your cooperation and assistance in our project development efforts.

Sincerely,

Deb Brucaya
SW Region Utility Coordinator

CONTACTS LIST:

Deb Brucaya	608-246-3853	Technical Service Section - Utility Unit
Ben Heninger	608-246-3172	Project Development Section - Project Supervisor
Sean Mulloy	608-246-5861	Project Development Section - Project Manager
Riley Heninger	608-246-7918	Technical Service Section - Survey Coordinator
Kevin Watts	608-246-7390	Technical Service Section - Real Estate Agent

Enclosures

This letter may be used on Trans. 220 projects for utility companies that have a land interest but no relocation is involved. There is no utility agreement required but a release of rights is needed.

December 23, 1998

TRANS 220 PROJECT
PROJECT PLAN TRANSMITTAL
Compensable Parcel

JUSTIN T WOODS
ALLIANT ENERGY
P.O. BOX 192
LONE ROCK WI 53556

RE: Potosi - Cassville Road
(Potosi - CTH "N")
STH 133

Design Project I.D. 5205-03-00
Construction Project I.D. 5205-03-71
Grant County

This letter is being sent to satisfy the legal requirements of Wisconsin Statute 84.063 and Administrative Rule TRANS 220:

1. Within 7 days of receipt of this letter, you'll need to sign and return the "Notice Acknowledgment" portion of the Project Plan Transmittal form. A business reply envelope is enclosed.
2. **Within **** days you'll need to submit a Work Plan to describe what relocations will be required by this project. A Utility Worksheet is enclosed to help you develop a complete Work Plan.**

Facilities and/or easements owned by your company have been identified in areas of proposed new right of way being acquired for this project. It will be necessary to acquire easement rights from your company, as well as provide for reimbursement of the eligible relocation work. A list of reimbursable interests and conflicts is attached. NOTE: Even though I'm providing this list, equal responsibility for conflict identification lies with you.

I am not sending a release of rights document at this time because the Transportation Project Plat for this project has not been recorded at the County Register of Deeds office. The appropriate release of rights document will be sent to you for execution after the utility agreement has been approved

Remember that in fill sections and in transitions between cuts and fills, it is common for cuts of from 6" to 18" to occur when removing the existing pavement or topsoil, before the fill is added. Further, pay particular attention to ditch cuts; culvert, end wall, and cattle pass replacements and extensions; and driveway construction. All of these seemingly minor operations can affect your facilities in major ways.

(OPTIONAL PARAGRAPH, INCLUDE ONLY THOSE ITEMS THAT APPLY)

Enclosed are the following:

1. Project Plan Transmittal form (DT1078) and Project Plan that includes a Right-of-Way Plat, Plan and Profile Sheets, cross sections, and intersection details. A self-addressed return envelope is included to assist you in meeting the 7-day "Notice of Acknowledgment" deadline.
2. Utility Worksheet, as mentioned above.
3. Conveyance of Rights form DT1660 OR Quit Claim Deed form DT1661. **(Do not send at this time if a Transportation Project Plat (recordable plat) is involved.)**
4. Audit Agreement form DT1541 and Lump Sum Agreement form DT1542. You may use whichever agreement is appropriate if the amount of the agreement is less than \$35,000. The Audit Agreement must be used if the amount of the agreement is larger than \$35,000. If you decide to use the Audit Agreement, pay particular attention to Provision #3 of the agreement that pertains to subcontracting.
5. County map showing the general location of this project. This project is located in Sections 19, 29, 28, 27, 34, 35 and 36 of Waterloo Township in Town 3 North, Range 4 West, Grant County.
6. Project Synopsis, which describes the work to be done and includes a list of environmentally sensitive areas.
7. List of possible utility conflicts, with compensable areas identified. If you disagree with what has been identified as compensable, please call me to discuss.

8. List of utility contact people for this project. This list may help you coordinate your relocation work with the other utilities.
9. List of real estate commitments made to property owners that may affect your design. There may be additional commitments made later, which will be forwarded to you.

In connection with the Agreement, I authorize you to prepare plans, estimates, and sketches documenting the anticipated relocation work. The plan should show both the present affected facility and the relocated or replaces facility with ties to highway stationing so that the location can be readily identified. Base your estimate on standard accounting practices and applicable portions of the Code of Federal Regulations 23, Part 645, Subpart A-Utility Relocations, Adjustments and Reimbursement. Include appropriate credits for used life, salvage, and betterment, or a statement declaring there are none.

Construction authorization for this work is NOT hereby extended. Any construction performed before a written or verbal start work notice is received from me may not be reimbursed.

DEADLINES: As stated on Form DT1078, we will need your **Work Plan or the enclosed Utility Worksheet**, the signed **Conveyance of Rights (or Quit Claim Deed) form**, the signed **Agreement** and **four (4) copies of your estimate and sketches** by **May 15, 1999**. This project's design complete date is July 1999, with a construction bid letting scheduled for March 2000.

SUBCONTRACTING: You may intend to hire a consultant to prepare your work plan and engineer your relocation design, or you may propose to hire a contractor to perform the necessary relocations. As long as the consultant and the contractor you use are regularly employed in your operations under a continuing contractual arrangement, there is no need to contact me. If not, however, please call me to discuss the additional information I'll need from you.

We appreciate your cooperation and assistance in our project development efforts.

Sincerely,
SW Region Utility Coordinator

CONTACTS LIST

Deb Brucaya	608-246-3853	Technical Service Section - Utility Unit
Ben Heninger	608-246-3172	Project Development Section - Project Supervisor
Sean Mulloy	608-246-5861	Project Development Section - Project Manager
Riley Heninger	608-246-7918	Technical Service Section - Survey Coordinator
Kevin Watts	608-246-7390	Technical Service Section - Real Estate Agent

This letter may be used on Trans. 220 projects for utility companies that have a compensable utility parcel. There is reimbursable utility relocation work.

UTILITY WORKSHEET

Prepared by: **Potosi Gas & Electric Cooperative**

PLEASE RETURN THIS WORKSHEET BY **November 28, 2018** TO:

Project 5205-03-00
Potosi - Cassville Road
(Potosi - CTH N)
STH 133
Grant County

Wisconsin Department of Transportation
ATTN: Deborah Brucaya
2101 Wright Street
Madison, WI 53704-2583
(xxx)xxx-xxxx

1. Describe your proposed relocation plan for the above project, as requested in the enclosed letter, using highway stationing whenever possible. Attach extra sheets if needed.

2. Conflicting utility facilities will need to be relocated prior to construction. If this is not feasible, I need an explanation and also an indication of what work will require coordination with the highway contractor during construction.

3. Anticipated Start Date: _____
4. Estimated construction time required (in **working** days): _____
5. List the approvals required and the expected time schedule to obtain those approvals. Related to this, please include a list of the DOT real estate parcels which the state must have acquired to enable your company to complete the necessary facility installations and relocations prior to construction.

6. Review the enclosed plans for the above project. Are your facilities correct as shown? If not, list the errors. In some cases, it may be easier to return a marked up copy of the plan. **IT'S VERY IMPORTANT THAT YOUR FACILITIES ARE SHOWN CORRECTLY SINCE ALL CONSTRUCTION FIELD PERSONNEL WILL USE THIS INFORMATION. UNCORRECTED LOCATION ERRORS COULD CREATE CONSTRUCTION DELAYS OR DAMAGE TO UTILITY FACILITIES.**

7. Is this work dependent on work by other utilities? If so, which other utilities, and what time schedule has been coordinated with them?

8. Please provide the name, address, and phone number of the field contact person for this project, so that we may place this information on the highway plan.

Name: _____
Address: _____
Office Phone/Mobile: _____

9. List any other relevant information that may bear on the ultimate goal of preventing construction delay due to uncertain scheduling of utility facility relocations.

10. Do you have any facilities that are no longer in use but have been left in place in the project area? **Yes** or **No**
If "yes", approximately where are the facilities located and what type and size of facility is involved?

(Name of Person Who Prepared This Worksheet)

(Date) _____ (Phone Number of Preparer, plus Ext.)

NOTE: I will be sending you a Trans 220 Work Plan Approval letter and a Start Work Notice after I complete my review of your Work Plan.



FDM 18-15-1 Overview and Statutory References

December 30, 2004

During the utility coordination process, it is important to know the rights of utility companies which have land interests within existing or proposed highway rights of way. In most cases utilities do not have any land interests in the existing right of way and are allowed there by permit. Early recognition of these rights by all parties involved will provide a basis to determine how the costs of relocating utility facilities will be shared between the highway agency and the utility company.

This section only highlights briefly the legal principles and policies which establish these rights and obligations. Although these principles will generally apply in most cases, there may be exceptions and each case must be considered on its own merits.

Some of the more significant state laws governing utility coordination on highways are:

- s.59.965(g) Relocation of municipal utilities
- s.59.965(h) Private occupancy of street; relocation
- s.66.0831 Interference with public service structure
- s.66.24(5)(b) Metropolitan sewerage; Powers & Duties, Construction, Roads
- s.84.06(4) Special Contracts with Railroads and Utilities
- s.84.063 Utility facilities relocation (TRANS 220)
- s.84.065 Railroad and utility alteration and relocation loan program (TRANS 30)
- s.84.08 Franchises
- s.84.295(4m) Municipal Utility Relocation; Freeway Construction
- s.86.07(2) Digging in highways
- s.86.16 Utility lines on highways; place of poles; penalty
- s.182.017 Transmission lines; privileges; damages
- s.182.0175 Damage to transmission facilities

The Federal Aid Policy Guide (FAPG) in Subchapter G, Part 645 - Utilities, Subpart A provides regulations found in 23 CFR (Code of Federal Regulations) which apply for payment of utility relocations and adjustments on federal-aid projects. Subpart B, Accommodation of Utility, outlines regulations for the accommodation of utilities on federal-aid projects.

FDM 18-15-5 Utility Occupancy of Highway Lands

June 30, 1997

Utility facilities occupying existing highway right of way are usually there at the sufferance of the highway authority. The utility owner by statute cannot, through continued use or occupancy (whether authorized by permit or not), acquire a land right within the highway right of way.

The highway agency has the authority to designate where utility facilities may occupy the right of way. The agency may require the relocation of the facilities within the right of way or off the right of way when these facilities interfere with the construction, operation, maintenance or safety of the highway. Except for the following situations, the expense of relocating utility facilities within existing highway right of way must be borne by the utility owner:

1. Where a utility owner was allowed, at the time the right of way was acquired, to retain a prior land right within the right of way, the utility owner may be eligible for reimbursement of costs to relocate facilities from or within that land.
2. Where utility facilities located within the right of way are required to be relocated because of construction of a county expressway system in any county having a population of 500,000 or greater, the utility owners may be eligible for partial reimbursement for relocation costs. (s. 59.965 g&h Wis. Stats.)
3. Where utility facilities located within the right of way are required to be relocated because of the construction of a state-owned freeway, municipal utility owners may be eligible for partial reimbursement for relocation costs. (s. 84.295 [4m] Wis. Stats.)

4. Where a utility owner has a land interest that pre-dates the highway right of way, the utility may be eligible for partial reimbursement for relocation costs.

If the highway agency disposes of a parcel of excess highway right of way for use for non-highway purposes, the future status of utility facilities occupying the land should be considered. A thorough investigation should be made to determine the extent of each utility owner's rights. A utility owner may have occupancy rights which need to be preserved in the disposal process. This possibility is routinely addressed with the following clause inserted in excess land deeds:

"All public and private utilities located upon, over or under the above-described lands, whether by permit or easement, shall have the continued right of occupancy and the continued right of ingress and egress for personnel and equipment for the purpose of maintaining or improving their transmission and/or distribution facilities located wholly or partially within the above-described lands as of the date of this instrument."

FDM 18-15-10 Utility Occupancy and Private Lands

February 28, 2007

Utility facilities occupying private land are generally there with the approval of the landowner. Either prior to occupying the land or as the result of continuous occupancy for a period of time, the utility owner will acquire a land interest in the property. This land interest continues as the ownership of the land changes.

The land interest may be acquired in any one of the following ways:

1. Purchase of the land in fee.
2. Purchase of an easement, either singularly or jointly with another utility company.
3. Occupancy of a dedicated utility easement.
4. Service connection agreement.
5. Prescriptive rights through adverse possession of user (s. 893.28(2) stats.).

Although land interests acquired by purchase in fee or easement are generally recorded and can be found as part of a title search, there may be no recorded evidence of these land interests. The only evidence may be physical occupancy of the land with or without a supporting document in the files of the utility owner. Whether or not a land interest document is recorded does not detract from its validity.

When private property is being acquired for highway right of way, any valid land interests of the utility owner must also be acquired. The utility owner is generally eligible for compensation for releasing their land interests. Where the utility facilities on the property being acquired need to be relocated, the cost of relocating the facilities is generally an acceptable measure of compensation.

A thorough investigation should be made to determine the extent of the utility -owner's rights to use the property and the extent of their eligibility for compensation.

FDM 18-15-15 Negotiations for Utility Company Land Interest

December 30, 2004

The highway project design and construction staff generally arranges for and implements the relocation of all utility facilities that are in conflict with the construction and operation of the highway improvement project. However, when these utilities are on lands where the utility company has prior land rights, the objective is to negotiate for and acquire the utility company's land rights within the highway project area. This must be done before the highway construction work can be awarded.

The process of acquiring the utility's land rights involves negotiation of a reimbursement agreement with the company. Under this agreement, the state (or other public highway agency, when appropriate) agrees to reimburse the utility for the net costs of necessary modifications of its facilities. In exchange, the utility agrees to accept the dollar value of the facility relocation costs for its loss of or reduction in interest to the private land rights previously enjoyed. The utility further agrees to furnish a signed release of rights document to the highway authority.

The negotiation of this agreement may be a lengthy and complex process and is generally the responsibility of the Region Utilities Coordinator on state highway projects. For local highway projects, this is the responsibility of the local highway officials.

The following is a brief summary of the steps involved in the utility parcel negotiation process. It is provided so that project designers have some perspective of how it relates to their project development activity.

1. After it has been determined during the right of way plat preparation process that the utility company has a land right that must be acquired, a utility parcel is established on the plat and a utility project is

set up.

2. A formal notice is sent to the utility company along with the latest right of way plat, highway plans and draft copies of a contract agreement and a release of rights document.
3. After meetings and discussions between the utility company and highway agency staff concerning the proposed utility relocation plans, the utility company prepares and submits to the highway agency their plans, cost estimates and the signed copies of the reimbursement agreement. The release of rights documents may be furnished at this time or at any time prior to payment of the utility's final bill for the work.
4. For state highway projects, the Region Utilities Coordinator reviews the utility company's submittal and submits it to the Design Services Section for further review and approval.
For local highway projects, local agency officials review the submittal before they approve the agreement.
5. Administration of the agreement on state highway projects is generally the responsibility of the Region Projects Section. This administration responsibility includes:
 - Monitoring the utility relocation work to verify that the work is being done in accordance with the intent of the agreement, and that it is compatible with the highway construction.
 - Reviewing billings from the utility company to verify that their charges are reasonable and reflect the work performed and then forwarding the billings to central office for payment.
6. Billings from the utility company are processed through the Design Services Section and payment is made by the Bureau of Financial Services (BFS).
7. On some projects, BFS will audit the records of the utility company to verify that the charges included in the company billings are in agreement with the company's detailed records and acceptable accounting practice.
8. The signed release of rights document is recorded with the Register of Deeds in the county where the project is located and becomes a permanent part of the land title record. Temporary releases of rights are not recorded.

FDM 18-15-20 Premises and Practices

February 28, 2007

Utility land interests acquired for highway purposes are negotiated under replacement of facility procedures which give due consideration to the high degree of public interest that utility owners are endowed by law. Based upon the statutory requirement that a utility must stand ready to serve all qualified applicants in its service area, it is usually necessary to replace the minimum function of the facilities affected by the highway improvement.

20.1 Acquisition of Lands Used for Utility Purposes

The value of damages suffered by a utility when its land interest is acquired for highway purposes is the expense incurred by the utility for the necessary modification of its facilities to accommodate the highway improvement upon such lands.

The state may enter into a conveyance contract whereby it agrees to accept the dollar value of a facility relocation as an equitable measure of damage for the loss of or reduction in interest to the private land right previously enjoyed by the utility.

Damages may be defined as reparation in money for injury sustained, and the true measure so applied to utility relocation work is that cost which the utility actually incurred in accommodating the highway improvement. The damage is not what it might cost the state or an individual to perform this work but what it actually costs the utility, and must then be developed as if the utility were doing the work of its own volition.

20.2 Adverse Possession of User

Utilities occupying private lands with utility structures for periods of time in excess of ten years acquire a user right thereto for utility purposes. The utility must be in continuous use of the real property for ten years to acquire prescriptive rights. After the passage of the appropriate time period, the private landowner cannot oust the utility for trespass and may not be able to use inverse condemnation. The landowner has lost the occupied land by adverse possession (s. 893.28(2) stats).

The department accepts utility occupancy as proof of rights to private land use providing the utility has established occupancy in excess of ten years and such right does not constitute a terminable privilege under license, permit, or other form of sufferance.

20.3 Work by Utility Forces- Reimbursement Premise

The reimbursement concept in negotiating for utility and railroad lands with functional facilities located thereon is to provide a work by utility forces agreement and payment procedure that will leave the company in the same relative position after the property taking that they enjoyed before, with their financial condition neither enhanced nor worsened and with their ability to serve unimpaired.

20.3.1 Expended Service Life (Used Life Credit)- General

In recognition that utilities must render a continuing service and that the facilities utilized for providing these services have limited lives and thus must be retired and replaced or their functions in service restored in some other fashion, the companies have, with the approval of the Public Service Commission (PSC), set up certain depreciation schedules to recapture from the rate payer the original investment in these facilities. The expended service life or "used life credit" is in essence the accumulated depreciation assigned to a specific unit of property. This amount can be calculated by multiplying the original cost of the facility's components by the certified depreciation rate and age for each class or property. This value can, if desired, be further refined by adjusting it to offset any affect of negative or positive salvage included in the depreciation rate and by considering the probable life or percent condition of the individual units as obtained from the appropriate family of survivor curves.

A used life credit is required for a utility facility being replaced, such as a building, pumping station, filtration plant, power plant, substation, or any other similar operational unit. Used life credit shall not be required for a segment of the utility's service, distribution, or transmission lines. If accomplishing such work of its own volition and at its own expense, the utility would assign cost to the depreciation accruals to offset the replacement costs, it is only equitable that the state also follow this procedure.

The justification for requiring a utility to provide a used life credit based upon original cost is to assure that the utility's capital structure is neither enhanced nor worsened after the land taking. The net cost of replacing a particular unit of utility property should not vary whether paid for by the state or utility.

The utility has an obligation to provide services and must construct, maintain, and operate facilities for this purpose as long as such are required. The utility obligation can therefore be interpreted to include the responsibility to relocate, replace, and restore such of those facilities as must be moved because of a conflict in location with other public needs.

The state's responsibility in these matters is limited to reimbursement by statute or as a right-of-way damage. The state obligation can therefore be interpreted to be a reimbursement consideration for the utility cost in replacing in kind the company's present interest in the affected facility at a value not to exceed that which it would cost the utility to accomplish the work in its normal course of business.

The utility's present interest in any partially depreciated, partially worn out facility could be said to be the depreciated book value of the facility (remaining life) which is the original cost minus the accrued depreciation.

This remaining life is the only portion of the facility that can be damaged, as the expended portion of the service life has already been used up and paid for by the rate payer through depreciation accruals. Therefore, by replacing the remaining life of the facility, the utility's present interest would be replaced.

When the existing facilities can be relocated with no new material replacing old material, there can be no assignment of used life credit. Similarly, when the utility chooses not to bill for new replacement material even though some is used, no used life or salvage credits are due.

The usual situation however requires that the existing facility be kept in operation until the new one is ready to be cut over. Thus a new segment built of brand new materials replaces the older and partially worn out segment. It must be assumed that it is impractical to obtain used material of the identical age of the existing facility. New material can be assumed to have a longer expected service life; should require less maintenance; and as most utility lines are replaced piecemeal as individual items wear out, should be of more value to the utility than was the replaced segment. In addition, were the older line to be removed or rebuilt, this newer material would probably be salvaged and reinstalled elsewhere in the system to serve out its full service life.

The used life credit will normally increase with the age of the facility, and the utility's interest (depreciated book value) will correspondingly decrease. Were this credit not provided, a utility having a very old facility replaced at state expense would obtain a greater financial advantage than a utility having a similar but fairly new facility replaced. As the older facility would have a lower salvage value, the net cost to the state would be greater.

20.3.2 Betterment

A betterment, in its broadest sense, is any improvement in the new facility that did not exist in the facility being replaced, relocated, or adjusted. To determine whether or not a betterment is present requires a comparison of the new and old segment of line. If the new segment has greater capacity, better materials, longer expected

service life, is stronger, safer and less subject to natural hazards or requires less maintenance and service, a betterment is indicated.

Once a betterment has been observed to exist, it must be determined whether the betterment is inherent in or primarily necessitated by the requirements of the highway project, or whether it is being provided at the option of the utility solely for utility purpose. This will entail a consideration of what alternate solutions are available and their comparative costs.

In general, betterments necessitated by the highway project and that represent the most economical adjustment of facilities are compensable to the same extent as the non-betterment utility work. Similarly, betterments constructed solely for utility purposes at the option of the utility are not compensable. In certain cases a portion of the betterment will be required for highway purposes while another portion will be for utility purposes. This will require an evaluation to determine the betterment credit.

20.3.3 When Required for Highway Construction

Betterments that result from the most economical adjustment of utility facilities required to accommodate highway construction usually will not require a betterment credit. This type of betterment generally consists of taller poles; additional guying, conduit, and encasement pipe; granular backfill within highway right-of-way; etc. When these betterments require no credit, it is because it has been agreed that these facility improvements are reasonable and necessary for highway purposes. It should be demonstrated that the protective measures meet code and local ordinance requirements and are representative of the utility's normal practices in similar situations. Extra-heavy-duty type construction for protection from highway hazards will require a credit from the utility for the excess costs.

1. When Required by Codes or Ordinances Applying to New Construction Only

When a highway project requires a compensable utility relocation¹ and the resulting agreed upon new utility construction must meet higher standards because of legal codes or ordinances currently in effect, such betterment may not require a credit. When an existing facility in good condition with an expected remaining service life of many more years must be relocated to accommodate a highway project, and this timing results in a legal requirement that the new construction be built in a more substantial and safer way, such improvement would not normally require a betterment credit unless specific benefits to the utility can be determined. This is a somewhat nebulous area, however, and requires that each situation be considered on its own merits.

2. When Less Expensive Than Replacement in Like Kind

With improvements in technology and materials in the utility industry, it is often possible to construct a new replacement facility containing certain inherent betterments at a lesser cost than replacement in like kind.

When the betterments have a minimal effect on capacity and are of a relatively indeterminate nature, no detailed analysis of the situation is required. This would involve minor cost items such as insulator, pole hardware, down guys, anchors, etc., which are considered to be better but are cheaper and have no readily determinable betterment value to the utility.

When the betterments produce an increase in capacity in the new facility over the facility being replaced at a lesser cost than replacement in kind, an analysis of the situation is necessary to see if a credit is required. On occasion, it may prove more economical to replace an obsolete item or one that is no longer kept in stock with a readily available item having more capacity. This situation often occurs when a standardization program has reduced the number of various sizes of items being stocked by the utility. If the total cost difference between the available and the replacement in kind item is minor, and it can be shown that a special order and acquisition would be more costly, no betterment credit will be required.

20.3.4 When Made At the Utility's Option

When it is concluded that a betterment exists, it is necessary to consider whether it was made at the option of the company for utility purposes.

Since the preliminary engineering, plan development, and estimate preparation are accomplished by the utility, it is obvious that the utility has exercised judgment as to route, type of construction, and other engineering details. It is therefore incumbent upon the utility to furnish support data for review of a betterment. In consultation with the utility, agreement should be reached as to what items constitute a betterment for company purposes and how the betterment credit is to be determined.

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

When the betterment consists essentially of a single item of material, it can often be agreed that the betterment credit is the difference in cost between the betterment material and the replacement in like kind material. This approach is applicable only when labor, associated material, and installation costs are the same for both materials as shown by utility records.

Some betterments made at the option of the utility will be so thoroughly intermixed with the reimbursable portions of the work that the costs cannot be readily segregated. In this case it may be necessary for the utility to estimate, by the same method, the cost of the replacement in like kind facility.

The ratio of the estimated cost of the betterment segment can then be applied to the cost of the facility as built to obtain the reimbursable portion. It should be noted that in a case such as this any departure from the agreed upon work will modify the ratio of compensable to non-compensable work and must be thoroughly documented.

20.3.5 Salvage Credit

Salvage values of materials recovered from a compensable utility facility adjustment represent the value of the "unused life" of the installation and must be credited to the job. The salvage values are to be determined and calculated in the same manner and by the same methods normally used by the utility in performing work without cost participation by others.

Most utilities value reusable material returned to stores at present-day, new material prices. This method, while it may increase the portion of salvaged material that is scrapped or junked, has the advantage of avoiding the necessity of determining the value of such material by individual year of installation. It also allows some increase in the utility's capital accounts without additional cash outlay.

If the utility returns salvaged material to stores at present-day, new material prices, it will under acceptable accounting procedures later install these used items in its system at these same prices. In the event the utility returns reusable salvage material to its stores at a value other than present-day price, it should be noted in the estimate and some explanation provided in support of the method used.

It should be noted that the state does not require the utility to value salvaged materials at present-day prices of equivalent new material unless the utility normally does this in its own everyday operations.

As salvage credit is a measure (however arbitrary) of the remaining life of the facility and "used life" credit is a measure of the expended life of the same facility, the amount of the salvage credit has no effect on whether or not a "used life" credit will be required.

The subtraction of the "used life" credit from the salvage credit, the use of a special method of valuing salvaged items that results in a credit less than the utility gives itself on similar items, or the providing of a depreciated salvage value without adequate support and explanation will not be acceptable. Federal procedure requires that the utility advise the state of the time and place where recovered materials will be available for inspection prior to their disposal by sale or scrap. This requirement will be satisfied by the utility providing such information in writing. This should not be considered as prohibiting the junking of material in the field (i.e., old poles given to adjacent landowners), but notice to the state is still required.

20.3.6 Plant Loss

The acquisition of a compensable utility land interest for highway purposes may cause the premature retirement of the facilities located thereon without any replacement of their function. Under these conditions a determination of the damages to the utility caused by the highway taking in excess of the raw land value is required so that the amount of just compensation can be established.

$$\text{Original cost} - \text{depreciation} - \text{salvage} + \text{removal cost} = \text{Plant Loss}$$

Normal utility bookkeeping procedures utilize the concept of "plant loss." This item represents the actual net dollar loss to the utility resulting from the premature retirement of the facility. It is calculated by reducing the depreciated book value (original cost less accrued depreciation) by the amount of any salvage and increasing this result by the cost of removal. It is a simple, readily ascertainable figure that is in accord with basic accounting principles.

Alternate appraisal methods would utilize the "cost to cure" or the "before and after" approaches. Either of these methods would require the evaluation of the utility plant without the benefit of comparable sales, would be more expensive and time-consuming, and would probably result in a larger damage figure than obtained by plant loss.

20.4 Scheduling Utility Negotiations

The negotiations for utility interests may be lengthy and time-consuming. It is therefore necessary that the negotiations be started at the earliest date when the general details of the takings can be determined.

All utility negotiations must be completed, with all permits, agreements, and conveyance documents executed

and distributed prior to awarding the associated highway construction contract. These requirements will establish the performance schedules for accomplishment of the various phases of utility negotiations.

20.4.1 Jurisdictional Offer for Utility Land Interest

When a review of the status of negotiations indicates the possibility that the utility land interests may not be acquired by the committed schedule date, consideration must be given to completing the acquisition, including force work, under eminent domain proceedings. In the event this type of action is deemed advisable, a report of the circumstances leading to this conclusion shall be prepared and forwarded to the Chief of the Acquisition & Services Section, Bureau of Technical Services for approval.

When a jurisdictional offer has been approved and served on the utility the region staff should continue to negotiate with the company and attempt to reach an amicable solution by agreement. A jurisdictional offer merely establishes a statutory starting point for award proceedings in the event such becomes necessary to meet a committed highway schedule.

20.5 Land Interests to be Acquired

The interest to be acquired in company lands for highway purposes shall be sufficiently broad to allow the highway to be adequately constructed, operated, and maintained. This is usually accomplished by using a standard instrument of conveyance, either the "Conveyance of Rights" (Form [DT1660](#)) or "Quit Claim Deed" (Form [DT1661](#)). Refer to [Attachment 20.1](#) at the end of this procedure for a flow chart showing which conveyance form to use for acquisition of land rights. If special conditions are encountered, the standard form may be modified accordingly or a special form may be prepared.

20.5.1 Conveyance of Rights in Land, Form DT1660

1. General

Whenever a partial conveyance of rights is acquired and the utility still retains some interest (usually restricted to utility purposes only), the lands will be subject to joint use. The conveyance of rights under these circumstances shall be carefully considered to include provision for all reasonably anticipated future highway interest (enlargement or improvement of the highway) to avoid future conflict of use. The partial conveyance of rights is acceptable in situations where existing utility land use is not affected by the contemplated highway construction or the planned future expansion of the highway.

When a utility has an easement drawn in general terms, it must be assumed that once its facility is constructed across the lands, such structures establish the specific location of the easement. Form [DT1660](#) "Conveyance of Rights in Land" should be used to transfer a utility's land rights to the state in such situations.

2. For a Highway Crossing

A partial conveyance of rights will be acceptable for highway purposes whenever the utility facility (aerial or buried) will clear span the highway right-of-way with acceptable clearances and acceptable access thereto, and maintenance thereof can be provided.

3. For a Utility Parallel to Roadway

A partial conveyance of rights will be acceptable for highway purposes whenever a parallel utility land interest must be incorporated into highway lands and:

- The utility has existing facilities located thereon that do not need to be relocated for the planned highway construction.
- The utility has facilities that will have to be adjusted for highway purposes but can be relocated within the limits of its present land interest within the highway right-of-way.
- No planned highway need will require the relocation of the utility facility in the foreseeable future.

4. For Freeway Use

The partial conveyance of rights on or across lands used for freeway purposes will be acceptable if the retained rights are subservient to the highway interests being obtained for freeway operation, including full access control to the property.

The utility access rights affecting freeway lands shall be acquired by instrument of conveyance. For this purpose the following provision may be used:

The grantor releases all its rights of access to the above-described lands except as may be required

and permitted for the installation, maintenance, or repair of its permitted utility facilities located over, under, or across the said lands. Said access shall, however, be derived from other than the live lanes of the interstate (freeway) highway or the ramps and loops of its interchanges, except that in the case of emergency, temporary access may be permitted following authorization by the grantee at such defined time and under such positive controls as the said grantee shall specify.

When it is determined that the utility crossing can be installed, serviced, and maintained from outside the highway right-of-way, and the utility retains a utility purpose easement, control of such use shall be covered by separate utility permit. All utility property rights for future installations shall be terminated and this need reviewed under the Department's permit procedure. All reference to future installations on the conveyance form shall be deleted.

20.5.2 Quit Claim Deed, Form DT1661

A Quit Claim deed will be required whenever the utility facility will be relocated permanently outside the limits of its land right being incorporated into the highway right-of-way. Use Form [DT1661](#), "Quit Claim Deed by Utility " for this purpose. Value of this conveyance shall be equated at the value necessary to purchase like kind replacement land interests.

20.5.3 Unrecorded Utility Interest

Utilities often obtain their land rights for a distribution type facility through agreement to supply service to the local land owner. These rights are usually stated in general terms and give the utility the right to extend its facilities through the owner's land to service other customers. These easements are generally not recorded. Land rights for aerial transmission facilities are usually definite as to dimensions and covered by written instrument but are not always recorded. A non-recorded land interest is as valid as a recorded one and requires that region personnel determine by inspection and contact with the utilities if a utility land interest is involved.

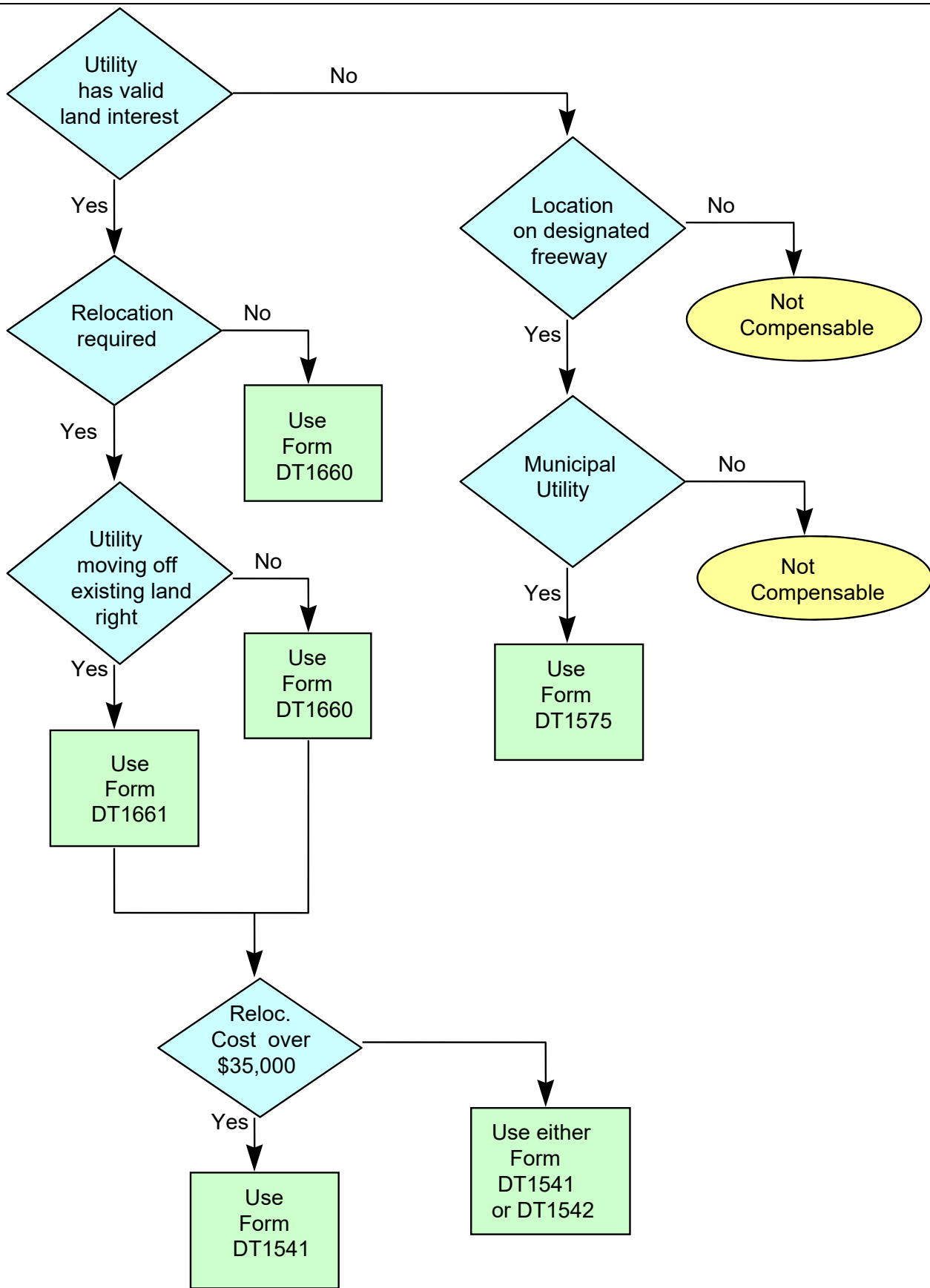
20.5.4 Joint Occupancy- Permits and Leases

Joint use of land or facilities by two or more utilities is not uncommon and is generally covered by some form of written agreement between the parties, spelling out their rights and obligations. The region will determine the basic landowner interest, what its obligations are to the joint user (permitted or leased), and the compensation due each, if any, for utility relocation. If the owner of the land interest has no obligation to the joint user other than to advise them that it is selling out and moving, the joint user has no compensable land interest.

If the owner of the land interest could exercise its option to order the joint user off the lands but declines to do so for the highway use, the joint user may have a right to compensation by claim under s. 32.19 stats.

LIST OF ATTACHMENTS

[Attachment 20.1](#) Flow Chart





Note: many of the forms listed in this procedure are available as MS Word documents on the internet. Click here (<https://wisconsin.gov/Pages/global-footer/formdocs/default.aspx>) and look under "Plans and projects."

Forms [DT1547](#), [DT1584](#) and [DT1786](#) are used by WisDOT staff only.

The agreement stage involves the preparation and submittal of an agreement for reimbursement to the owner for compensable work. It may also involve the preparation and processing of a permit application and/or a public interest finding for the utility to subcontract part of the work.

1.1 Definition of an Agreement

Upon completion of investigation and design activities, the utility company submits an agreement to WisDOT for review and approval. The purpose of any agreement is to present an assembly of documents that clearly portrays the intent of the contracting parties. It should cover the anticipated situation in adequate detail so that any needed modification may be handled by normal change order procedures without requiring extensive renegotiation. In general, an agreement submittal will consist of the contract, plans, estimates, special provisions, and usually an instrument of conveyance of utility land interests. The content of the package submitted will vary with the complexities of the project.

1.2 Accelerated Approval

Utility work under an agreement cannot be undertaken until department approval has been secured. If accelerated approval of an agreement is needed, a written request by the utility, accompanied with plans and estimates, shall be submitted to the region. The region shall inform the utility of the department's decision following contact with the Acquisition & Services Section. The region shall forward written confirmation of the decision to the utility and provide the Acquisition & Services Section with a memorandum documenting region-central office discussion of the project, the benefits of the advanced agreement and the decision of the department.

1.3 Types of Contracts For Work By Utility Forces

The type of contract document to be used for a compensable utility relocation is generally decided by the region after preliminary contact with the utility. This first contact with the utility representative consists of a joint review of necessary alteration work for which reimbursements will be recommended as a right-of-way consideration.

1.3.1 Audit Type Contracts

Under this arrangement the state agrees to reimburse the utility for the actual net costs of the utility work as determined from personnel, equipment, and materials vouchers, and confirmed by WisDOT audit. This is the most common contract type and requires the execution of a document such as Form [DT1575](#) or Form [DT1541](#). The contract incorporates the general guidelines governing performance of the work and the reimbursement to be expected on the basis of actual costs of labor, equipment, and materials. This type of contract has evolved to cover most situations where costs may be expected to vary from the estimate. Its basic advantage is that the net reimbursement is based on actual costs determined subsequent to the work operation so that it is suitable for all types of compensable relocations. Its major disadvantages are the time and expense of the audit and the added time lapse before the contract can be closed out. Also, if an item is cited in the audit, the time to resolve the situation can be extensive. Construction record keeping must be quite detailed.

Some utilities do not keep track of actual time spent on various activities. Time is charged based on a standard hourly rate for a particular activity. That set time is then used for all estimating and billing purposes. This is similar to the time study process used to determine piecework rates in factories. In this type of system, costs are based on materials used, not the time it takes to do the work. Labor costs are averaged over the whole company on an annual basis. When this method of bookkeeping is used, the final bill will be the same as the estimate unless the scope of work changes. If a utility chooses to use this type of estimating and billing system, the Bureau of Business Services will audit the methods and procedures used to determine the rates. Once they are approved, the rates will be accepted.

1.3.2 Lump Sum Contracts

A lump sum contract sets forth the guidelines governing performance of the agreed upon work and includes the provision for payment of a lump sum or a single dollar amount covering the cost of all work items. Its

advantages over an audit type contract are lack of need for an audit, quick processing of bills, and ease of encumbering an exact, predetermined amount. However, more time must be spent in review of the agreement and estimate, more contract detail is required, and there may be no savings over an audit type contract. A lump sum contract is an advantage only when the work situation is clear-cut, no contingency items will be added, and there will be quick agreement on the reasonableness of the overall price.

To use this approach, it is necessary for both the department and the utility to agree to use a lump sum contract, and the utility must provide a fully detailed cost estimate that the department can accept. There should be no contingency item in the estimate. Major features in this procedure are:

1. A contract will be developed using Form [DT1542](#). The lump sum cost will include raw land value.
2. An instrument of conveyance must be supplied. The price of conveyance should be shown as "\$1.00 and other good and valuable considerations." As this document, the cost estimate, and the contract are subject to revision until fully executed, the lump sum amount should not be shown in the instrument of conveyance.
3. A greatly detailed cost estimate must be prepared without the inclusion of contingency items. Detailed plans will also be required to be submitted with the agreement proposal package.
4. A letter of transmittal briefly describing the work to be done, with region recommendation.

Lump sum contracts are not usually considered for projects where relocation costs are expected to exceed \$50,000; instead, an audit type contract is developed.

1.3.3 Special Type Contracts

The exact form and provisions of the contract document may vary with the particular situation; however, the usual practice is that a contract using either Form [DT1575](#), Form [DT1541](#) or Form [DT1542](#) be used. A special contract form may be needed for large and exceptionally complex projects where unusual conditions will require out-of-the-ordinary procedures. The region should consult with the Acquisition & Services Section for assistance in preparing any special form of contract that will require extensive modification of standard forms or preparation of a completely new document form. Any special document form, must include the standard requirements found in [DT1541](#) and [DT1542](#), including equal employment opportunity and reference to the Code of Federal Regulations 23, Part 645, Subpart A - Utility Relocations, Adjustments and Reimbursement.

Form [DT1575](#) is, as its name says, an "Agreement for Payment for Relocation or Replacement of Municipal Utility Facilities Located on Publicly Held Land Required by Freeway Construction." It is used when a municipal utility is compensated for 90% of the cost to relocate or replace its facilities where freeway construction is involved and the utility is located on public way.

1.4 Utility Plans

The basic purpose of the plans is to amplify and illustrate the intent of the agreement in a graphic way. As the plan constitutes one of the agreement exhibits, it must correlate with the other exhibits and particularly complement the estimate.

The plans, drawings, or sketches must clearly show the nature of the work to be done and illustrate the fact that the work is required by the highway construction.

Show all existing highway right of way and utility facilities so that the utility units of property on public and private way may be identified and compensability determined.

Show any temporary moves and the stages by which the permanent relocation is to be made. The new permanent utility and highway facilities should be illustrated and related to highway stationing.

A site plan encompassing the entire area involved in the relocation should be submitted for complex or extensive projects. It may be necessary to include more than just the immediate site area to provide information on the effect of the highway on the utility system.

Shop or standard drawings may be desirable to adequately support the proposed work.

All symbols, abbreviations, codes, or colors used on the plans must be clearly explained through the use of legends or notations on the individual plan sheets or by separate copies of a glossary or key.

Major items of material should be labeled on the plans, and it should be a relatively simple matter to locate and check them against the estimate quantities.

Sketches or drawings that are not to scale should be so identified, and the important dimensions such as length of spans, encasement, conductors, trenching, etc., should be shown.

Plan sheets should be identified as to location, project, sheet number, and parcel.

1.5 Cost Estimate

1.5.1 General

The purpose of an estimate is to provide a reasonably accurate determination as to the expected net cost of work by utility forces. The estimate should be prepared with sufficient detail to provide the highway personnel reviewing it with a reasonable basis for analysis. Lump sum estimates are required to be in much greater detail than those for audit type contracts. The utility company's name, the project number, parcel number, the county, and the highway should be indicated on the first page of the estimate. Any work order, folio, or other identifying numbers that the utility desires may also be shown.

The estimate should provide a concise statement of the work to be accomplished. The number of major units to be removed, replaced, or relocated should be mentioned, and the reason for incorporating any special procedures or special sizes or types of material should be given. Any unusual field conditions, such as anticipated inclement weather, rough terrain, subsurface rock ledges, swamps, or other adverse circumstances, that have influenced the estimated cost and that are not readily apparent from the utility plans should be mentioned. Contingency items when used in an audit type contract should show derivation and application.

The temporary relocation of a segment of a utility facility will require adequate support as to why it is necessary. Why the facility cannot be left permanently in the temporary location or built initially in its final location will be a matter of particular interest because of the costs involved. This information will be required before the contract can be processed.

If federal funds are participating in the project, estimates of cost must be prepared in accordance with federal requirements and any supplements, revisions or modifications issued prior to the execution of the contract. See 23 CFR Part 645.117, "Cost Development and Reimbursement." (<http://www.fhwa.dot.gov/legsregs/directives/cfr23toc.htm>)

1.5.2 Right-of-Way Costs

Right-of-way costs should, in conjunction with the plans, clearly show that replacement land interests are being acquired in like kind to the interest being conveyed for highway purposes. All charges for replacement right-of-way should be reviewed by the region for reasonableness and to ensure that no betterment will result.

1.5.3 Preliminary Engineering Costs

The preliminary engineering cost data presented in the estimate should provide information as to how it was accumulated or calculated. In the event that it is an overhead, the derivation of the percentage should be shown and the base to which it applies indicated. If these costs are accumulated directly, the estimate should so indicate by use of the words "Direct Engineering Charges."

1.5.4 Labor Costs

The estimated labor costs should be separated into installation, removal, and maintenance groups, or such similar groupings as may be required by the prescribed utility system of accounts. Labor hours should be shown by class and rate, with payroll additives and other overhead factors shown individually with a statement of what is included in each.

1.5.5 Materials and Supplies Costs

All major items of cost to be installed should be listed and the description, number of units, unit price, and total cost provided. Minor replacement items of hardware that do not affect a betterment determination need not be listed separately but may be lumped together under the title of "Miscellaneous Hardware" or some other similar descriptive title. A minor cost item that does indicate a betterment should be listed as a separate item.

When the classification of a unit of new material affects the cost of the unit (such as pole class, cross arm length, wire size, etc.), such information must be provided. When the classification does not affect the price (as when all classes of 40-foot poles are billed at one price), information indicating that such is the case must be included and the special classification data need not be included.

The detail in which the list of new materials is presented should be adequate to allow major items to be located on and correlated with the utility plans.

1.6 Special Provisions

The terms and special provisions in the agreement are included for the purpose of emphasizing the unique situations or conditions that are germane to the prosecution of the work under the contract. Reasons for special requirements should be evaluated during the early project development stages. When it is agreed that specific

modifications to the agreement are necessary to cover some part of the construction work, it is desirable to incorporate the special provisions into the document by use of the following statement:

The following body of directives, provisions, requirements, or covenants shall be known as the Special Provisions of the Agreement to which they are hereto attached and hereof made a part, and these Special Provisions are added for the purpose of covering the work not satisfactorily or completely provided for under other parts of said Agreement and shall take precedence over other parts of said Agreement whenever they conflict with it.

After the statement should be a list of the special provisions in adequate detail and with sufficient explanation to make clear their intent and to delineate the extent of the modification of the basic agreement.

1.7 Conveyance of Utility Land Interests

1.7.1 Responsibility to Acquire

The regions are charged with the responsibility of acquiring utility land interests needed for highway purposes, with assistance by the Acquisition & Services Section on projects the department is developing.

On projects where the county or municipality is responsible for furnishing right-of-way, the local agency is to negotiate directly with the utility, with review by the region and Acquisition & Services Section if federal funding is desired.

1.7.2 Procedure

Acquisition of utility land interests may proceed in any of three ways:

1. Quit Claim Deed: If the utility relocates its facilities entirely from the property to be acquired, a Quit Claim deed (Form [DT1661](#)) shall be obtained unless a conveyance of rights is obtained.
2. Conveyance of Rights: If the utility facilities may remain on the property without adverse effect upon the highway use, a conveyance of right (Form [DT1660](#)) shall be obtained. If utility relocation is required, check the extent of the relocation to verify that the new alignment is within the prior easement before using this approach, because once a utility is constructed across an easement, the specific location of the easement is established even though it was originally described in general terms.
3. Jurisdictional Offer: When it is apparent that negotiations with the utility for either a deed or other release of rights document cannot be completed in time to assure the schedule for the highway work, it may be necessary to acquire by award. Under this method, a jurisdictional offer (Form [DT1786](#)) and a notice of lis pendens (Form [DT1547](#)) should be made. Also, it is necessary that legal notice be given to the utility, via Form [DT1584](#), that its interest may be acquired by the award of damages procedure.

The region must obtain the approval of the Chief of the Acquisition & Services Section prior to starting the eminent domain procedures. The Regional Utility Coordinator should be involved in developing the amount of damages to be offered to the utility. The region has approval authority for the jurisdictional offer and the notice of lis pendens.

For further information on the acquisition of utility land interests, consult the Real Estate Program Manual.

1.8 Review and Approval of Agreement

1. When the utility has completed and submitted its plans, cost estimate, contract, and land interest conveyance to the region, and after the region has made its review, the following agreement package shall be sent to the Acquisition & Services Section with a recommendation:
 - Agreement, cost estimates, and utility plans - Send one copy of agreement and one copy of the estimate and plans.
 - Conveyance of land interest - Send one copy.
 - Pertinent correspondence from the utility; for example, documentation of a request to use a subcontractor.
 - Letter of transmittal - It should briefly describe what type of facilities are involved, how compensability and credits were determined and set forth all agreements or arrangements made between local units of government and utilities and other information pertinent to the prosecution of the contract.
2. Affected region sections will confer on the effects of utility construction upon the right-of-way. If a need for a permit exists, they will inform the utility and request that an application be submitted. Upon receipt of the permit application, the region utility permit coordinator will review the application, send it

to other sections, as appropriate, for their review and comments, then approve or deny the application and process it accordingly.

All applications that request installations on freeways (includes interstate) and/or would result in an exception to the approved State Utility Accommodation Policy must be sent by the region with their recommendation to the Bureau of Highway Operations for their review and approval. These applications may require FHWA approval, as well. Applications forwarded to the Bureau of Highway Operations will be approved or denied and processed there.

3. The Acquisition & Services Section reviews the agreement for acceptable engineering concepts, reasonable prices, and compliance with state and federal policy and procedure.
4. After approval by the Acquisition & Services Section, the force work is considered a part of the just compensation to be established for the utility's land interest.
5. C copies of the agreement are sent to the region and the utility (via the region).

1.9 Permits

Under state statute WisDOT has the responsibility to regulate the installation of transmission lines along, across, or within the limits of the State Trunk Highway System. In order to provide for regulation of transmission lines, WisDOT has developed policies and procedures and issues permits to utilities in accordance with these policies and procedures. The purpose of a permit is to define the conditions under which highway right-of-way may be occupied by a utility and the location(s) that may be occupied. Information about permit policy and procedure is printed in "the Utility Accommodation Policy" (<http://www.dot.wisconsin.gov/business/rules/property-96.htm>) which may be obtained from the Bureau of Highway Operations.

1.10 Subcontracting by Utility

Due to the complex or specialized nature of certain work items, the utility may not be able to feasibly perform some work operations with its own forces and equipment. Instead, they may propose to let those items to a subcontractor.

The proposal to let some of the work is approved at the time the contract for work by utility forces is approved by the department. Prior to submittal of the contract to central office, the Regional Utility Coordinator shall determine that the subcontract is in the best interests of the public, or document that the utility does not have the forces or equipment to perform the work items proposed for subcontract within the required time frame. Approval by the department of the subcontracting concept does not give approval to use of a specific subcontractor. If, however, the utility will use a subcontractor that is regularly employed for its own operations under a continuing contractual arrangement, approval by the department of the contract for work by utility forces gives approval to the concept of subcontracting and to that particular subcontractor.

After the need to sub-contract has been determined, the utility must obtain an acceptable subcontractor unless a continuing subcontractor exists. Methods used by utilities include open advertising, solicitation through use of a list of pre-qualified subcontractors, or direct negotiation.

The region shall transmit the request by the utility to use a subcontractor with the agreement package, together with all substantiating information and a recommendation for acceptance.

FDM 18-20-5 Construction Stage

December 30, 2004

5.1 Work Flow

1. Upon receipt of the fully executed agreement and the approved permit, the region sends a copy of each to the utility company. The utility should be authorized to begin work as soon as possible to avoid delays to the highway improvement contract. For TRANS 220 projects, the utility must complete its work within the time frame provided in an approved work plan.
2. After the highway contract has been awarded, a formal letter is sent by the region to inform affected utility companies of the award, to whom it was made, and the date of the preconstruction conference. Small size highway plans should be sent for utility information.
3. Progress on the utility agreement is coordinated with the highway project and compensable work is inspected by the region.
4. The utility company submits invoices for payment. These are processed by the region and central office.

5.2 Utility Coordination Meeting

TRANS 220 also provides that upon request of a utility facility owner or its own initiative, when the department determines there is a potential for conflict between utility relocation work plans, the department will schedule a meeting that utility owners are required to attend to coordinate the work. Although this meeting would ideally occur during the early stages of utility coordination, it could occur just prior to the utility companies performing their work.

5.3 Construction Coordination And Inspection

The Construction and Materials Manual should be consulted on such matters as the duties and responsibilities of department personnel on utility construction projects, traffic control and safety measures, subcontracting, records, inspection of recovered materials, etc.

5.4 Agreement Change Order

Because a utility agreement is primarily a right-of-way concern, the processing of a change order differs from the usual format. The following procedure has been established in cooperation with the Bureau of Highway Construction.

5.4.1 Region Office

1. Ascertain if the utility agreement change order (UACO) is necessary (Region Utility Coordinator).
2. Prepares two copies of the UACO form ([DT1731](#)) and sends to the utility for execution and to the Region Director for recommendation.
3. Modifies the permit, as necessary.
4. Prepares three copies of the revised plans and estimates .
5. Modifies the right-of-way conveyance and sends to the utility for execution.
6. Sends an explanatory memorandum to the Design Services Section together with a signed Form [DT1731](#) and one copy of the revised plans and estimates, plus the revised permit and right-of-way conveyance, as deemed necessary, for the particular project.

5.4.2 Design Services Section

1. Analyzes the UACO request against the original agreement. If acceptable, approves the UACO for the DTID Administrator.
2. Returns one copy of the approved UACO to the region and informs the Bureau of Financial Services of the Change Order.

If quick action is needed, the region should call the Design Services Section and request advance verbal approval.

FDM 18-20-10 Payment Stage

February 28, 2007

10.1 Work Flow

1. The utility presents two copies of the bill to the region for completed work.
2. The region reviews the bill on the basis of project completion, using the inspector's work record. One copy is transmitted to the Utility and Access Unit in the Bureau of Technical Services (BTS) with a recommendation for payment.
3. The Utility and Access Unit reviews the bill on the basis of the terms of the agreement. If acceptable, it approves payment and submits the bill to the Bureau of Business Services (BBS), Expenditure Accounting Unit.
4. The BBS verifies that funds have been encumbered and arranges for a check that is sent to either the region or directly to the utility.
5. The Bureau of State highway Programs (BSHP) will process all audit type agreements for audit. After the audit by BSHP, an adjustment, if needed, is made by BSHP on the basis of contact between the Utility and Access Unit, the region, and the utility.

10.2 Review of Billings by Region Office

Review of any reimbursement claim for force work is primarily the responsibility of the region, with technical assistance from the central office. In general, the region reviews the billing so they can certify that the work was

completed satisfactorily, in the agreed upon manner. The Utility and Access Unit reviews the technical aspects of the claim for adherence to the intent of the agreement. BSHP reviews company records to verify proper accounting procedures and charges.

Upon receipt of two copies of the bill submitted by the company, the appropriate region personnel will review each detailed utility agreement billing and determine the supportable amount based upon region records, supervision, and knowledge of the utility work. The bill should be checked for arithmetic correctness, the inclusion of the appropriate credits, and should be of similar form and amount of the agreement estimate. Acceptable variations from the agreement estimate should be explained. Unacceptable variations, such as contested expenditures, etc., should be deleted from the amount of the bill and an explanation provided after reasonable attempts have been made to correct the billing by contact with the utility.

After the region review has determined the correctness of the amount of the utility billing to be paid, the region will certify the following in the transmittal letter to the Design Services Section:

Based upon our inspection of the project and our review of the final billing, we certify that the materials incorporated into the project and the construction operations performed substantially conform to the contract plans and estimates.

The billing should contain a statement by the utility certifying that it represents actual expenditures to accomplish the agreed upon work under a specific agreement. It must also designate the state's share or obligation.

Billings for a company with a materials-based cost system will be the same as the estimate unless the scope of work changes. A bill accompanied by a statement certifying that the work was done in accordance with the estimate will not need additional documentation, because the documentation will be the same as the estimate. The utility coordinator should verify that the work was done, and process the bill for payment. If there are changes to the scope of work, these should be documented and a revised estimate should accompany the billing.

The region memorandum transmitting the original copy of the billing to the Utility and Access Unit should contain the above information and any necessary explanations and certifications, and a recommendation that 100 percent of the billed amount be paid prior to audit. The utility should be advised when given 100 percent payment prior to audit that any overpayment disclosed by audit must be refunded.

The intent of the procedure is to provide for payment of 100 percent of the billed amount that can reasonably be determined by the region to be owed to the utility under a specific agreement based upon region supervision, records, and knowledge of the job. The region may have to contact the utility on some billings to resolve certain billed items rather than to just exclude them on a unilateral basis as contested items. It is expected that the region review will be able to check engineering items such as materials, labor, equipment, salvage, etc., but will not be able to check overhead loadings, etc., which are verifiable only at the utility offices other than by comparison with the estimated amounts. The larger utilities with which the department has a continuing contractual relationship offer little risk, as any overpayments can be recovered. A very small utility that is rarely encountered or one that has a limited record keeping system may require additional conferences on its billing before a reasonable and voucherable amount may be determined.

10.3 Review of Billings by Bureau of Technical Services

Review involves a desk audit, during which the billing and the estimate are compared. All variations are analyzed in light of the comments contained in the region's memorandum. If it appears that the intent of the agreement was not realized, the region is asked for an explanation of the variation. Such concerns over matters affecting the intent of the agreement must be resolved before the final billing is forwarded.

When a billing is found to be in acceptable form, it is sent to the BBS Expenditure Accounting Unit. If there is concern over the dollar amount of the billing that can best be handled through audit procedures, it should be brought to the attention of BSHP.