



Wisconsin Department of Transportation
Division of Transportation System Development

Utility Coordination Newsletter

WisDOT Hosts Regional Utility Summit



WisDOT hosted the Federal Highway Administration (FHWA) sponsored utility summit and peer exchange in Madison at the Hill Farms State Office Building, September 11-12, 2019. There were 40 participants, including utility coordinators and supervisors from each of WisDOT's five regions, WisDOT Bureau of Technical Services (BTS) utility staff, FHWA staff, civil engineers from Texas A&M University and Iowa State University, and utility coordinators from other state DOTs. States represented at the meeting included: Colorado, Iowa, Michigan, Minnesota, Mississippi, North Dakota, South Dakota and Texas.

The summit highlighted FHWA's Strategic Highway Research Program (SHRP-2) initiatives. It also allowed state DOT's the chance to discuss issues that impact utility coordination and exchange ideas on how to improve operations. Additionally, it included presentations from FHWA, Adam Schleicher (previously BTS statewide utility engineer, currently city engineer for Sun Prairie, Wis.), Christopher Johnson of Jacobs Engineering Group, Cesar

Quiroga of Texas A&M University, and a variety of roundtable discussions. Some of the topics that were discussed include 3D utility survey data and data management, the recent gas main explosion in the City of Sun Prairie and the importance of locating utilities, utility agreements and cost estimating.

WisDOT would like to thank all the participants for traveling to Madison and contributing with engaging discussions. Finally, WisDOT staff would like to thank Peter Garcia and Julie Johnston at FHWA for offering Wis. the opportunity to host this event. This was 1 of 4 utility summits sponsored by FHWA this year – other summits took place in Missouri, New Mexico and Maryland.



Summit Sessions:

- FHWA Strategic Highway Research Program
- Idea exchange between states.
- 3D utility survey data
- Speakers: Adam Schleicher, Christopher Johnson and Cesar Quiroga

States Represented at Summit:

Colorado, Iowa, Michigan, Minnesota, Mississippi, North Dakota, South Dakota, Texas and Wisconsin.

UN #06-01



Hwy Construction: Tribes, WisDOT and Utilities



Driving north into Menominee County via STH 47 one is greeted by a grouping of trees that naturally outline the number five (see red circle). Most drivers might not notice this, but members of the Menominee Nation are keenly aware of the significance of this natural occurrence: there are five clans within the Menominee Tribe.

As WisDOT worked with the Menominee Nation to improve STH 47 in this area, the cultural importance of this area was taken into consideration while developing both highway and

utility plans. Doing so prevented the trees from being disturbed, preserving this important natural symbol for the indigenous people of the area.

There have been two highway projects within Menominee County recently, Shawano County Line to Duquaine Road project #9650-17-71 and Duquaine Road to North Junction Hwy W project #9650-17-70, that WisDOT and several utilities have worked with the Menominee Nation to plan out. Developing highway improvement plans within the Town of Menominee, Menominee County and the Menominee Nation can be difficult since geographically all three share the same boundaries.

With changes to Federal Code 25 CFR 169 in April 2016 each entity seeking easements on tribal land now needs to individually gain permission, unlike before where WisDOT acquired easements and granted permits for utilities to occupy those easements. Now each utility is required to individually seek easements from the local tribe and then it goes to the Bureau of Indian Affairs (BIA) for final approval. Utility coordinators and companies need to plan for additional lead time in the planning process to account for this.

“WisDOT can help facilitate conversations with the tribes, but ultimately each utility is obligated by federal law to negotiate its permits with the tribal entities,” says Chris Peplinski, WisDOT utility engineer from the North Central Region. In addition to holding regular update meetings, the Menominee tribe arranged multiple in-person utility coordination meetings and handed out packets of information explaining the process and clarifying who to contact, said Peplinski.

“No ‘piggy-backing’ is allowed now with the federal law change,” said Alexandra (Sandy) Stankevich, newly appointed WisDOT statewide tribal affairs program manager. “This is a big change. Each utility needs to obtain its own right of way permit or easement prior to a road construction project,” says Stankevich.

Each WisDOT region has a tribal liaison to help accurately navigate the planning process. This is a link: [WisDOT Regional Tribal Liaisons](#)

Stankevich can also be reached at (715) 365-5784 or Sandy.Stankevich@dot.wi.gov

Additional Resources:

Cornell Law

<https://www.law.cornell.edu/cfr/text/25/part-169/subpart-C>

Bureau of Indian Affairs Changes to Rights of Way 25 CFR 169

<https://www.bia.gov/as-ia/raca/rights-way-25-cfr-169>

UN #06-02

Remediating Asbestos Wrapped Facilities

The terms fibrolite, fibrous, asbestos cement, AC pipe and transite may



seem familiar. If not, these are terms used to describe materials that contain asbestos.

Asbestos is a mineral fiber that occurs in rock and soil. It has a high tensile strength and poor heat conduction, making it great to use in roofing materials and as insulation. The fibers that form asbestos separate very easily into tiny pieces when they are handled or damaged. These tiny pieces are easy to breathe in and can build up in lungs causing health problems. Because of these health concerns, it's important that asbestos wrapped utility facilities are properly addressed during the utility coordination process.

While developing the work plan for a highway improvement project, the utility company must determine if asbestos wrapped utility facilities are present within the project limits. The utility company should review as-built information to determine if asbestos is present or perform further investigation as necessary. After it's determined there are asbestos wrapped utility facilities within the project limits, the utility company needs to identify the locations of these facilities. Once the location of the asbestos is identified, the utility company needs to identify where these facilities conflict with the project and provide the proposed remedy in the work plan. If the utility company has questions about whether an asbestos wrapped utility facility conflicts with the project, the WisDOT utility coordinator can assist in making this determination.

When writing the utilities article of the special provisions, WisDOT must address asbestos wrapped utility facilities. The following are some common situations and how to handle them in the utilities article:

Conflict location is known and asbestos has been confirmed

Use standard methodology when writing this special provision and identify the who, what, when, where, and how at each location.

Conflict location is unknown and asbestos has not been confirmed

In this situation, the region needs to determine if further investigation is necessary. If it's determined there is no asbestos, the Utilities article would not address asbestos. If asbestos is anticipated to be in conflict, use standard methodology when writing this special provision and identify the who, what, when, where and how at each location.

Conflict location is known and asbestos has not been confirmed

Use standard methodology when writing this special provision and identify the who, what, when, where and how at each location.

Conflict location is unknown and asbestos has been confirmed

In this situation the special provision should be written as follows:

"UTILITY COMPANY has FACILITY TYPE facilities within the project limits that are asbestos-wrapped. No conflicts are anticipated."

No matter the situation, when asbestos wrapped utility facilities conflict within a project, the utility company is always responsible for removal of these facilities.



Asbestos wrapped utility pipes.

Lean Project Improvements Recognized



The BTS Utility Lean Project team was recognized by WisDOT for the time saving improvements it made by applying Lean Improvement tools and methodologies to existing processes.

As part of the Lean Project, the team was charged with identifying efficiencies. In November 2017, they began working on identifying the current state of utility agreement change orders, second moves and utility invoices. The team wrapped up

in June 2018 by delegating the review and approval authority from central office to the regional utility units.

Staff from the regions and the central office worked together to identify new process steps for change orders, second moves and invoices that resulted in a 64 percent reduction of combined average lead time days.

- Specifically, for change orders/second moves, process steps went from 34 to 9 and the time to process reduced from 19.86 to 10.66 days.
- For invoices, process steps went from 13 to 8 and process time went from 28.06 to 11.78 days

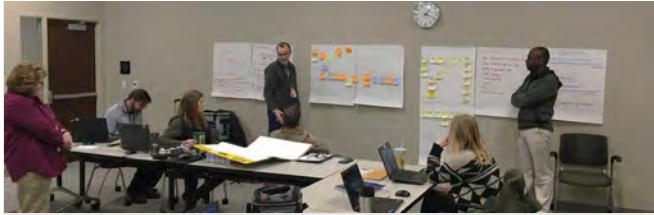
The team narrowed down areas that would benefit change into four key areas and from there identified quick fixes including publishing job aids, flow charts and electronic submittals.

The remaining items the team identified for improvement will be addressed by the newly formed Utility Coordination Technical Committee (UCTC). The UCTC will continue to work on improving processes that were identified through the Lean Project. The committee met this past week to set up its charter and to identify future items for improvements. Suggestions for the committee can be sent to DOTDTSDCOUtilityCoordination@dot.wi.gov

(Above photo L to R: Chris Peplinski, Mike Baumann, Jennifer Fredrickson, Heath Bielefeldt, Connie Bruns, Abby Schmidt Williamson, Norman Pawelczyk,

Osas Osemwegie and Joe Coughlin.)

UN #06-04



Members of the Lean Project mapped out steps for current-state and future-state for change orders, second moves and invoices.



Margaret Liedtke and Andy DeVos also assisted in the Lean Project.

Utility Lean Project - Members

- Region staff
 - Heath Bielefeldt, NW Region UC
 - Joe Coughlin, NE Region UE
 - Jennifer Fredrickson, SW Region Sup
 - Margaret Liedtke, SE Region UE
 - Chris Peplinski, NC Region UE
 - Rob Winterton, SW Region PDS
- Bureau staff
 - Mike Baumann, BTS (SWUE)
 - Connie Bruns, BTS (SWUC)
 - Andy DeVos, BTS (SWUC)
 - Abby Schmidt, BTS (SWUE)
 - Mike Coleman, BPD
- Other roles
 - Norman Pawelczyk, Project Sponsor
 - Osas Osemwegie, Lean Gov't Expert
 - Paul Conlin, DTSD Innovation Review Committee Member
 - Shawn Smith, DTSD (AO) Lean Support
 - Lynn Fiore, BTS (TUMS Expert)
- Former staff
 - Craig Hardy, Jill Noel – SW Region
 - Sondra Proksch – NE Region
 - Michelle Ledzian, Adam Schleicher – BTS
 - Brent Sloat - OPFI

Norman's Corner

Congratulations to the **Utility Coordination Lean Government Project Team** for its completion of the project and presentation to the WisDOT Directors. WisDOT management noted that the project success came from the cooperative effort between the regional and bureau staff that strove for effective solutions.

Other issues generated through the Lean Project will be taken on by the newly formed **Utility Coordination Technical Committee** with the following goals:



- review current practices and streamline work processes
- provide an opportunity for the utility industry to share its insight and opinions on our processes and procedures
- work cooperatively with a common goal of improvement.

The Utility Summit hosted by WisDOT turned out to be very successful with other state DOT's, universities, utility coordination stakeholders and our own WisDOT staff attending. It provided an opportunity for WisDOT to learn from others to make our coordination efforts even better.

If you have a question or comment, please send it to:
DOTDTSDCOUtilityCoordination@dot.wi.gov

Thanks,

Norman Pawelczyk
Technical Services Chief
Division of Transportation Systems Development
Bureau of Technical Services
4822 Madison Yards Way
Madison, WI 53705

Office: 608-266-2362
Cell: 608-516-6355

UN #06-05

Legal Staff Assists with Utility Coordination

The WisDOT Office of General Counsel (OGC) assists the central office and regional utility and real estate units with legal issues they encounter with road construction projects.

OGC staff lawyers are assigned to help specific regions with issues. Their staff is assigned to the following areas: Holly Wilson- Southwest Region, James Woywod-North Central, Northeast and Northwest Regions and Phil Ferris-Southeast Region (L to R in photo).



The OGC staff assists with:

- Interpreting federal and state statutes and regulations
- Answering questions relating to general real estate questions related to utilities, including conveyance document and deed interpretation
- Consulting on utility relocation questions – what gets paid/what doesn't
- Drafting and interpretation of policy documents
- Running interference with utilities and their legal counsel
- Dealing with Trans 220 issues, including claims

UN #06-06

Title Search for Utility Land Interests

WisDOT has contracted for title search services for many years. Administered by WisDOT within the Division of Transportation Systems Development (DTSD), title search work is an integral step in establishing marketable title to property that may be impacted by a highway improvement project.

A new contract was finalized in February 2019. The main contract is the boiler plate and most important to those individuals who work closely with administering the contract. Delivery times will be determined on a project-by-project basis and will be determined by the WisDOT region responsible for the project.

For various reasons, utility land interests were often missed in title searches in past years. The latest contract has incorporated an item that will capture those land interest documents. Item 4.2. Ownership Report Plus Easements requires the contractor who is awarded the contract to provide WisDOT all valid easements of record such as utilities, conveyance of rights in land, easement assignments, secondary highways and dedications. Utility coordinators are recommended to work with the right of way plat coordinators in their regions when selecting the type of reports required on a project by project basis.

Please email BTS Utilities with any questions at dotdtsdcouilitycoordination@dot.wi.gov

UN #06-07



Utility Coordination Training Available

Central office utility staff is available to provide training on a variety of subjects depending upon workload and availability. Past topics have included: right of way plat and plan reading, determining compensable utility facilities,

Trans 220 and utility coordination, work plan preparation, erosion control, permitting, and the Utility Accommodation Policy. WisDOT prefers to offer training to larger groups to make more efficient use of staff time. Large group training can be requested by sending an email to:

DOTDTSDCOUtilityCoordination@dot.wi.gov

Work Zone Training

Work zone traffic control training is available through WisDOT's LearnCenter. To set up an account and register for training, follow the instructions at this link: <https://wisconsindot.gov/Pages/doing-bus/contractors/cntrctr-trng/default.aspx>

UN #06-08

What Records to Keep?



Utility Coordination Program Records Retention Schedule

The effective date of the Records Retention/Disposition Authorization (RDA) for utility coordination is November 28, 2018. The document is available to WisDOT staff only, please refer to the appropriate MyDOT location for the final

document.

Highlights of changes to the Utility Coordination RDA

- General Records Schedules (GRS) have been added to provide guidance on general items such as guidance updates, reports, meeting and conference notes, etc. These are found on pages 10 and 11 of the RDA.
- On page 12 is a table detailing the closed/superseded series. This table reflects the former RDA Number and whether it has been superseded or closed. If it has been superseded, the RDA number will be listed in the Notes/Comments column.
- On page 13 is a table detailing the revision history. This table reflects the RDA Number and a description of the revision. Please refer to this section for changes to the minimum retention period.

Please make note of the change to **RDA 00224-000 Amended**, regarding the Confidential / Access Restricted column. It has been updated to include the federal and state citations.

- [6 C.F.R. Part 29 – Protected Critical Infrastructure Information \(Department of Homeland Security\)](#)
- [18 C.F.R. § 388.112 – Requests for privileged treatment for documents submitted to the Commission](#)
- [18 C.F.R. § 388.113 – Critical Energy/Electric Infrastructure Information \(CEII\)](#)
- [Wis. Stat. § 134.90\(1\)\(c\) – Uniform Trade Secrets Act](#)

I am a region utility coordinator, what do I do now?

- Read, review and become familiar with the new utility coordination program RDA.
- Staff may now dispose of the records (in any format) that have reached the end of their retention period per the approved RDA.
- Disposition *must* be put on hold for records that may be under legal hold [Open Records Requests (ORR), audit, pending or current litigation proceedings] until they are informed that the hold has been lifted.

What does this mean for utility coordination files?

- Unless a utility identifies that submitted information is confidential (pursuant to state or federal law) the department will not withhold the same regarding an opens records request. This puts the burden on the utilities to identify confidential information in their submissions.
- Utilities should properly mark confidential information identifying specific law providing confidential protection.
- Utility coordinators should review submitted records for obvious attempts to state confidentiality when it is clear it wouldn't apply, i.e., mere location.

How should the region utility unit maintain the confidential item?

- Each region's utility unit maintains its utility coordination files differently. Whether the file is maintained electronically or hard copy, it is at the region's discretion.

What happens during an Open Records Request?

- The department is obligated to release all records in its possession unless the same is exempted by law or on examination under the balancing test withheld. Unless a utility identifies that submitted information is confidential (pursuant to state or federal law) the department will not withhold the same regarding an open records request. However, questions can be forwarded to the BTS Utility Unit by emailing dotdtsdcutilitycoordination@dot.wi.gov

UN #06-09

TUMS-Added Utility Invoice Forms

New updates are coming to TUMS and DOCR in October. More detail about this will be provided as the start date gets closer. These are two new items being added:

1. New letter: **Utility Invoice Dispute letter**. This letter has been standardized and can be quickly generated in DOCR. It has standard content that covers several reasons an invoice may be disputed by WisDOT. It also provides the utility company with information and actions steps required to resolve the dispute. This letter replaces an old letter "Insufficient Documentation for Invoice letter" that may have been used in some regions.
2. New cover memo: **Cover Memo for Utility Invoice**. This memo has been standardized and can be quickly generated in DOCR. It covers required

information and signatures needed for region approval of invoices.

Additional items of interest:

The TUMS Spatial Editor (TSE) application is being upgraded to version 10.7.1 of ArcGIS. This application will be tested for compatibility with the new version during September and October. BITS currently has plans to roll out the new version to production users at the end of October.

New Improvement Concept codes were added to FIIPS on August 15, 2019. The new codes can affect a project's Trans 220 **Required Project Lead Time days** and various calculations in TUMS. Each new code and its assigned Trans 220 lead days are listed in the chart below.

Questions related to TUMS or DOCR can be submitted via email to the TUMS Inbox: DotDtsdTums@dot.wi.gov

UN #06-10

Code	Description	Lead Days
BRASIN	OTHER ASSET INSPECTION	60
BRINTR	BRIDGE INSPECTION AND BRIDGE RELATED TRAINING	60
BRPVTV	BRIDGE PREVENTIVE	60

International Right of Way Association (IRWA) Utility/WisDOT Liaison Committee Meetings

This group of utility industry representatives and WisDOT staff gather at least three times per year to discuss various topics related to utility industry updates and concerns, as well as, WisDOT's utility accommodation and utility coordination policies.

People who want to know more about the group or attend a meeting, can contact DOTDTSDCOUtilityCoordination@dot.wi.gov

Additionally, people interested in suggesting meeting topics can contact Nicole Smullen, WEC Energy Group, at 414-221-5617 or email nicole.smullen@wecenergygroup.com

UN #06-11

Upcoming Meeting:
November 7, 2019

Address Correction
November Location:
Wis. State Patrol Post
911 W North Street
DeForest, WI 53532





Submit questions, suggestions, comments and potential newsletter articles to DOTDTSDCOUtilityCoordination@dot.wi.gov . BTS/U will review each submission prior to publication.

This bulletin has been developed to provide updates, clarifications, job aids and news pertaining to WisDOT utility coordination and related WisDOT programs, policy and services. Information published in this bulletin will be of interest to those who work closely with utility coordination.