

Local Project Administration Manual & Resource Guide

Utility Coordination



MaineDOT

Integrity - Competence - Service

2018 Edition

Utility Coordination

Municipalities and non-profits undertaking locally administered projects must work with the utilities and any railroad whose facilities may be affected. Utility facilities consist of the following: poles; aerial electric, telephone and cable television lines; underground water, sewer, gas and telecommunications lines; and railroad tracks. Local agencies looking to keep projects on schedule must identify these facilities and contact their owners early.

Chapter 6 of this Manual covers the policies and procedures governing utility coordination on locally administered projects. It includes the following:

- A summary of the coordination process (page 6-1 below);
- Utility coordination checklist (page 6-2);
- Utility relocation costs (page 6-3);
- Accommodating aerial utilities (page 6-3);
- MaineDOT Utility Accommodation Rules (page 6-4);
- Appendix 6A: Standard utility letters (page 6-5);
- Appendix 6B: Utility special provision (page 6-15); and
- Appendix 6C: Utility certification (page 6-19).



Electronic documents and general information are found on MaineDOT's utilities website:
<https://www1.maine.gov/mdot/utilities/utilcoord/>

6.1 Summary of Utility Coordination

MaineDOT requires coordination with utilities and railroads on locally administered projects, regardless of funding type. Utility companies often need extensive lead time to schedule work and obtain materials needed to move lines and equipment, if necessary.

As design work begins, a local agency should consider the following questions:

- What utility facilities exist in the right of way?
- How much room is there for clearing?
- Is the project abutting another project? What was done there?
- Can relocations be reduced and still meet the project need?
- What are the concerns of the utilities?



Early and continuing coordination is critical to keeping a project on track. The earlier that utilities and railroads are contacted, the more likely it is that the utility coordination will go smoothly and the schedule of a project will be met.

6.2 Utility Coordination Checklist

Utility coordination consists of a series of informational exchanges with utilities and railroads that have facilities within the limits of a project. This coordination begins at kickoff and continues through construction.

Below are the standard steps, typically carried out by a “utility coordinator” who is either an employee of the local agency administering a project or a consultant. The referenced utility letters are available online: <https://www1.maine.gov/mdot/utilities/utilcoord/>

1. At project kickoff:

- Identify utility and railroad contacts: <https://www1.maine.gov/mdot/utilities/contactinfo/>
- Email Utility Letter #1 and a location map to utility/railroad contacts.
- Arrange and conduct a site visit to verify utility/railroad information.

2. Upon completion of survey:

- Email Utility Letter #2 and topographical survey plans to utility/railroad contacts.
- Arrange for additional survey identified from Utility Letter #2 responses, if necessary.
- Work with utilities to arrange for test pits, if necessary, to locate underground facilities.

3. At preliminary design report (PDR) milestone:

- Email Utility Letter #3, preliminary plans and schedule to utility/railroad contacts.

4. When design reaches 75-80% plans complete:

- Email Utility Letter #4, 75-80% plans and schedule to utility/railroad contacts for review.
- Hold utility pre-coordination meeting on site to review impacts, relocations and schedules.

5. At Plan Impacts Complete (PIC) Milestone:

- Work with right-of-way mapper to accommodate utility impacts resulting from the design.
- Prepare pole list in coordination with utilities.
- Email Utility Letter #5 and utility special provision (#104) to utilities/railroad for review.

6. At Final Plans, Specifications and Estimate (PS&E) Milestone:

- Email final design plans and latest project schedule to utility/railroad contacts
- Finalize special provision 104 (utilities) for inclusion in the bid documents for the project
- Submit utility certification to MaineDOT project manager.

7. After Contract Award: Pre-construction Meeting

- Notify contacts of the pre-construction / pre-utility meeting (Utility Letter #6).
- After meeting, distribute minutes to utility/railroad contacts (Utility Letter #7).

8. During Construction:

- During construction, the contractor has primary responsibility for coordinating utility work.
- If a utility is unresponsive, the construction resident should try to resolve the issue.
- If the resident is unsuccessful, an issue should be elevated to the MaineDOT project manager and, if necessary, the MaineDOT staff utility coordinator assigned to a region.

6.3 Utility Relocation Costs

The State of Maine and local governments cannot reimburse utility companies for moving poles, underground lines and other facilities already within a highway right-of-way, when transportation improvements require such relocations. The utilities must pay to move their facilities.

There is legal precedent for this. Maine Supreme Judicial Court has found that revenue from taxes and fees on fuel, licenses and registrations cannot be used to pay for utility relocations. Since the revenue available to MaineDOT and municipalities for utility reimbursement would come primarily from these sources, it would be unconstitutional for a public agency to use this money for utility facility relocations.



➔ See *First National Bank of Boston, et al, v. Maine Turnpike Authority, et al*, 153 Me. 131.

6.4 Accommodating Aerial Utilities

MaineDOT will accommodate overhead utilities already located within a highway right-of-way if a project requires poles to be moved. This policy applies to locally administered projects, as well. Sufficient property rights may be acquired for project design purposes to enable the utilities to place their poles consistent with a project’s design and to carry out adequate tree trimming for immediate needs – in some cases up to 8 feet beyond the outermost conductor.

Consider these guidelines when deciding whether to acquire rights specifically for trimming needs:

- Trimming needs should be accommodated only on parcels where an agency already plans to obtain rights for highway purposes that are necessary for a project;
- Trimming needs should *not* be accommodated if they will cause significant severance issues;
- Trimming needs should *not* be accommodated if they will cause additional impacts to wetlands or other natural resources that could trigger mitigation;
- Trimming needs should *not* be accommodated if they will cause additional impacts to historic properties, properties subject to section 4(f) or 6(f) requirements, or properties not subject to MaineDOT’s authority of eminent domain;
- Accommodating trimming needs is *not* required when the existing right-of-way width will accommodate the project improvements and new utility poles, and the only reason to acquire more right-of-way would be to achieve the maximum 8-foot offset.



Maine law prohibits the State of Maine and local governments from acquiring rights only to benefit utilities, as covered in section 6.3 above, “Utility Relocation Costs.” These include aerial and guying rights, which utilities must obtain if clearance for trimming and guying cannot be accommodated within the right-of-way acquisitions required for highway design purposes.

6.5 MaineDOT Utility Accommodation Rules

The primary reference document for utility relocations is MaineDOT's Utility Accommodation Rules, governing the accommodation of utility facilities within the limits of state and state-aid highways.

The rules establish administrative procedures and requirements for location, method of installation, maintenance, adjustment and relocation of utility facilities. Within state and state-aid highways, these rules supersede less stringent standards established by the Maine Public Utilities Commission.

MaineDOT developed the rules to protect public safety and to safeguard the integrity and capacity of public highways, while allowing for placement of utility facilities that serve the public good.

The Utility Accommodation Rules can be found online: <https://www1.maine.gov/mdot/utilities/>

6.6 Utility Special Provision

A utility special provision must be developed for every project to ensure that the contractor and utility companies can coordinate the work during construction. The standard special provision should provide the following information:

- Identify utility, with contact information;
- Outline type of work;
- Time needed to complete work;
- Sequence of work;
- Any special considerations.

A sample utility special provision is found in Appendix 6B of this chapter, starting on page 6-15. Additionally, an electronic template is online: <https://www1.maine.gov/mdot/utilities/utilcoord/>

6.7 Utility/Railroad Certification

Before a locally administered project may be put out to bid, the local government or non-profit managing it must certify that all required utility and railroad work has been identified and that arrangements have been made to complete this work. This is required by federal regulation 23 CFR, section 636.309: "Authorization." *An example is found in Appendix 6C of this chapter.*

MaineDOT project managers *cannot* authorize local agencies to advertise for construction bids without receiving signed utility certifications. Typically, a utility certification is submitted with the final Plans, Specifications and Estimate (PS&E) package, covered in Chapter 7 of this Manual.

Appendix 6A: Standard Utility Letters

- ❑ Electronic versions of the seven letters in this section are available online:
<https://www1.maine.gov/mdot/utilities/utilcoord/>



IMMEDIATE RESPONSE REQUESTED

Date _____

RE: Identification of Utility Facilities

Town/City: _____

Project WIN: _____

Location: _____

To whom it may concern OR Dear Sir/Madam:

The Municipality of _____ is planning _____
_____.

Beginning... or Project Details... _____

Enclosed you will find a location map to further assist you in locating the proposed project.

Please complete and return the brief questionnaire attached to this letter. The information provided here will allow our project designers to recognize the presence of existing facilities or plans to install additional facilities within the next five years. Your responses will enable us to better coordinate our work with you throughout this project.

PLEASE NOTE, THAT IF YOU ARE THE POLE OWNER, OR HAVE MAINTENANCE RESPONSIBILITIES ON A JOINT POLE AGREEMENT, PLEASE IDENTIFY ALL OF THE ATTACHING ENTITIES. THIS INFORMATION IS CRITICAL IN IDENTIFYING ANY UTILITIES WHICH MAY NOT HAVE BEEN IDENTIFIED AS PART OF THIS INITIAL PROCESS.

The Work Identification Number (WIN) assigned to this project is _____ and should be used on any future correspondence regarding this project.

This project is scheduled for design OR construction OR Advertise for the summer of “__”. If you have any questions or concerns, please feel free to contact me at (XXX) XXX-XXXX, or by email at _____. Thank you for your cooperation.

Sincerely,

Utility Coordinator

Enclosures: Questionnaire Response Form
Project Location Map OR Project Alignment Map

****IMMEDIATE RESPONSE REQUESTED****

RE: _____

Date

Town/City: _____

Project WIN: _____

Location: _____

Utility Coordinator: _____ – Coordinator

Street

Town, ZIP

Cell: XXX-XXXX

Fax: XXX-XXXX

E-Mail: coordinator email

Please complete the following short questionnaire and fax, email or send via mail. The following may be filled out electronically in Microsoft Word by using the “TAB” key.

Utility:

Date Form Submitted:

1. Does the utility you represent presently have facilities within the project limits?

Yes No

2. What type of facilities do you have in the project area?

Underground

Aboveground

3. Pole Owner:

Attachments:

4. Do you plan on installing any facilities within the project limits in the next 5 years?

Yes No

6. Contact person for project coordination:

Name:

Address:

Tel:

Cell:

Fax No:

E-mail:

6. Contact person for construction:

Name:

Address:

Tel:

Fax No:

E-mail:

7. Comments

{Date}

{Utility Company Address}

RE: Review of Survey Plans, {Town}, {Location}, {MaineDOT WIN}

Dear {Addressee}:

Enclosed please find a set of survey plans for the above referenced project being developed by _____ on behalf of the Municipality of _____.

Please review the locations of your existing facilities as shown on these plans and complete the brief questionnaire attached to this letter. Identification of any incorrectly located or omitted facilities now will enable us to make the appropriate corrections before substantial design has occurred. I ask that you return the attached questionnaire along with any additional comments you may have within two weeks.

This project is scheduled to be advertised on _____. If you have any questions or concerns, please feel free to contact me at **{Phone Number and Email}**. Thank you for your cooperation.

Sincerely,

Utility Coordinator

Enclosures: Survey Plans
Survey Plan Questionnaire

{Town}
 {MaineDOT WIN}
 {Date}
 {Utility Name}
 {Consultant or Town LAP contact, with contact information including Fax, email,
 telephone, and mailing address}

Survey Plan Questionnaire

{Utility Name}

Please complete the following short questionnaire and Fax, e-mail or send via mail. The following may be filled out electronically in Microsoft Word by using the "TAB" key.

QUESTION	RESPONSE
1. Are all of your facilities within the project limits on the survey plans?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Are your facilities shown correctly on the survey plans?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Do your facilities or portions thereof require unique considerations?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Are you considering upgrading or replacing any of your facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Do you feel that an on-site review of the project is required?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Will you be forwarding additional information from your records?	<input type="checkbox"/> Yes <input type="checkbox"/> No
RESPONSE BY:	
DATE:	
TELEPHONE:	
EMAIL:	
(USE THIS SPACE FOR ANY CLARIFICATION OR ADDITIONAL INFORMATION)	

{Date}

{Utility Company Address}

Subject: Review of Preliminary Plans, {Town}, {Location}, {MaineDOT WIN}

Dear {Addressee}:

Attached you will find preliminary design plans and right-of-way maps for the subject project. At your earliest convenience, **please review these plans to establish the following:**

- ❑ What potential conflicts exist between the proposed design and your existing facilities?
- ❑ Is additional data gathering (such as test pits) required?
- ❑ Aerial Utilities: Please develop a list of preliminary proposed pole locations in compliance with the applicable safety standards and the MaineDOT's Utility Accommodation Rules, 17-229 CMR Chapter 210.
- ❑ Underground Utilities: Please develop preliminary proposed underground plant relocation plans for any required relocations or proposed installations in accordance with applicable standards and the MaineDOT's Utility Accommodation Rules, 17-229 CMR Chapter 210.
- ❑ If your facilities are located on property which is either owned by your company or for which you have an easement, you may be entitled to reimbursement in accordance with Federal Aid Policy Guide, Title 23, Code of Federal Regulations, Chapter I, Subchapter G, Part 645, Subpart A. Please contact this office prior to preparing any plans or estimates.

Please note: These plans are for Utility purposes only, to assist in planning utility relocations required as part the Project, and are not intended for public distribution. Although, not confidential, discretion is requested by the Department in sharing this information with the public. It is recognized, that utilities may need to acquire rights beyond those shown on the attached plans, if so, please contact this office so that the Department can provide proper notification of the project to the public prior to the utility obtaining additional rights.

The Municipality intends to advertise this project on {Date}. If you have any further questions, please contact me at {Phone Number and Email}. Thank you for your cooperation.

Sincerely,

Utility Coordinator

Enclosure: Preliminary Plans & Right-of-Way Maps

{Date}

{Utility Company Address}

RE: Pre-coordination Meeting & Review of Construction Plans, {Town}, {Location},
{MaineDOT WIN}

Dear {Addressee}:

Enclosed please find one copy of final construction plans for the above listed project. These plans are only intended for information and planning purposes at this time. No actual relocation of facilities should be made because of these plans.

Please review your proposed pole and/or proposed underground plant locations on the Department's plans. If changes are necessary, they should be communicated to us prior to the Pre-coordination Meeting. **The Pre-coordination Meeting has been scheduled for {Date, Time and Place of Pre-coordination Meeting}. It is requested that you be prepared to assign working days to your required utility work at this meeting.**

This project is scheduled for advertising {Date}. If you have any questions or concerns, please feel free to contact me at {Phone Number and Email}. Thank you for your cooperation.

Sincerely,

Utility Coordinator

Enclosure: Construction & R/W Plans

{Date}

{Utility Company Address}

RE: Draft Special Provisions, **{Town}**, **{Location}**, **{MaineDOT WIN}**

Dear **{Addressee}**:

I intend to include the enclosed Special Provisions in the contract documents for the subject project. It includes scheduling and descriptive information regarding work to be done by your organization.

If the text does not accurately reflect your intentions, please contact this office immediately at **{Phone Number and Email}**. Thank you again for your cooperation.

Sincerely,

Utility Coordinator

Enclosure: Proposed Utility Special Provisions

{Date}

{Utility Company Address}

RE: Pre-construction Meeting, **{Town}**, **{Location}**, **{PIN}**

Dear **{Addressee}**:

A pre-construction utility meeting for the subject project has been arranged for **{Date, Time and Place of Pre-construction Meeting}**. The purpose of this meeting is to discuss the coordination of work between the contractor and the utilities and any additional considerations or concerns that may exist. Your attendance at this meeting is critical to the success of the project and greatly appreciated.

If you need more information, please contact me at **{Phone Number and Email}**.

Sincerely,

Local Project Administrator

{Date}

{Utility Company Address}

RE: Pre-construction Meeting Minutes, **{Town}**, **{Location}**, **{PIN}**

Dear **{Addressee}**:

This is my understanding of the issues discussed and the conclusions reached at the pre-construction utility meeting held on **{Date, Time and Place of Pre-construction Meeting}**. It is understood that the dates and times agreed upon and summarized herein assume reasonable weather conditions and freedom from emergencies.

The following representatives were present:

<u>Name</u>	<u>Company</u>	<u>Telephone #</u>
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{Attendance List}

{Meeting Summary}

I have attempted to summarize our meeting as accurately as possible. If you feel that any of the items discussed herein are misrepresented in any way, please contact me within ten working days. In the absence of any corrections or clarifications, it will be understood that these minutes accurately summarize our discussions. Thank you for your participation and continued efforts in making this a successful project.

Sincerely,

Local Project Administrator

Appendix 6B: Utility Special Provision

- An electronic version of this document is available online:
<https://www1.maine.gov/mdot/utilities/utilcoord/>



**SPECIAL PROVISIONS
SECTION 104
Utilities**

UTILITY COORDINATION

The Contactor has primary responsibility for coordinating the work with utilities after contract award. The Contactor shall communicate directly with the utilities regarding any utility work necessary to maintain the Contactor’s schedule and prevent project construction delays. The Contactor shall notify the project resident of any issues.

THE CONTRACTOR SHALL PLAN AND CONDUCT WORK ACCORDINGLY.

MEETING

A Preconstruction Utility Conference, as defined in Subsection 104.4.6 of the MaineDOT Standard Specifications, “Utility Coordination,” is **{not}** required.

GENERAL INFORMATION

These Special Provisions outline the arrangements that have been made by the Municipality for utility and/or railroad work to be undertaken in conjunction with this project. The following list identifies all known utilities or railroads having facilities presently located within the limits of this project or intending to install facilities during project construction. Utilities have been notified and will be furnished a project specification.

Overview:

Utility/Railroad	Aerial	Underground	Railroad	

Utility Contact Information

Utility/Railroad	Contact Person	Contact Phone

Temporary utility adjustments are **{not}** anticipated.

Unless otherwise specified, underground utility facilities shown on the project plans represent approximate locations gathered from available information. The Municipality cannot certify the level of accuracy of this data. Underground facilities indicated on the topographic sheets (plan views) have been collected from historical records and/or on-site designations provided by the respective utility companies. Underground facilities indicated on the cross-sections have been carried over from the plan view data and may also include further approximations of the elevations (depths) based upon straight-line interpolation from the nearest manholes, gate valves, or test pits.

All adjustments are to be made by the respective utility/railroad unless otherwise specified herein.

Fire hydrants shall not be disturbed until all necessary work has been accomplished to provide proper fire protection.

All clearing and tree removal in areas where utilities are involved must be completed before the utilities can relocate their facilities.

It is the responsibility of the Contactor with the Utility Pole owner, to lay out all proposed pole locations in the field prior to the start of utility relocations. Should any adjustments be needed, the Utility will document adjustments and inform the Municipality prior to utility relocations.

The Contractor shall provide the utilities access to the new pole locations. Construction of any spot cuts or fills exceeding 2 feet must be completed prior to utility relocations. The Contactor shall prepare a plan for how access and the spot cuts and fills will be accomplished and what the schedule will be for performing the work. This plan will be discussed at the pre-construction utility meeting.

Specific information regarding the line voltage can be requested from {Name of Electric Utility}

Utility working days are Monday through Friday. Times are estimated based on a single crew for each utility. Times and dates mentioned are **estimates only** and are dependent upon favorable weather, working conditions, and freedom from emergencies. The Contractor shall have no claim against the Municipality if they are exceeded.

BUY AMERICA

Utility construction work performed as part this federal-aid project is subject to the requirements of Buy America in accordance with Federal Regulation 23 CFR 636.410. Specific requirements are presented in MaineDOT’s Standard Specifications, Section 100, Appendix A, Section 3.A., “Buy America.”

AERIAL

Summary:

Utility	Pole Set	New Wires/ Cables	Trans. Wires/ Cables	Remove Poles	Estimated Working Days
Total:					

Utility Specific Issues:

{Company #1}

{Company #2}

{Company #3}

Pole List:

Existing Pole #	Existing Station	Left/Right		Existing Offset	Proposed Station	Left/Right		Proposed Offset	Comments
		LT	RT			LT	RT		

SUBSURFACE

Summary:

Utility	Summary of Work	Estimated Working Days
Total:		

Utility Specific Issues:

{Company #1}

{Company #2}

{Company #3}

RAILROAD

{Company #1}

MAINTAINING UTILITY LOCATION MARKINGS

The Contractor will be responsible for maintaining the buried utility location markings following the initial locating by the appropriate utility or their designated representative.

UTILITY SIGNING

Any utility working within the construction limits of this project shall ensure that the traveling public is adequately protected all the time. All work areas shall be signed, lighted, and traffic flaggers employed as determined by field conditions. All traffic controls shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, as issued by the Federal Highway Administration.

Appendix 6C: Utility Certification

- An electronic version of this document is available online:
<https://www1.maine.gov/mdot/utilities/utilcoord/>



Communication 13: Utility Certification (Federal Project)

INSTRUCTIONS: This must be submitted on letterhead with the PS&E package.

[DATE]

[NAME], Project Manager
Maine Department of Transportation
Bureau of Project Development, Multimodal Program
16 State House Station
Augusta, ME 04333-0016

Subject: Utility Certification, Federal Project
MaineDOT WIN:

Dear [NAME]:

The Municipality of [NAME] certifies that all utility and railroad work necessitated by the subject project has been identified and coordinated with the respective parties. All arrangements have been made for utility work to be undertaken and completed as required for proper coordination with the construction schedule, in accordance with Title 23 in the Code of Federal Regulations, Part 645, "Utilities," subparts A and B.

Based on 23 CFR 635.309(b), the Municipality further certifies either that all railroad work has been completed or that all arrangements have been made for such work to be undertaken and completed as required for proper coordination with the construction schedule, in accordance with 23 CFR 140 Subpart I and 23 CFR 646 Subpart B.

Listed below are utilities/railroads having facilities within the project limits:

<u>Utility/Railroad</u>	<u>Impacted facilities? (yes/no)</u>
--------------------------------	---

All of the entities listed above were first informed of the project on [DATE], were involved as necessary throughout design, and received the latest plans on [DATE]. Furthermore, the above entities have been informed of the proposed advertising date: [DATE]. There are no direct payments anticipated to utilities/railroads as a part of this project.

The primary utility/railroad contacts involved in the coordination of this project are as follows:

<u>Utility/Railroad</u>	<u>Contact Name</u>	<u>Telephone #</u>
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Sincerely,

Local Project Administrator