

2006 Purdue Road School

Utility Issues Update

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1. Proposed Administrative Rule
2. Working with Utility Issues
3. Recommendations for the Future

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Proposed Rule 105 IAC 13-1

Background

- ICI Joint Utility Task Force
- Enabling Legislation
- Rule promulgation
- Rule overview

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Proposed Rule 105 IAC 13-1

ICI Joint Utility Task Force

- Task Force - ICI, INDOT, CEI, Utilities
- Mission – improved utility relocation process
- White Paper – 11 major focus areas
- Proposed Rule – 105 IAC 13-1

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Proposed Rule 105 IAC 13-1

Enabling Legislation

- Meeting with Senators Alting & Weatherwax
- Senate Bill 513 – 2005 Legislative Session
- Indiana Code IC 8-23-2-5 effective 7/1/05
 - INDOT will adopt rules for utility relocation
 - Allows parties to file civil claims for damages
 - INDOT specs cannot prohibit utility delay claim

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Proposed Rule 105 IAC 13-1

Rule Promulgation – Current Status

- Jan. 25, 2006 – public hearing held
- 6 weeks – transcript & any revisions
- 6 weeks – review by Attorney General
- 2 weeks – approval by Governor's office
- 4 weeks – effective date thru Sec. of State

Bottom line – about July 2006

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Proposed Rule 105 IAC 13-1

Rule Overview

- Get utility location info for project area
- Show & verify utility info on hwy plans
- Identify utility conflicts with hwy plans
- Utility prepares relocation Work Plan
- Work Plan included in hwy contract
- The rules set timelines & accountability

Communicate, Coordinate & Cooperate

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Proposed Rule 105 IAC 13-1

Step 1 – Notify & Locate

- INDOT sends initial notice/request to Utility
- Utility has 30 days to provide location info

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Proposed Rule 105 IAC 13-1

Step 2 – Verify Locations

- INDOT plots location info on plan sheets and sends to Utility
- Utility has 30 days to verify the location info

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Proposed Rule 105 IAC 13-1

Step 3 – Identify conflicts

- INDOT sends preliminary plans to Utility
- Utility has 30 or 60 days to identify potential conflicts and ask INDOT to consider changes

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Proposed Rule 105 IAC 13-1

Step 4 – Develop Utility work plan

- INDOT sends prelim final plans to Utility
- Utility has 60 or 120 days to prepare a relocation work plan
- Additional time is available when coordination is needed among multiple Utilities or for unusual or complex relocations.
- INDOT reviews & accepts the plans or requests changes as needed.

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Proposed Rule 105 IAC 13-1

Step 5 - Construction

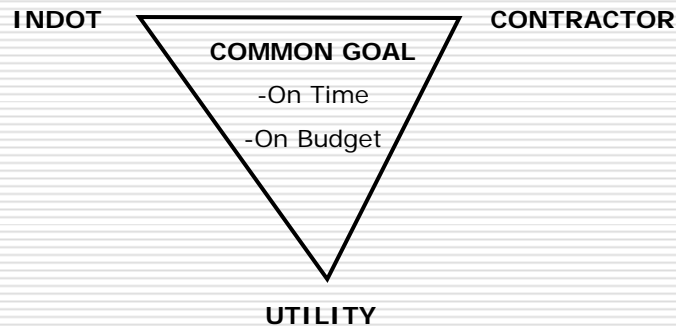
- INDOT provides Utility at least 30 days notice before the Utility must implement the relocation work plan
- INDOT makes the utility work plan available to bidders as part of the bid package or via the internet.
- INDOT, Utility & Contractor must coordinate, communicate and cooperate during construction!

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Working with Utility Issues

Utility Coordination is a Cooperative Effort



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Working with Utility Issues

INDOT's Role

- Coordinate with Utilities as early as possible
- Thoroughly investigate existing utility conditions
- Expedite relocation prior to letting
- Provide accurate utility information in Contract Documents
- Coordinate relocations during the Contract
- Work within Laws & Specifications to provide remedy when conflicts cannot be resolved

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Working with Utility Issues

Changes in 2006 INDOT Specifications

- Provide method of payment for removal work done outside of construction limits for utility relocation
- Require timely standard staking to assist utility relocation
- Provide method of payment for additional staking for utility relocation

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Working with Utility Issues

Changes in 2006 INDOT Specifications

- Require Contractor to communicate & coordinate schedule to accommodate utility work plans included in Contract Documents
- Recognize that Contractor may pursue compensation for utility delays & losses under differing site conditions or Public Law 35-2005
- Allow for time adjustments and/or payment to accelerate schedule due to utility delays

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Working with Utility Issues

Cooperative Effort by All

- Be Proactive – Act NOW to find solutions to utility conflicts
- Be Flexible – Find solutions acceptable to all parties
- Be Open – Expect and give fair treatment
- Document – Keep and share good records

Communicate, Coordinate & Cooperate

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Recommendations for the Future

INDOT Task Force Governing Rules

- Compliance with Federal & State Laws
- Determination of Best Practices for INDOT
- Reduction of Project Delivery Time

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Recommendations for the Future

Utility Coordination Task Group Focus Points

- Construction Issues
- Previous INDOT/ICI Utility Task Force Work
- Rule 105 IAC 13-1
- Functional Roles within INDOT
- Role of Utility Owners
- Role of INDOT Contractors
- Utility Coordination Process Work Flow

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9 Recommendations for the Future

Recommendation 1

Proposed Administrative Rule 105 IAC
13-1 should be promulgated

- In progress

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9 Recommendations for the Future

Recommendation 2

The recommendations of the Joint Utility Task Force should be further evaluated and implemented

- Provide further clarification of the Utility Process
 - Recommend new Spec & Rule changes

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9 Recommendations for the Future

Recommendation 3

INDOT should join IUPPS and respond to request for locates of INDOT facilities thru IUPPS

- Align INDOT with industry standards
- Notification of work near INDOT R/W

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9 Recommendations for the Future

Recommendation 4

Place Utility Work Plans in Contract Documents including all existing & proposed utility locations

- Benefit to Planning, R/W and Design engineers
- Improved information for INDOT & Contractor during construction

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9 Recommendations for the Future

Recommendation 5

INDOT should develop and maintain a GIS based database of all known utilities, both active & abandoned

- Value to Planning, R/W & Design engineers
- Improved information for INDOT & Contractor during construction

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9 Recommendations for the Future

Recommendation 6

INDOT should manage utility activity thru one permitting process for all new installations, repairs, upgrades & relocations of facilities

- One-stop shopping for utility information
- Improved internal INDOT coordination
- Uniform application of rules and procedures

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9 Recommendations for the Future

Recommendation 7

INDOT should require prequalification of utilities or their sub-contractors that perform work within the R/W

- Better compliance with INDOT specs
- Better protection of INDOT facilities

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9 Recommendations for the Future

Recommendation 8

INDOT should inspect all relocation work to ensure compliance with INDOT Standards

- Better performance by utilities within R/W
- Compliance with INDOT MOT standards

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9 Recommendations for the Future

Recommendation 9

The Project Development Process (PDP) should include utility coordination at the earliest stage possible

- Improved project design and Contract Documents
 - Inclusion of relocation in NEPA document

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9 Recommendations for the Future

Task Group Items to Complete

- Summarize Recommendations & Justifications
- Complete Work Flow Charts
- Draft Policies & Procedures
- Summarize Legal Issues
- Identify Training Recommendations
- Review with Industry

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**Resolving Utility Issues
is a matter of
Communication
Coordination
*Cooperation***

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