

UTILITY RELOCATION
SCOPE OF WORK (SOW)

1. WORK TO BE DONE

Within the Scope of Work (SOW) discussed herein, the Consultant is considered the party performing or causing the work to be done, the Contract Administrator is the local public agency (LPA) initiating the project, and the Contract Overviewer is the State of California, Department of Transportation (CALTRANS).

The Consultant shall be responsible for coordinating work for the identification, protection, adjustment, relocation or removal of utility facilities to clear construction projects, including both physical conflicts and policy violations in accordance with State and Federal laws and regulations as well as CALTRANS policies, procedures, standards, and practices.

Guidelines and direction for accomplishing this work can be found in the CALTRANS Right of Way Manual.

The Consultant shall act as a liaison between the LPA and the utility owners in all contract matters. The Consultant will work directly with and be responsible to the LPA in following this SOW.

CALTRANS will offer assistance and direction to the LPA and/or Consultant and provide oversight of the project to ensure that State and Federal laws and regulations as well as CALTRANS policies, procedures, standards, and practices are followed.

Utility relocation work will generally fall within the following eight phases:

- A. Planning Phase.
 - B. Design Phase.
 - C. Liability Determination Phase.
 - D. Certification Phase.
 - E. Construction Phase.
 - F. Payment Phase.
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G. Property Rights Conveyances.

H. File Closure.

2. CONSULTANT DUTIES

Written agreements between CALTRANS and the LPA define the roles and responsibilities of CALTRANS and the LPA. The purpose of the forthcoming duty descriptions is to provide a guideline for work to be performed by each party of the agreement. Terms of the agreement may alter work to be performed, therefore all agreements must be reviewed and compared to this SOW, and the SOW changes where appropriate.

The Consultant shall maintain files for all projects. Files shall contain all information discovered and documents prepared during all phases of work. Files shall be available for the LPA's and CALTRANS' review upon reasonable notice.

Following is a general discussion of typical duties the Consultant shall perform during the eight phases of work.

A. Planning Phase:

1) Route Estimating:

During the environmental document process, requests for utility relocation estimates on transportation routes may be needed. The Consultant shall perform the following duties:

- a. Field review each route.
 - b. Identify each type of utility facility and prepare a relocation cost estimate for each utility.
 - c. Prepare a total relocation cost estimate for each route.
 - d. Identify utility owner long lead time materials for each route.
 - e. Consult with the requesting party for possible modification of the route(s) when appropriate.
 - f. Transmit the above information to the requesting party and to CALTRANS.
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2) Draft Project Report Review:

When the Draft Project Report is prepared by the project engineer, the Consultant shall review all aspects of the project prior to approval of the report. If discrepancies are found in the report that were not evident at the time of the route estimate(s), the Consultant shall thoroughly explain the discrepancies and prepare a new revised estimate as outlined in A.1) above.

B. Design Phase:

Upon approval of the Project Report, the Consultant shall perform the following duties:

- 1) Verify existing utility facilities in order to identify utility/project conflicts so they may be cleared for project construction and to meet requirements of Government Code Section 4215.
 - a) Send preliminary design plans to utility owners who have existing facilities within the project limits for identification and verification of their facilities.
 - b) When received, transmit the utility owner's verifications to the project engineer for inclusion in the contract plans.
 - c) Identify "policy" conflicts and high and low risk facilities in accordance with the Manual on High and Low Risk Underground Facilities within Highway Rights of Way (High and Low Risk Manual).
 - d) After the project engineer has determined that any utility owner's facilities are not in conflict with the proposed construction project, notify the owner of such.
 - 2) Pothole existing facilities, when needed, for identification and determination as to "physical" and "policy" conflicts affecting the proposed construction project in accordance with the High and Low Risk Manual.
 - a) Send utility occupation plans to affected utility owners showing pothole locations, requesting their claim of liability and estimate of cost for pothole work.
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- b) Upon receipt of the owner's claim and estimate, prepare the "Liability Package," which consists of a Report of Investigation, Notice to Owner, Utility Agreement (if needed) and a Notice to Owner Transmittal Letter. Submit the "Liability Package" to CALTRANS for review and processing.
- c) Upon approval of the "Liability Package," and CALTRANS has sent the Notice to Owner, the Consultant shall:
 - (1) Follow up to ensure potholing is done in accordance with the Notice to Owner.
 - (2) Arrange for facilities to be potholed to be surveyed by a licensed surveyor in accordance with the High and Low Risk Manual.
 - (3) Transmit survey information to the project engineer for review of "physical" conflicts and inclusion in the contract plans.
 - (4) Identify "policy" conflicts.
- d) If it has been determined there are no conflicts with the proposed construction project, notify the utility owner of such.
- e) Arrange a meeting, if required, between all affected utility owners that require relocation of their facilities and the project engineer to discuss needed relocations.
- f) If Federal aid is involved for utility relocation work, prepare and process the FHWA Approval to Proceed (E-76) and transmit to the LPA for processing.

C. Liability Determination Phase:

After relocation of utility facilities has been determined, the Consultant shall request relocation plans from the affected owners.

- 1) Send sufficient preliminary construction plans (conflict plans) to affected owners, requesting their relocation plans, claim of liability and estimate of cost.
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- 2) Upon receipt of the owner's plans, claim and estimate, send the plans to the project engineer for review and approval and inclusion in the contract plans. Review the plans, claim and estimate in accordance with CALTRANS standards, practices, procedures, and policies.
 - a) Review utility conflicts with the LPA to determine if project plans can be modified to eliminate or minimize utility relocation. Consideration shall be given to impacts on the utility as well as the highway.
 - b) Check each utility owner's relocation plan against others to be sure relocations will not conflict with one another.
 - c) Provide utility owners with all design revisions and finalized design plans.
 - 3) Prepare high and low risk policy exceptions in accordance with the High and Low Risk Manual as well as encroachment exceptions in accordance with the CALTRANS Encroachment Policy and the procedure for getting exceptions approved, when needed.
 - 4) Coordinate with Structures via the project engineer for accommodation of utilities in structures, when appropriate.
 - 5) When the utility owner uses a design consultant, obtain the consultant agreement and review in accordance with CALTRANS requirements for consultant agreements. After review, send to CALTRANS for further review and approval.
 - 6) Upon approval from the project engineer of the relocation plans:
 - a) Coordinate with the LPA and the project engineer for any utility owner easement requirements.
 - b) Once needed easements, if any, have been acquired, prepare the "Liability Package" and submit to CALTRANS for review and processing.
 - 7) Coordinate with the project engineer for any needed "Special Provisions" required for utility owner coordinated work.
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D. Certification Phase:

Upon liability approval, the Consultant shall:

- 1) Follow up to ensure relocation work is performed in accordance with the Notice to Owner.
- 2) Coordinate with Construction for inspection of utility owner's work in accordance with the Construction Manual.
- 3) Prepare a Right of Way Utilities Certification after all requirements of the Right of Way Certification for utility requirements have been met and send to the LPA and CALTRANS for review and approval.
- 4) Review the Construction Contract PS&E for any required "Special Provisions" needed for utility relocation work.

E. Construction Phase:

After all Notice to Owners have been sent, the Consultant shall ensure that the Construction Utility Inspector is aware that any "discovered" or "wasted" work is handled in a timely manner, and that liability determination for this work is only determined by CALTRANS. The Consultant shall process this work as discussed in the Liability Determination Phase above.

F. Payment Phase:

It is essential to the efficient operation of the transportation program that funds encumbered under Utility Agreements be paid as soon as possible.

Accordingly, within a reasonable time after completion of the utility owner's work for which reimbursement is due and a bill has not been received, the Consultant shall make a written request to the owner to submit their final bill. When the bill is received, the Consultant shall:

- 1) Check the bill for consistency with the Utility Agreement, the construction plans, and the owner's relocation plans and estimate of cost.
 - 2) If the bill is acceptable, process the bill for payment to CALTRANS. If the bill is not acceptable, advise CALTRANS of such prior to resolving with the owner.
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G. Property Rights Conveyances:

The Consultant shall prepare and process all required Joint Use Agreements, Consent to Common Use Agreements, and Director's Easement Deeds through CALTRANS.

H. File Closure:

- 1) The LPA or Consultant, at the completion of the construction project, or sooner if required by CALTRANS, shall transfer all project and utility files to CALTRANS. Information in the files shall include, but not be limited to the following:
 - a) A Utility Diary.
 - b) All correspondence and documents between the LPA, utility owners, design/project engineers, Consultants, CALTRANS, etc.
 - c) All project design plans, utility owner plans (including "As Builts"), and survey data.
- 2) All files shall be in a neat and orderly condition before transference to and acceptance by CALTRANS.

3. MATERIALS AND INFORMATION TO BE PROVIDED BY THE LPA TO THE CONSULTANT

- A. Project Report.
 - B. Preliminary and final design plans and changes as they occur.
 - C. Project scheduling.
 - D. Various required forms - Notice to Owner, Utility Agreement, Report of Investigation, Joint Use Agreement, Consent to Common Use Agreement, Director's Easement Deeds, and other forms as required.
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4. MATERIALS AND INFORMATION TO BE PROVIDED BY THE CONSULTANT TO THE LPA

- A. Utility owner preliminary relocation plans.
- B. Survey data required for potholing.
- C. High and low risk utility facility determinations.
- D. Project files for all material and information accumulated during the contract.

5. APPLICABLE REGULATIONS AND GUIDELINES

Guidelines and procedures for utility relocation work are discussed, in general, under Section 2, CONSULTANT DUTIES, of this SOW. The Consultant shall follow all applicable State and Federal laws, regulations, guidelines, policies, procedures, standards and practices, including, but not limited to the following:

- A. CALTRANS Right of Way Manual.
 - B. CALTRANS Manual on High and Low Risk Underground Facilities within Highway Rights of Way.
 - C. CALTRANS Manual of Policy, Procedures, Rules and Regulations for Use In Issuing Encroachment Permits On State Highways.
 - D. CALTRANS Construction Manual, Chapter II, Contract Administration, Section 2-80 - Utilities.
 - E. AASHTO's A Guide for Accommodating Utilities within Highway Right-of-Way.
 - F. AASHTO's A Policy on the Accommodation of Utilities Within Freeway Right-of-Way.
 - G. 23 Code of Federal Regulations, Chapter 1, Part 645 (23 CFR 645).
 - H. California Law.
 - I. Freeway Master Contracts.
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6. MONITORING, REVIEW AND APPROVAL PROCEDURES

The LPA and/or CALTRANS shall have the right during any phase of the Consultant's work, or as requested by the Consultant, to monitor and review the progress and/or processes of the Consultant.

The Consultant shall provide a monthly status of utility relocation progress to the LPA.

All information, files, plans, estimates, and documents produced by the Consultant shall be subject to the acceptance and approval of the LPA and/or CALTRANS.

Ownership of drawings, tracings and master copies of documents, survey notes, and studies shall remain the property of the LPA and shall be submitted to CALTRANS after completion of the construction project.
