

## **Certification process for Utility Coordination**

Certification of utility coordination involves two components; first, an individual training program to “certify the individual” has met minimum standards of understanding/training to conduct the utility coordination work. Secondly, certifying the utility coordination necessary for the project was completed by a certified/trained individual and the work was accomplished following the FHWA approved processes, Indiana Administrative Code (105 IAC 13), and the INDOT Design Manual specifically chapter 104, and the LPA guidance document when applicable.

The purpose of the utility certification of a project is to verify that all utilities within the project area have been fully and completely coordinated per FHWA and INDOT policies and procedures. The certification confirms that all work was done in a timely and appropriate manner.

Only those individuals who have successfully passed the INDOT Utility Certification Training program can certify utility coordination is ready for bid letting. The individual certifying a project must be the person who performed the required work per the guidelines taught in the certification program. A utility certification form must be completed for each contract submitted regardless of work type – note multiple DES #'s may be covered under one CERTIFICATION document.

### **Deliverables for bid letting included in the Utility Certification process are:**

- 1) Provide the Designer with fully executed work plans with the appropriate drawing of sufficient detail for all utilities in the project area which they will upload into ERMS.
  - a. Includes those not impacted
  - b. Includes those that are being designed around and left in place
  - c. Includes those impacted and having to relocate
  - d. Includes the approved work plan letter for each work plan
- 2) Provide the 107-R-169 Special Provision
  - a. This form is located on the INDOT internet site under - [Provisions & Plan Details](#) > September 2015 Edition Recurring Special Provisions & Plan Details
  - b. The document contains two elements labeled “(a) Utilities” only one of these should be used determined by the type of impact to utilities that is anticipated with the other one deleted

- c. We strongly recommend that you input the number of calendar days for relocation rather than a date in this element of the "107": *The facilities of \_\_\_\_\_ exist within the project limits. It is anticipated that they will adjust their facilities for construction on or before \_\_\_\_\_, 20\_\_\_\_\_. If questions arise, \_\_\_\_\_ of the utility may be contacted at \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_.*
  - d. Includes those utilities not impacted
  - e. Includes those utilities that are being designed around and left in place
  - f. Includes those utilities impacted and having to relocate
  - g. Verify that all utilities shown on sheet 2 of the plans are included
  - h. Does not list any utilities for the Unique type certifications
- 3) Provide the executed and approved Certification document with appropriate attachments.
  - 4) Please note that a Certification is required on a per contract basis, meaning that multiple DES numbers can be covered under this one Certification document.
  - 5) When applicable, provide a utility Gant Chart Schedule
  - 6) When applicable, provide a conflict matrix identifying all utility conflict points
  - 7) When applicable, provide a Master plan set of all drawings of sufficient detail
  - 8) When applicable, Attach the work in contract summarization sheet of what is to be invoiced by the contract section with the required contact information

FHWA requires certification that all utilities have been appropriately accounted for before going to letting. INDOT and our LPA program use work plans from each utility to demonstrate that coordination effort. These work plans are submitted with other contract documents and are available for viewing by potential bidders. Work plans should be developed to a sufficient level to clearly communicate the utilities required effort and schedule to coordinate their facilities with the transportation project. Work plans should not be approved until the scope and schedule of the utility plans are clearly defined and compatible with the project sequencing, phasing, permitting, and schedule.

The 107-R-169 Special Provision ("107") for the contract book is written to instruct contractors and supersedes all other provided utility information. The 107-R-169 Special Provision becomes an attachment to the certification document. The contractor can view the work plans, conflict matrixes, and utility drawings however, all utility schedule information impacting the contractors schedule must be clearly written in the 107 document. The 107 states all utilities located in the project area, which utilities are impacted by the project, which utilities have not relocated at the time of submission, when that relocation is to take place and any additional requirements of time or effort from the contractor necessary for that relocation.

The certification documents with appropriate attachments, submission of the work plans, and the 107-R-169 fulfill the utility coordination requirements for FHWA approval of the PS&E. INDOT Construction contracts section will verify on the PS&E checklist that the correctly executed certification was submitted prior to the package being submitted to FHWA for approval. The signed PS&E checklist will be submitted to ERMS for records and audit by the Project Manager which fulfills verification that we followed the accepted process timely and is a requirement for audit.

A complete Certification package will include:

- Cover page which covers General contract and DES information as well as the type of Certification and Letting Status
- 107-R-169 – Special Provision document – see example
- Signature page for one of the 3 types of Certification , e.g. Standard, Design Build or Limited Utility Involvement

### **Letting with Utility Exceptions**

We should strive for project development practices that relocate all utilities ahead of letting. However, letting with utility exceptions is a common and acceptable practice. To assess readiness and to better manage the potential of change orders and claims, a review of projects with exceptions has been implemented. Exceptions include any utility that has not accurately relocated at the time of submission or generally the RFC date. When exceptions are necessary there must be an assessment review by an approved authorizer. The certification form requires a signature from an authorized approver if there are any exceptions to the certification being clear for bid letting. One cannot authorize the same project they are certifying. The authorized approver list is maintained by the Director of Utilities. Contracts will not accept a certification with exceptions without a signature from an authorized approver. Those projects being certified with exceptions should be submitted to Steve Robinson, with copy to Kenny Franklin. The review response will be within 2 -5 business days after all required information is submitted correctly. The coordinators must account for this process within their schedule.

### **Utility work in contract**

All utility facility design that is to be built within a federally funded project must be stamped by a registered PE. It is *preferred* that the firm is prequalified by the Department.

Utility work in contract that *is reimbursable* does not require a separate des number. However, if the reimbursable utility work in contract includes betterment, there must be an estimate for the betterment. The utility will be invoiced for that betterment amount per the agreement. At the end of the project reconciliation to actual costs must take place within 60 days of project completion. The coordinator will bring the necessary parties together to perform the reconciliation.

Utility work in contract that *is not reimbursable* which will require a payment from the utility immediately following the bid letting (payment as defined in the agreement-typically within 45 days of contract award) will require a separate des number. The project may be awarded without the utility payment with approval from the Director of Utilities. This work will also require a reconciliation of final cost to be performed and is the responsibility of the utility coordinator to insure the final funds are reconciled. INDOT CN will assist in the reconciliation of final costs.

The coordinator will work with the Designer for the utility and the INDOT Designer to assure all the required documents are submitted for Letting by RFC.

### **Design Build**

A certified utility coordinator is required on both the up front and the contractor teams.

The utility coordinator on the front end of the project should perform all utility coordination up to the time of the bid documents submission. These items include but are not limited to Initial research, verification, and preliminary conflict analysis based on the design (30% for discussion purposes). SUE work is recommended on all design build jobs when utility locations are critical. The Department will enter into agreements with the utilities for all reimbursable utilities identified by the coordinator. The schedule for project completion must be evaluated in light of 105 IAC 13 probable timelines. To understand the impact of 105 IAC 13, a Gant Chart to demonstrate the probable completion of the project should be developed by the coordinator and design team on behalf of the department.

Once the project is let the contractor will assume responsibility to initiate and complete all necessary utility coordination. This will require continuing to coordinate the ongoing design development with all utilities in the project area. If in the development of design, the design causes additional impacts to utilities requiring relocation the department will have 5 business days to review the design to determine if it is reasonable and necessary. Once approved as reasonable and necessary design, the department will agree to reimburse those utilities in conflict. If not approved as reasonable and necessary the contractor will be required to reimburse the utility in conflict or revise the design. If the contractor revises the INDOT plans

and causes utility relocations those are reimbursable by the contractor. The terms of 105 IAC 13 must be followed by the design build contractor team.

If a previously unidentified utility is found, the contractor will complete the coordination efforts. This coordination effort is included in the bid. If the utility is ordinarily reimbursable the department will reimburse the utility to relocate. If SUE work to verify the specific location of a utility is deemed necessary by the contractor and INDOT, INDOT will mobilize an on-call SUE provider and assume the costs of that service. The time of this effort will not be a cause for a claim for time or money.