Utility Manual

Manual Notices Archive

Manual Notice 2015-1

From: John P. Campbell, P.E., SR/WA, CTCM, Right of Way Division Director

Manual: *Utility Manual*

Effective Date: October 01, 2015

Purpose

This revision is intended to update the *Utility Manual* to align with current procedures.

Changes

Chapter 2, TxDOT-Utility Cooperative Management Process and Subprocess:

- Modified limits for making partial payments to the utility in Section 2, Right of Way Utility Adjustment Subprocess.

Chapter 4, Preliminary Planning:

- Updated methods of verifying utility locations in Section 2, Utility Location Investigations.

Chapter 11, Billing and Payments:

- Modified limits for making partial payments to the utility in Section 2, Partial Payments.

Contact

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Manual Notice 2014-3

From: John P. Campbell, P.E., SR/WA, CTCM, Right of Way Division Director

Manual: *Utility Manual*

Effective Date: September 01, 2014

Purpose

This revision is intended to update the *Utility Manual* to address Buy America requirements for utility accommodations.

Changes

Chapter 3, References for Utility Accommodation:

- Added Buy America provisions to Section 2, Federal Codes and Regulations.

Chapter 7, Utility Cost Estimates:

- Updated text regarding materials and supplies in Section 2, Estimate Categories.

Chapter 8, Procedures for Utility Adjustments:

- Added Section 11, Buy America Guidelines.

Chapter 11, Billing and Payments:

- Added utility company documentation responsibilities in Section 1 regarding Invoicing and Payment Procedures.

Contact

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Manual Notice 2014-2

From: John P. Campbell, P.E., SR/WA, CTCM, Right of Way Division Director

Manual: *Utility Manual*

Effective Date: July 01, 2014

Purpose

This revision is intended to update the *Utility Manual* to address utility coordination when both TxDOT and a railroad company have a property interest.

Changes

Chapter 12, Unique Conditions and Special Cases:

- Updated text in Section 12 regarding "Railroads".

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Manual Notice 2014-1

From: John P. Campbell, P.E., SR/WA, CTCM, Right of Way Division Director

Manual: *Utility Manual*

Effective Date: April 01, 2014

Purpose

This revision is intended to update the *Utility Manual* to address the addition of Chapter 252 of the Texas Utilities Code as passed in HB3355 of the 83rd Texas Legislature.

Changes

Chapter 12, Unique Conditions and Special Cases:

- Updated text in Section 1 regarding Cable, Communication, and Fiber Optic Telecommunication Lines.

Entire manual:

- Corrected broken hyperlinks,
- Corrected references to obsolete forms and documents,
- Corrected references to District Right of Way section.

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Manual Notice 2013-1

From: John P. Campbell, P.E., SR/WA, CTCM, Right of Way Division Director

Manual: Utility Manual

Effective Date: February 01, 2013

Purpose

To eliminate wording regarding a "Date of Eligibility" from Appendix A.

Changes

Appendix A, Reimbursement Guidelines and Billing Procedures for Utility Adjustments:

- In Section 1 - Introduction, replaced wording regarding "Date of Eligibility" with the "Emergency Work Authorization" form.

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Manual Notice 2011-1

From: John P. Campbell, P.E., SR/WA, Right of Way Division Director

Manual: Utility Manual

Effective Date: February 01, 2011

Purpose

To add a new section on Comprehensive Development Agreements, and to update procedures throughout the manual.

Changes

Chapter 9, Forms and Agreements:

- In Section 2 - District Approval of Utility Agreements, eliminated requirement to include a color-coded set of plans with the executed agreement assembly. Added statement that ROW Division maintains a listing of Districts and their associated tier levels.
- In Section 4 - Agreement Assemblies, eliminated requirement to include color-coded sets of utility plans.
- In Section 5 - Prepare and Submit the Agreement Assembly, eliminated requirement to include color-coded sets of utility plans. Deleted paragraphs on using an alternative method of accounting. Specified that an amendment to the agreement must be used to document major changes to the agreement.
- In Section 6- Utility Joint Use and Occupancy, changed Utility Joint Use Acknowledgement to Utility Joint Use and Occupancy throughout section & in the section title. Replaced the Joint Use Agreement (ROW-U-JUAB) with the Utility Installation Request (1082).

Chapter 11, Billing and Payments:

- In Section 1 - Invoicing and Payment Procedures, made minor text changes. Deleted reference to form 132. Deleted requirement to submit multiple copies of form ROW-A-15. Specified that delivery date is normally determined by the date stamp when received by TxDOT. Specified that an amendment to the agreement must be used to document major changes to the agreement.
- In Section 2 - Partial Payments, specified that revised estimates/plans should have been approved in an amendment to the agreement. Specified that invoices should be date stamped by the District when received.
- In Section 3 - Final Billings, modified wording regarding what items should be included in the final billings.

- In Section 4 - Reimbursement When LPA is Responsible Party, deleted requirement to submit multiple copies of form ROW-A-15.
- In Section 5 - Payments and Final Audit, deleted requirement to submit multiple copies of form ROW-A-15. Modified who prepares a form ROW-A-15 for retainage due after final audit.

Chapter 12, Unique Conditions and Special Cases:

- In Section 11- New Utility Installations in Existing Right of Way, replaced the Joint Use Agreement (ROW-U-JUAB) with the Utility Installation Request (1082).
- In Section 14- Comprehensive Development Agreements, this completely new section replaced the old section titled "Exclusive Development Agreements".

Contact

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Manual Notice 2010-1

From: John P. Campbell, P.E., Right of Way Division Director

Manual: Utility Manual

Effective Date: December 01, 2010

Purpose

To update procedures throughout the manual.

Changes

Chapter 1, Introduction:

- In Section 1 - Utility Adjustment Overview, added abbreviation for Federal Utility Procedure and explained when to use form 1082.
- In Section 2 - Overview of the TxDOT-Utility Cooperative Management Process, removed text indicating that TxDOT Utility Coordinators typically report to a District Right of Way Administrator.
- In Section 4 - Fiscal Responsibility, added the option that utility adjustments are compensable under another state statute.

Chapter 2, TxDOT-Utility Cooperative Management Process and Subprocess:

- In Section 1 - TxDOT Utility Cooperative Management Process, made minor text change.
- In Section 2 - Right of Way Utility Adjustment Subprocess, deleted references to the TxDOT district structure and District R/W Administrator position. Replaced the Utility Joint Use Acknowledgement, Non-Reimbursable with the Utility Installation Request Form 1082.
- In Section 3 - Memorandum of Understanding, added the eligibility ratio exception of toll projects. Also deleted a reference to TxDOT district structure.

Chapter 4, Preliminary Planning: In Section 1 - District Utility Cooperative Process Meetings, modified a reference to the TxDOT District Right of Way Administrator position.

Chapter 5, Utility Considerations During Highway Design:

- In Section 3- Utility Engineering Contracts, changed District Right of Way Section to District Utility Section, and correct minor typo.
- In Section 4 - Utility Access, Corridors, and Strips, added procedures for utility strips and corrected minor typo.

- In Section 5, changed title of section from Incorporation of Utilities into the Transportation Project PS&E to Combined Transportation Utility Construction. Added requirement to forward any Advance Funding Agreements to ROW Division, modified wording to be placed at the top of each sub-estimate, and made minor text changes.

Chapter 6, Utility Plans and Specifications:

- In Section 1 - Initial Actions of the Utility, clarified subsection title Use of Consulting Engineers.
- In Section 2 - Utility Plan Preparation, eliminated the requirement to color code two sets of utility plans. Also added the requirements that utility plans show 1) symbols to represent utility conflicts with the proposed highway improvements, and 2) access denial lines.

Chapter 7, Utility Cost Estimates:

- In Section 2 - Estimate Categories, added requirement to show the items to be paid in the highway contract or directly to the utility. Modified text to show where quantities and units need to be specified in the estimates. Deleted bullet regarding equipment cost that is based on a percentage of other cost. Added requirement that utility companies maintain an inventory of abandoned facilities on State right of way.
- In Section 3 - Contract Work and Consultants, eliminated the requirement to show why utility company is using a contractor. Added statement that a lump sum over $100,000 must be approved by ROW Division. Corrected wording to indicate that a utility (instead of TxDOT) must defer the award of a low bid until after the execution of the Standard Utility Agreement.

Chapter 8, Procedures for Utility Adjustment:

- In Section 2 - Utility Property Ownership, added reference to a ruling by the Texas 14th Court of Appeals and made minor text change.
- In Section 4 - Emergency Adjustment, added procedures for using an Emergency Work Authorization to approving emergency utility adjustments.
- In Section 9- Non-Reimbursable Utility Adjustment Procedure, added requirement to identify utility U number on the right of way map title sheet. Replaced the Utility Joint Use Acknowledgement, Non-Reimbursable with the Utility Installation Request Form 1082.
- In Section 10 - Federal-aid Participation, made minor text change.

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Manual Notice 2008-1

From: John P. Campbell, P.E. Right of Way Division Director

Manual: Utility Manual

Effective Date: August 01, 2008

Purpose

To replace all references to *Form 1023, Notice of Proposed Installation - Utility Lines on Non-Controlled Access Highway (NOPI)*. The form has been replaced with *Form 1082, Utility Installation Request*.

Changes

The new form number and/or name were substituted in the following locations:

- Chapter 1; Section 1
- Chapter 4; Sections 2 and 5
- Chapter 5; Sections 2 and 10
- Chapter 6; Section 2
- Chapter 9; Section 3
- Chapter 10; Section 4
- Chapter 12; Sections 1, 11, and 12

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Manual Notice 2005-1

From: John P. Campbell, P.E. Right of Way Division Director

Manual: Utility Manual

Effective Date: July 01, 2005

Purpose

To remove all references to Date of Eligibility and replace them with appropriate changes as outlined below.

To replace Forms ROW-U-DOE1 and ROW-U-DOE2 with ROW-U-AWS, U# Authorization Work Sheet – Pre-Highway Letting, and ROW-U-EWA, Emergency Work Authorization – Post Highway Letting.

Contents

- Chapter 1, Section 1: Forms ROW-U-DOE1 and ROW-U-DOE2 replaced in the template list with ROW-U-AWS, U# Authorization Work Sheet – Pre-Highway Letting, and ROW-U-EWA, Emergency Work Authorization – Post Highway Letting.
- Chapter 1, Section 2: Under "Description of Procedures", "Date of Eligibility" deleted.
- Chapter 1, Section 5: Under "Federal Project Authorization and Agreement", second paragraph, second sentence amended to reflect deletion of Date of Eligibility from the process.
- Chapter 2, Section 2: "Date of Eligibility – Right of Way Subprocess X" has been deleted entirely from "The Subprocess"
- Chapter 2, Section 2: Under "Perform Utility Adjustment - Right of Way Subprocess Activity XI", the Activity Narrative has been revised to reflect deletion of Date of Eligibility.
- Chapter 2, Section 3: Under "MOU-Construction and Financial Considerations Section", third diamond, fifth bullet, text revised to reflect deletion of Date of Eligibility from the process.
- Chapter 6, Section 3: Under "Utility Work in the Highway Contract", last paragraph revised to reflect deletion of Date of Eligibility from the process.
- Chapter 7, Section 2: Under "Labor", third diamond, text revised to reflect deletion of Date of Eligibility from the process.
- Chapter 7, Section 3: Under "Consultants", the formula for assessing consultant fees in the cost estimate has been corrected.

- Chapter 8, Section 4: Entire Section renamed and revised to reflect deletion of Date of Eligibility from the process.
- Chapter 9, Section 1: Under “Actual Cost Agreements”, first paragraph revised to reflect deletion of Date of Eligibility from the process.
- Chapter 9, Section 1: Under “Lump Sum Agreements”, first paragraph revised to reflect deletion of Date of Eligibility from the process.
- Chapter 9, Section 1: Under “Advance Funding Agreements”, first paragraph revised to reflect deletion of Date of Eligibility from the process.
- Chapter 9, Section 1: Under “Advance Funding Agreements”, subsections relating to Federal Utility Procedure (FUP), State Utility Procedure (SUP), and Local Utility Procedure (LUP) revised to reflect deletion of Date of Eligibility from the process.
- Chapter 9, Section 2: “Date of Eligibility” subsection deleted.
- Chapter 10, Section 2: Under “Changes in Approved Work”, the requirement of execution of Form ROW-U-COA, Standard Utility Agreement – Supplemental Agreement, for any changes in approved work was added.
- Chapter 10, Section 3: Under “For State”, the reference citation was modified.

Contact

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Manual Notice 2004-2

To: Utility Manual Users

From: John P. Campbell, P.E., Director, Right of Way Division

Subject: Manual Revision

Manual: *Utility Manual*

Effective Date: May 5, 2004

Purpose

- To add reference to a particular AASHTO guide on the Internet;
- To add a note regarding the Telecommunications Deregulation Act impacting transportation projects;
- To add links for accessing a PDF file of the current 43 Texas Administrative Code, Subchapter C: Utility Accommodation Policy;
- To revise all links to TxDOT form PDFs to become links to the actual form templates themselves;
- To revise Cost Accumulation procedures regarding the agreement assembly;
- To add a link to the new Form ROW-U-COA, Standard Utility Agreement – Supplemental Agreement; and
- To add a linked reference to the online Right of Way Manual, Volume 6.

Contents

- All Chapters: all links to TxDOT form PDFs now link to the actual form templates.
- Chapter 2, Section 3 – added reference to the AASHTO guide, "A Guide to the Accommodations of Utilities Within Highway Right of Way.
- Chapter 3, Section 2 – added a note that the Telecommunications Deregulation Act can impact transportation projects.
- Chapter 3, Section 3, and Chapter 4, Section 1 – added links to a PDF for the Utility Accommodation Policy.
- Chapter 9, Section 5 – revised procedures regarding Cost Accumulation preparing and submitting the utility adjustment agreement assembly.
- Chapter 10, Section 2 – added new Form ROW-U-COA, Standard Utility Agreement – Supplemental Agreement for any changes, minor or major, within the scope of work for a utility adjustment.
- Chapter 12, Section 12 – added a linked reference to Right of Way Manual, Volume 6, regarding railroads.

Supersedes

Utility Manual, Online Manual System, January 5, 2004

Contact

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Manual Notice 2004-1

To: Districts Engineers, Division Directors, and Office Directors

From: John P. Campbell, P.E., Director, Right of Way Division

Subject: *Utility Manual* Rewrite

Manual: *Utility Manual*

Effective Date: January 5, 2004

Purpose

This manual has been revised and updated to reflect improved business practices, policies, and procedures relating to utility adjustments.

Contents

- Chapter 1 – Introduction
- Chapter 2 – TxDOT-Utility Cooperative Management Process and Subprocess
- Chapter 3 – References for Utility Accommodation
- Chapter 4 – Preliminary Planning
- Chapter 5 – Utility Considerations During Highway Design
- Chapter 6 – Utility Plans and Specifications
- Chapter 7 – Utility Cost Estimates
- Chapter 8 – Procedures for Utility Adjustments
- Chapter 9 – Forms & Agreements
- Chapter 10 – Performing the Utility Adjustment
- Chapter 11 – Billing and Payments
- Chapter 12 – Unique Conditions and Special Cases
- Appendix A – Reimbursement and Billing Guidelines for Utility Adjustments

Supersedes

This manual supersedes all prior versions.

Contact

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