

## **Guidance for- Utilities by Others Project Special Provisions**

### **1.0 Purpose**

The Utilities by Others (UbO) Project Special Provisions (PSP) are included in project contract documents to provide information to the prospective bidders during project advertisement and the prime contractor after contract award.

### **1.1 Scope**

**1.1.1** Understanding the intended effect or outcome will assist in developing clear and meaningful provisions. The UbO PSP are **not** intended to be a complete listing of all utility owners within the project limits, only those utilities resolving conflicts are to be included. Conflict resolution includes proposed facilities (temporary and permanent) and abandonment of existing facilities.

**1.1.2** Included are proposed changes to utilities that will (usually) occur before the date of availability (DOA<sup>1</sup>). The PSP will also include the completion date for UbO work that will not be complete by DOA and any coordination required of the contractor.

**1.1.3** However, the DOA should not be the target date for utility relocation. The goal is to have utilities relocated before project advertisement. Any utility not relocated before advertisement has the potential to run behind schedule, creating risk for the contractor, often resulting in higher bids.

### **1.2 Project Advertisement**

The UbO's are used by prospective bidders to:

**1.2.1** Assess the effect the UbO's may have on the project construction and work operations.

**1.2.2** Account for this effect when developing their bid.

### **1.3 After Contract Award**

The UbO's become the basis of the contract requirements of the Department and the Contractor.

**1.3.1** UbO Plans and PSP represent the Department's commitment to the Contractor. The Department needs the support and assistance from all stakeholders to avoid a breach in this commitment.

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<sup>1</sup> The DOA is the date the Contractor may take control of the project area, typically 41 days after let. For the purpose of writing the PSP, it is assumed to be the 1st of the month, 2 months after let. For example, an October let (regardless of day) would have a DOA of December 1st.

**1.3.2** The PSP are used to convey coordination requirements to the contractor. For example, the contractor may have to perform work (grading, clearing, etc.) before a utility can relocate. The work required must be identified, along with the duration of a notice period and a relocation period. (See PSP example)

**1.3.3** Not as frequently, there may be UbO work that can occur after the highway contract is complete, but is still relevant information for the contractor. Typically, this includes removal of temporary facilities and/or construction of permanent facilities.

## **2.0 Secondary Benefits and Uses**

While the PSP are written to their primary audience, the contractor(s), others may use the PSP for a variety of reasons.

### **2.1 Division Personnel**

**2.1.1** Pre-Let- After the utility owners receive authorization to relocate their facilities, Division personnel use the UbO plans and PSP to ensure relocation work is performed correctly and on schedule.

**2.1.2** During the highway contract, Division personnel use UbO plans and PSP to ensure the contractor is coordinating with the utility owners, if necessary.

**2.1.3** When UbO work occurs after the highway contract (removing temporary or installing permanent facilities), Division personnel rely on the UbO plans and PSP to show what was agreed to by the utility owners.

**2.1.4** Typically, the PSP include the “what” and “when” of utility relocation. When additional information regarding “how” is needed by Division Personnel, it should be transmitted separately to keep the PSP uncluttered.

### **2.2 Contract Office Personnel**

**2.2.1** Contract Office personnel use the UbO plans and PSP to determine what/if any effect the UbO’s will have on the contractor and bid prices.

**2.2.2** Utilities not relocated by the DOA are evaluated for their impact on the contractor’s ability to perform work and the resultant increase to contract duration.

### **2.3 Utility Owners**

**2.3.1** While not currently happening on all projects, the UbO plans and PSP may be pushed back to the utility owners in order to confirm proposed facilities, abandoned facilities, and schedule.

**2.3.2** Owner confirmation is especially important when relocated utilities are in close proximity to each other or close coordination among utility owners is required.

## **3.0 Drafting the Document**

### **3.1 UbO PSP Example**

**3.1.1** The UbO PSP example includes specific guidance for drafting the document.

### **3.2 UbO PSP Instructions from the Contract Office**

**3.2.1 Formatting** – For uniformity, all fonts, header and body, should be Times New Roman, 12 pt. The header should include the TIP number in the upper left corner and county name in the upper right corner of the page. A version date should be in the lower left footer and page numbers should be in the lower right of the footer. The Contract Page Numbering should begin with **UbO-1** and should be 18pt bold Times New Roman.

**3.2.2 File Naming-** The following naming convention should be used:  
“i\_x-xxxx\_County\_UbO\_SP\_yymmdd\_PSF.pdf”

The “i” designates the file as being for Utilities by Others and will help automate placement of electronic files into the correct order as they will appear in the proposal. The “underscore” helps to separate letter designation from other info. Next is the TIP Number and County name followed by the type of work, UbO\_SP for Utilities by Others Special Provisions. The version date is next in the yymmdd format (yy= 2 digit year, mm=2 digit month, dd=2 digit day). The version date in the file name should match the version date in the footer. Finally, PSF should be replaced with the firm’s initialized company name.

**3.2.3** UbO PSP should be submitted to the Utilities Unit in .pdf format in accordance with 3.2.1-2. Additionally, a version in Word should also be submitted to the Utilities Unit to enable future revisions, if necessary.

### **3.3 Key Points**

**3.3.1** The utilities listed under “General” should match (name, order, identifier (A,B,C) etc.) the listing under “Utilities Requiring Adjustment” and the title sheet of the UbO plans.

**3.3.2** Only list those utilities that are performing work (proposed and/or abandoned facilities).

**3.3.3** Where applicable, ensure the installation of temporary and permanent facilities and removal of temporary facilities are clearly addressed.

**3.3.4** If UbO work will not be complete by the DOA, list the calendar date it will be complete. These are unacceptable:

“60 days after let”- The let date may change, this should not affect the utilities’ completion date.

“30 days after R/W is acquired”- This means absolutely nothing to the contractors bidding on the project. If there is a problem with R/W acquisition, let us know!

**3.3.5** Do not use the PSP to inform us of missing information.

**3.3.6** Information can be conveyed graphically in the plans or verbally in the PSP, choose the appropriate method, not both. For example:

**3.3.6.1** If all work will be complete by the DOA, do not list the station number for 40 poles being relocated, they are already shown on the plans.

**3.3.6.2** If a portion of the work is specified (e.g., one portion complete by DOA, another portion after the DOA), it can be specified by sheet number, station range, -Y- line, etc.

**3.3.7** When referring to actions taken by utility owners, use “will” as opposed to “shall”.

### **3.4 Level of Detail**

**3.4.1** In keeping with the purpose of the PSP, the required level of detail will vary dependent on the specifics of the project.

**3.4.2** Characteristics of a project requiring less detail include:

**3.4.2.1** No more than one owner per type of utility.

**3.4.2.2** Each utility is either entirely aerial or buried.

**3.4.2.3** All work will be complete by DOA.

**3.4.2.4** No temporary facilities are to be installed.

**3.4.2.5** The location of abandoned facilities is clear.

**3.4.2.6** There are no shared facilities or coordination required between owners.

**3.4.3** Projects not having the characteristics listed in 3.4.2 **may** need additional information in the PSP or UbO Plans such as:

**3.4.3.1** Identifying the owners of utilities shown on the plans when there are multiple owners for the same type of utility.

**3.4.3.2** Dividing an owner’s facilities into segments and discussing separately, if appropriate. This may include multiple completion dates for one owner.

**3.4.3.3** Identifying the limits (e.g., station, sheet) and location (e.g., aerial, buried) of abandoned facilities.

**3.4.3.4** The most critical information to a contractor regarding a conflicting joint use pole line is the date the **last** conflict is removed (this may be a wire/cable or the poles). While individual completion dates are needed, clarifying information may be necessary to adequately convey to the contractor, the date the last conflict is removed.

**3.4.3.5** Removal of joint use poles do not need to be addressed separately. However, the date of their removal must be covered under the completion date of the utility owner that is responsible for their removal.