



**NORTH CAROLINA**  
Department of Transportation



# Utilities Coordination and Encroachments

Carl Barclay, PE- State Utilities Manager

August 2-3, 2017

# Agenda

- Resources on Connect/Inside
  - Carl Barclay, State Utilities Manager
- Encroachments on Division Managed Projects
  - Vang Moua, Encroachments Engineer
- Coordination Overview
  - Barry Whitaker, Utilities Unit Business Officer
- Cost Responsibility
  - Ed Reams, Regional Utility Coordinator
- Helpful Options
  - Carl Barclay
- Questions

# Resources on Connect

- Publicly accessible (Business Partners)
- More planned content
- Report outdated or incorrect info
- Suggest helpful content
- Quick tour

<https://connect.ncdot.gov/municipalities/Utilities/Pages/default.aspx>

## Utilities Information

Relocation and accommodation resources for municipalities and organizations

Home > Connect NCDOT > Local Governments > Utilities

### Utilities Manuals

Policy, Coordination, Encroachment, and Engineering Manuals

[Read More](#) →

### Process & Procedure for Utilities Work

Memos and Guidelines

[Read More](#) →

### CADD Resources for Utilities Work

Microstation, Geopak, Workspace Setup, File Naming Convention

[Read More](#) →

### Design Standards for Utilities Work

Gravity/Force Main and Water Main Design Criteria, Rules, Regulations, and Laws

[Read More](#) →

### Easements & Right of Way for Utilities Construction

Definitions, How They Relate to Utilities Construction/Relocation

[Read More](#) →

### Encroachment Agreements for Utilities

Overview, Explanation of Forms, Bonding

[Read More](#) →

### Estimates, Materials & Approved Products for Utilities Work

Estimates, Materials, Approved Products, Proprietary Product Guidelines

[Read More](#) →



### Downloads

Updated **Featured** New

- Article- Cost Responsibility.doc** 2017-07-05 16:32:37
- Article- Cost Responsibility.pdf** 2017-07-05 16:32:15
- Division 15 Utility Construction- Major Revisions in 2018.pdf** 2017-05-09 09:52:37
- Explanation of the Various Agreements** 2017-05-09 09:52:23
- Final Draft- Division 15 Utility Construction** 2017-04-28 13:14:03

### Partners

- Utility Owners**  
Guidelines for owners of existing or proposed public utilities within NCDOT Right of Way
- Utility Contractors**  
Guidelines for contractors performing utilities construction within NCDOT Right of Way
- Private Engineering and Professional Services Firms**  
Guidelines for firms providing utilities related services within NCDOT Right of Way

## Utilities Manuals

Policy, Coordination, Encroachment, and Engineering Manuals

Home > Connect NCDOT > Local Governments > Utilities > Utilities Manuals

### Important Information

**PLEASE READ- Transition to New Manuals**   
2015-06-25 07:58:02

### Utilities Manuals

**Policies and Procedures for Accommodating Utilities on Highway Rights of Way (rev. 1993)**   
2015-06-25 07:57:59

**Utilities Policy Manual**   
2016-09-27 13:55:25

### Employee Directory

Staff contacts for *Utilities Unit*.

### Contact Form

For questions & feedback about this area of Connect NCDOT, contact *Utilities Unit*.

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[Read More](#) →

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### Permitting for Utilities

Permit guidance for water and sewer service, environmental permitting, and railroad right of way.

[Read More](#) →

### Standard Specifications, Drawings & Provisions for Utilities Work

2012 Standard Specifications, Drawings, and Provisions, plus Additional Resources

[Read More](#) →

### Utilities by Others Plans Development

Guidance for developing UbO Plans and Special Provisions

[Read More](#) →

### Utilities Construction Plans Development

Guidance for developing UC Plans, Special Provisions, and Estimates

[Read More](#) →

### Utility Agreements

Use and Occupancy Agreement, Utility Relocation Agreement

- [Article- Cost Responsibility.pdf](#)   
2017-07-05 16:32:15
- [Division 15 Utility Construction- Major Revisions in 2018.pdf](#)   
2017-05-09 09:52:37
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**Private Engineering and Professional Services Firms**  
Guidelines for firms providing utilities related services within NCDOT Right of Way


#### Helpful Information


[Upcoming Projects 2016-2025](#)

[State Transportation Improvement Program \(STIP\)](#)

[Map to Century Center](#)

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## Standard Specifications, Drawings & Provisions for Utilities Work

2012 Standard Specifications, Drawings, and Provisions, plus Additional Resources

Connect NCDOT > Local Governments > Utilities > Standard Specifications, Drawings & Provisions for Utilities Work

- Final Draft- Division 15 Utility Construction 
- Division 15 Utility Construction- Major Revisions in 2018.pdf 
- Provision Writers' Guide
- 2018 Standard Specifications
- 2012 Standard Drawings
- 2012 Standard Specifications and Provisions
- NCDOT Proprietary Product Guidelines

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[Read More](#) →

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## Utility Agreements

### Use and Occupancy Agreement, Utility Relocation Agreement

Connect NCDOT > Local Governments > Utilities > Utility Agreements

- Utilities Construction Agreement PDF
- Duke Energy Utility Relocation Initial Contact PDF
- Utility Preliminary Engineering Agreement PDF
- 2010 Census NC Populations.xlsx X
- G.S. 136-27.1 (Population-Cost Responsibility).pdf PDF
- Utility Relocation Agreement.pdf PDF
- Duke Energy ROE Utility Relocation Agmt.pdf PDF
- Duke Relocation Packages Procedure 160815.pdf PDF
- Procedures for Utility Agreement Use and Occupancy packages 160816.pdf PDF
- Explanation of the Various Agreements PDF
- Article- Cost Responsibility.pdf PDF
- Utilities Agreement Example (1) PDF
- Utility Agreement Brochure PDF
- Utilities Agreement Example (2) PDF

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# Which Agreement do I use? Depends! Who's paying? Who's constructing?

## Cost Responsibility

	Owner	NCDOT	
<b>Owner Constructs</b> (Utilities by Others, UbO)	<b>R/W Form 16.1</b> (non-C/A) <b>R/W Form 16.2</b> (C/A)  (If 100% Owner cost, standard encroachment forms are used)	<b>Utility Relocation Agreement</b> (URA, for construction costs, but may include engineering if there is not a separate UPEA)  (If NCDOT has ANY cost responsibility)	<b>Utility Preliminary Engineering Agreement</b> (UPEA, owner hires PEF or internal staff. Sometimes included in URA)  (If NCDOT has ANY cost responsibility)
<b>NCDOT Constructs</b> (Utilities Construction, UC)	<b>Utility Agreement</b> (UA, for construction costs)  <b>Water and/or Sewer Engineering Agreement</b> (for design costs, NCDOT hires PEF)  (If Owner has ANY cost responsibility)	<b>Use and Occupancy Agreement</b> (U&O)  (If 100% NCDOT cost, no betterment)	<b>Utility Preliminary Engineering Agreement</b> (UPEA, owner hires PEF or internal staff)  (If NCDOT has ANY cost responsibility)

# Resources on Inside

- Accessible to NCDOT employees only
- Intended for Utilities Unit
- Content relevant to Divisions
- Quick tour

<https://inside.ncdot.gov/Teams/utilities/pages/default.aspx>

- Utilities**
- Utilities Events Calendar
- Teamsite Documents
- Utilities Links
- Utilities Discussion
- FAQ's
- Coordination**
- Coordination Doc
- Coordination Links
- Engineering**
- Engineering Policy and Process
- Engineering Docs
- Engineering Links
- Engineering Picture Library
- Encroachments**
- Encroachments Docs
- Encroachment Links
- Mission & Goals**
- Glossary & Acronyms**
- Document Library**

TEAMS > UTILITIES UNIT

[Website Help](#)

## Utilities Unit

It is the responsibility of the Utilities Unit to facilitate and manage the relocation, adjustment, removal, and addition of utilities along NCDOT highways and rights of ways while maintaining the integrity of the highway system and ensuring the safety of its users.

The NCDOT Utilities Unit is comprised of three sections; Utilities Coordination, Utilities Engineering, and Utilities Encroachments Engineering. Use the menu on the left to navigate to each section. Additional content will be included on our Connect NCDOT site in the future.

### Teamsite Documents

[+ new document](#) or drag files here

✓		Name	Modified	Modified By
		<a href="#">Form Letters</a>	... March 27, 2013	<input type="checkbox"/> <a href="#">Barclay, Carl A</a>
		<a href="#">Memorandums</a>	... March 27, 2013	<input type="checkbox"/> <a href="#">Barclay, Carl A</a>
		<a href="#">Organizational Information</a>	... March 27, 2013	<input type="checkbox"/> <a href="#">Barclay, Carl A</a>
		<a href="#">PEF and PSF Resources</a>	... May 27, 2014	<input type="checkbox"/> <a href="#">Barclay, Carl A</a>
		<a href="#">Policy and Process</a>	... March 27, 2013	<input type="checkbox"/> <a href="#">Barclay, Carl A</a>
		<a href="#">Unit Newsletters</a>	... March 27, 2013	<input type="checkbox"/> <a href="#">Barclay, Carl A</a>
		<a href="#">Utilities Unit Staff Meeting Minutes</a>	... February 11, 2015	<input type="checkbox"/> <a href="#">Barclay, Carl A</a>
		<a href="#">Utility Owner Information</a>	... October 21, 2016	<input type="checkbox"/> <a href="#">Barclay, Carl A</a>

### Upcoming Events

There are no items to show in this view of the "Utilities Events Calendar" list. To add a new item, click "New".

[\(More Events...\)](#)

[+ Add new event](#)

### Utilities Links

[+ new link](#) or [edit](#) this list

✓		Edit	URL	Notes
			<a href="#">NC General Statutes</a>	...
			<a href="#">NC Administrative Code</a>	...

- Utilities
  - Utilities Events Calendar
  - Teamsite Documents
  - Utilities Links
  - Utilities Discussion
  - FAQ's

- Coordination**
  - Coordination Doc
  - Coordination Links

- Engineering
  - Engineering Policy and Process
  - Engineering Docs
  - Engineering Links
  - Engineering Picture Library

- Encroachments
  - Encroachments Docs
  - Encroachment Links

- Mission & Goals
- Glossary & Acronyms
- Document Library

TEAMS > UTILITIES UNIT

[Website Help](#)

## Coordination

### Coordination Doc

[+ new document](#) or drag files here

<input checked="" type="checkbox"/>		Name	Modified	Modified By
<input checked="" type="checkbox"/>		<a href="#">Utility Forms</a>	... September 7, 2012	<input type="checkbox"/> Whitaker, Barry W
<input checked="" type="checkbox"/>		<a href="#">CONTRACT SUPPLEMENT FORM1</a>	... September 7, 2012	<input type="checkbox"/> Whitaker, Barry W

### Coordination Links

[+ new link](#) or [edit](#) this list

<input checked="" type="checkbox"/>		Edit	URL	Notes
There are no items to show in this view of the "Coordination Links" list.				



**Coordination**

- Utilities
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**Coordination Doc**

+ new document or drag files here

Name	Modified	Modified By
<a href="#">ATTACHED SPECIAL PROV. 170131</a>	... January 31	<input type="checkbox"/> Barclay, Carl A
<a href="#">BILLABLE QUANT rev 170131</a>	... January 31	<input type="checkbox"/> Barclay, Carl A
<a href="#">Encro. Agreement with Sp. Prov. rev 170131</a>	... January 31	<input type="checkbox"/> Barclay, Carl A
<a href="#">NCDOT Utilities Unit LetterHead Doc. 170131</a>	... January 31	<input type="checkbox"/> Barclay, Carl A
<a href="#">Request for PUE to Right of Way 170508</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">Revise Plan Sheet Memo rev 170131</a>	... January 31	<input type="checkbox"/> Barclay, Carl A
<a href="#">ROW Plan Change Letter revised 170131</a>	... January 31	<input type="checkbox"/> Barclay, Carl A
<a href="#">UT - 6A Form Letter 170508</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">UT 2 Form Letter 170508</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">UT-10 Form Letter Lump Sum 170612</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">UT-11 Encroachment 170508</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">UT-15 Use and Occupancy Agreement 170508</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">UT-18(Utility Construction Request) 170508</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">UT-9 Form Letter Actual Cost Rev. 170612</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">UTDB-15 Use and Occupancy Agreement 170131</a>	... January 31	<input type="checkbox"/> Barclay, Carl A
<a href="#">Utility Agreement Cover Letter 1 170612</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">Utility Agreement Cover Letter Prime 170508</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">Utility Certification- Centrally Managed Projects</a>	... April 25	<input type="checkbox"/> Barclay, Carl A
<a href="#">Utility Certification- Division Managed Projects</a>	... April 25	<input type="checkbox"/> Barclay, Carl A
<a href="#">Utility Conflict Encroachment 170612</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">Utility Conflicts URA 170612</a>	... June 12	<input type="checkbox"/> Barclay, Carl A
<a href="#">UTILITY INVOICE APPROVAL STATUS REPORT 170131</a>	... January 31	<input type="checkbox"/> Barclay, Carl A
<a href="#">UTILITY STATUS REPORT 170508</a>	... June 12	<input type="checkbox"/> Barclay, Carl A

**Utilities**

- [Utilities Events Calendar](#)
- [Teamsite Documents](#)
- [Utilities Links](#)
- [Utilities Discussion](#)
- [FAQ's](#)

**Coordination**

- [Coordination Doc](#)
- [Coordination Links](#)

**Engineering**

- [Engineering Policy and Process](#)
- [Engineering Docs](#)
- [Engineering Links](#)
- [Engineering Picture Library](#)

**Encroachments**

- [Encroachments Docs](#)
- [Encroachment Links](#)

**Mission & Goals**

**Glossary & Acronyms**

**Document Library**

**Engineering**

**Engineering Policy and Process**

+ [new document](#) or drag files here

✓	📁	Name	Modified	Modified By
		<a href="#">Policy</a>	... September 11, 2012	<input type="checkbox"/> Barclay, Carl A
		<a href="#">Process</a>	... September 11, 2012	<input type="checkbox"/> Barclay, Carl A

**Engineering Docs**

+ [new document](#) or drag files here

✓	📁	Name	Modified	Modified By
		<a href="#">Forms and Form Letters</a>	... May 21, 2015	<input type="checkbox"/> Barclay, Carl A
		<a href="#">Railroad Resources</a>	... December 27, 2012	<input type="checkbox"/> Barclay, Carl A
		<a href="#">Technical Resources</a>	... December 3, 2015	<input type="checkbox"/> Barclay, Carl A
		<a href="#">Templates</a>	... March 27, 2013	<input type="checkbox"/> Barclay, Carl A

**Engineering Links**

+ [new link](#) or [edit](#) this list

✓	📁	Edit	URL	Notes
			<a href="#">Environmental and Permitting</a>	...
			<a href="#">Utility Manufacturers</a>	...
			<a href="#">Organizations (Industry, Professional, Standards, etc.)</a>	...
			<a href="#">Technical Resources</a>	...
			<a href="#">Toolbox</a>	...
			<a href="#">NCDOT Websites</a>	...
			<a href="#">Railroad</a>	...

**Engineering Picture Library**

# Encroachments in Division Managed Projects

- New installations, NOT Relocations
- District notifies DUC of encroachment
- District provides tech review support
- If within C/A, DUC coordinates with the Encroachments Section
- DUC issues approvals for new encroachments



# Encroachments in Division Managed Projects

- How to complete documentation for submitting packages and also plan design?

See Connect NCDOT webpage at:

<https://connect.ncdot.gov/municipalities/Utilities/Pages/Encroachment-Agreements.aspx>

# Encroachments in Division Managed Projects

- Training webinar for Division Utility Coordinator is set for August 9 and 10
- Invitations were sent out July 21, 2017
- Appropriate personnel is to sign up
- Make sure computer is ready

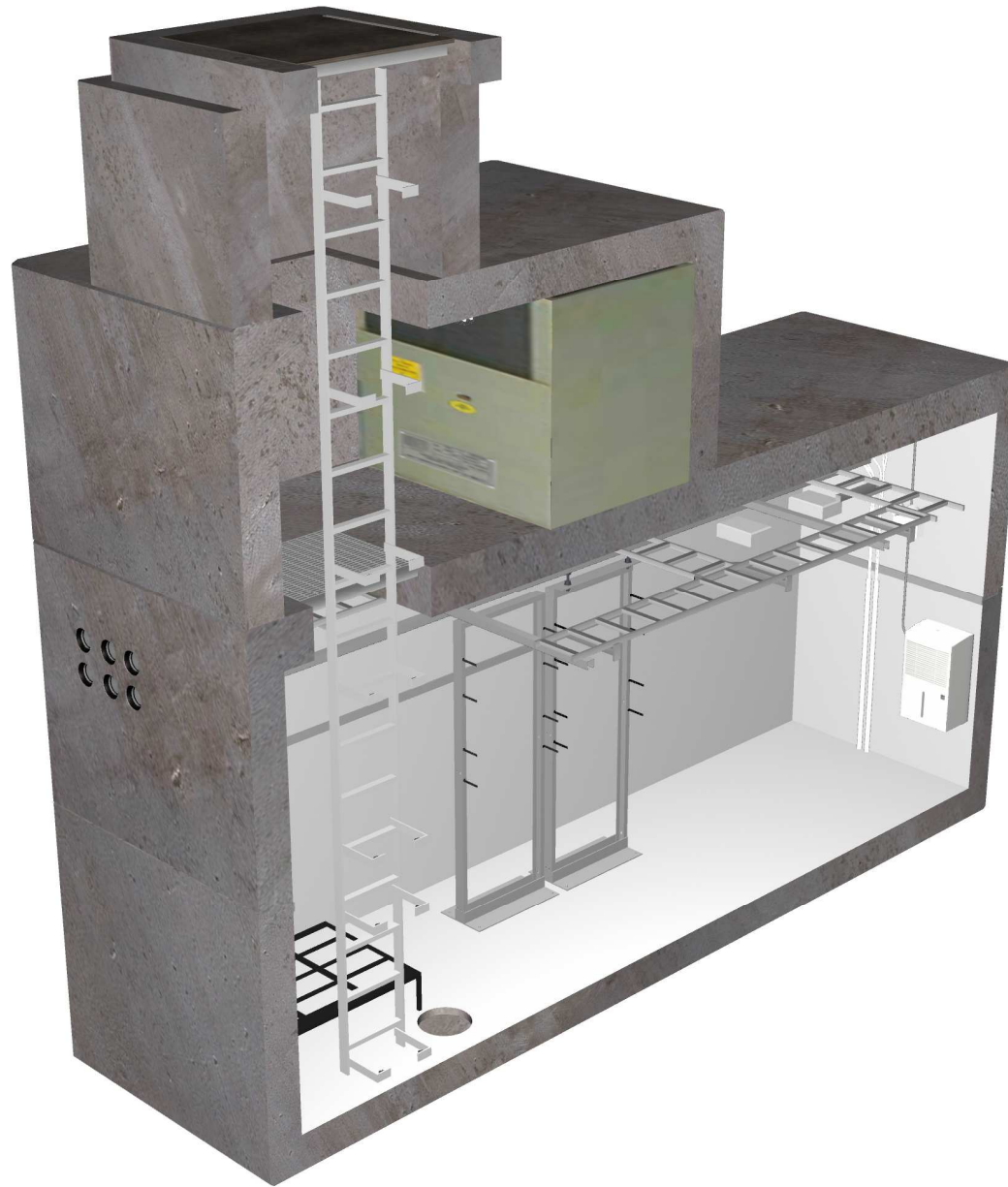
# Utility Coordination Overview

- Red flags include:
  - Major facilities
  - Environmental
  - Railroad
  - Constructability
  - Detours/temporary bridges
  - Multiple pole occupants

# Controlled Environment Vault







# What amount of time is needed for relocation of these facilities?

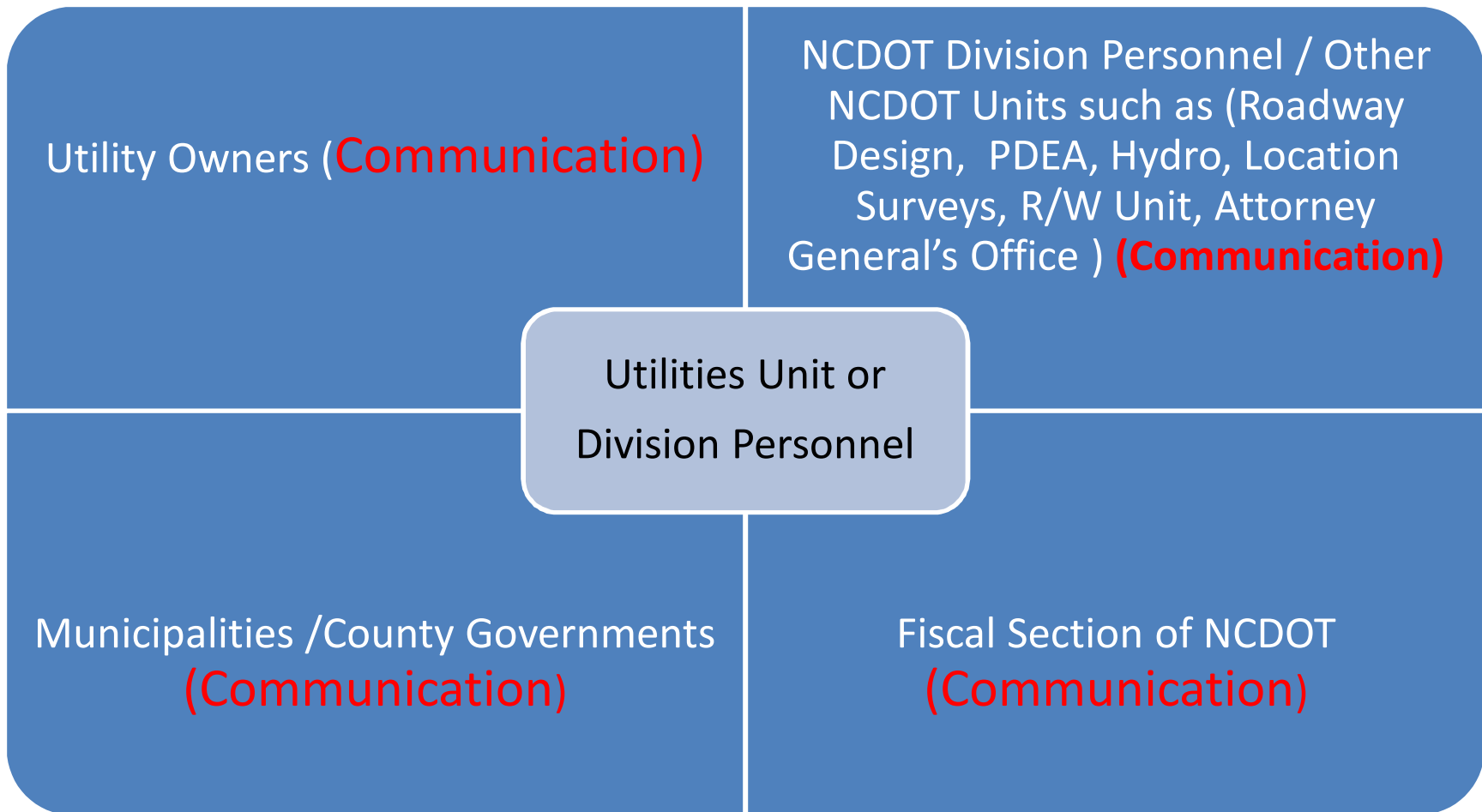


# Right of Way

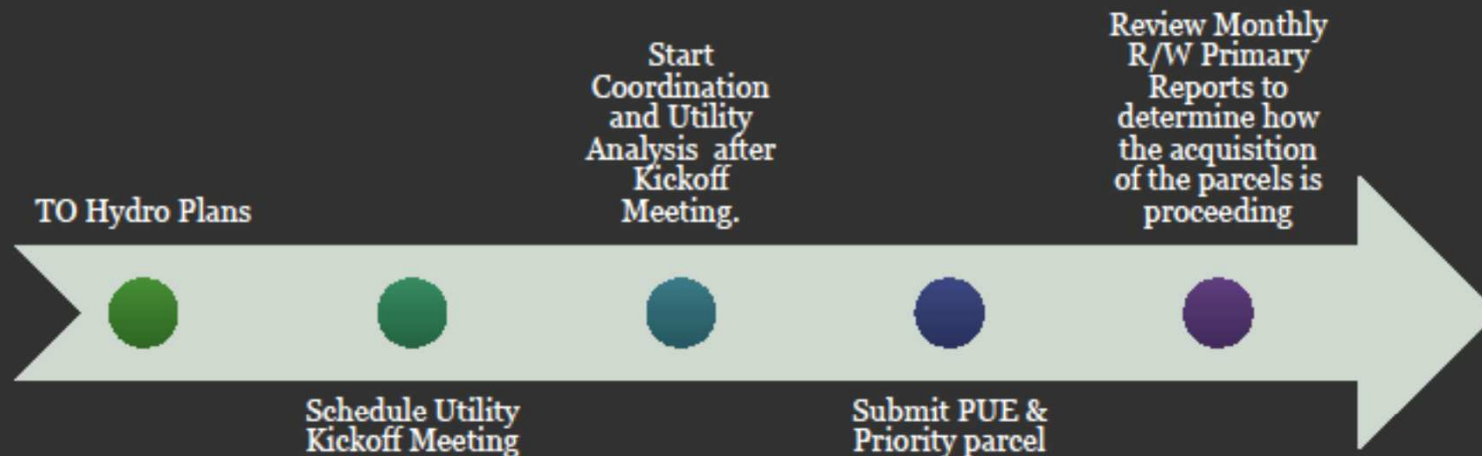
- Immediately inform Division R/W of any changes once acquisition has started
- Each Project will have its own challenges regarding R/W and PUE acquisition



# Relationships For Successful Utilities Relocation on Projects



# Key Items in Utility Coordination Process



REPORT B

PARCEL NO.	AGENT	PROPERTY OWNER	INITIAL CONT.	APP. REQ.	APP. REC.	CLAIM REPORT ESTIMATE	INT. OFFER	STATUS	REQ. FOR DEPOSIT	DATE OF FILING	APPRAISAL AMOUNT	SETTLEMENT	Settlement Date	RELO. Claims	RELO. Compl
001	Beth	Smithfield-Carroll's Farms	05/16/17	RWC	05/16/17	2,600.00	5/16/17	settled					06/05/17		
002	Beth	John Thompson	05/23/17	RWC	05/16/17	500.00	5/23/17	closed					06/06/17		
												0.00			
		PUE Completion Date: complete													
						Total PUE: 0									
						PUE's available: 0									
		POE's 1													
						Total Parcels =	2								
						Total Settled =	2								
						Total Closed =	1								
						Total Filed =	0								
						Total Outstanding =	1								
						Total Relocation =	0								
						Total Relocation Moved =	0								

# Cost Responsibility

Prior Rights- How to  
Determine Them

# Compensable Interest/Reimbursement

- When the utility has “prior rights” to be where they are, NCDOT pays for the relocation of those utilities.
- URA establishes the terms and methods in which the entity will be reimbursed by NCDOT.
- Prior rights claims by utility companies may be established in several ways.

# Prior Rights Claims

- Recorded easement
- Recorded right of way
- Existing utilities qualify for adverse possession (encroaching or non)

# Prior Rights Claims

- Existing utility may have joint-use agreement with pole owner
- Existing utility may be franchise based
- NCDOT paid for previous relocation

# Research

- Division Right of Way Office
- Public records: County Courthouse (often accessible online)
- NCDOT Archives Unit (previous project data)
- NCDOT Road Inventory Unit
- Affidavits from utility with supporting documentation
- Utility company records (provided by utility)



# Cost Responsibility

GS 136-27.1  
(Water and Sewer)

GS 136-27.2  
(County Gas)

GS 136-27.3  
(Repayment Terms)

# Helpful Options

- Used by the Utilities Unit
- Used by the Divisions
- Don't limit yourself
- Let us know what works
- Share best practices

# Utility Coordinator in Contract

- When is it appropriate?
- If significant UbO work after DOA
- If it reduces utility/Contractor “issues”
- If Contractor can coordinate UbO with his activities
- If beneficial to the project, include in estimate

# Advanced Clearing Contract

- Can solve numerous problems
- Utility objects to clearing
- Utility's schedule unacceptable
- Cost savings
- May include all clearing, if appropriate

# UbO Inspection

- UbO inspection in utility coord scope
- Several reasons when to consider
- Schedule- add'l eyes/ears to monitor
- If location is critical
- Several utilities in limited space
- Constructability
- Environmental commitments

# UbO Inspection

- Another option, CEI firm
- Not tied to one project
- Likely more flexibility in tasking
- Combination may be best

# Early Coordination

- Essential on complex projects
- May be surprised by flexibility
- Design- Roadway, Drainage, Structures
- Prioritizing R/W & PUE acquisition
- Prioritizing R/W plan sheets
- Partial environmental permit approval
- Identify obstacle(s) AND who can help

# Field Support

- Utility Coordination
  - Reviewing- in-house manhours, URA and Encr. packages, relo PO/invoices
  - Utility Agreement development
- Utility Engineering
  - Reviewing- in-house manhours, PS&E package, unit prices



# Field Support

- In house training
- DUC and DUE
- Work with the Utilities Unit for 2-3 days
- Advantages over us coming to you
- Support is based on need
  - Vacancy
  - New employee
  - Experienced employee

# Agenda

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