



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Shannon Valentine  
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*Agenda item # 5*

### **RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD**

**Date: April 10, 2019**

#### **MOTION**

**Made By: Mr. Williams, Seconded By: Ms. Hynes**

**Action: Motion Carried, Unanimously**

**Title: Recommendations Relating to Utility Relocations**

**WHEREAS**, the Commonwealth Transportation Board (CTB) established a working group (Utility Relocation Working Group) for the purpose of reviewing processes, procedures and policies relating to utility relocations on transportation projects conducted or funded by the Virginia Department of Transportation (VDOT) and developing and providing recommendations for improvements to the CTB for its consideration; and

**WHEREAS**, the Utility Relocation Working Group commenced its meetings in November 2018 and met five times to discuss issues related to utility relocation; and

**WHEREAS**, VDOT also conducted separate meetings with the contracting industry to discuss design build projects and with localities to gather input on issues related to locally administered projects, in the context of utility relocations; and

**WHEREAS**, utility companies, contractors and localities have offered recommendations to improve the utility relocation process; and

**WHEREAS**, VDOT has implemented a number of best practices over the last few years that have improved coordination in support of more timely utility relocation; and

**WHEREAS**, it is the sense of the CTB that it would be beneficial for several of these VDOT best practices and other key recommendations offered by the various parties relating to utility relocation to be memorialized and incorporated into VDOT manuals, policy and best practices documentation.

**NOW, THEREFORE, BE IT RESOLVED**, that the CTB hereby makes the following recommendations to VDOT relating to utility relocations involving VDOT projects:

- VDOT should identify an overall champion to continue and enhance the implementation of improvements developed and recommended through the Utility Relocation Working Group.
- VDOT should develop a policy whereby early phase project drawings with basic project details would be provided to utility companies earlier in the project development process. These early drawings will provide utilities, with early notice of the project in a standard format, the opportunity to provide a standard set of responses to potential design-build contractors in advance of the project's procurement.
- VDOT should develop common templates for use by utilities, contractors, VDOT and local partners in the planning and relocation processes for utilities on VDOT funded projects. These templates will list information, documentation and protocols for each phase of the utility relocation process to be followed by all involved.
- VDOT should develop a policy requiring that trained and certified utility coordinators and trained utility inspectors be utilized on VDOT funded projects based upon project size and complexity criteria.
- VDOT should develop a policy that would provide for a stipend to utility companies under certain conditions and circumstances. This stipend could be offered to utility companies to facilitate their efforts in the early phases of project development to reduce their risks of designing utility relocations which may later change. This policy should consider project size and complexity criteria.
- VDOT should incorporate any approved policy improvements in its Utility and Locally Administered Program Manuals, and related documents, to provide clear direction to all utility companies, local partners, VDOT staff, and contractors.
- VDOT should develop a policy regarding allowances for time-only contract extensions for design-build projects based upon utility delays outside of the contractor's control, provided strict criteria are met.
- VDOT should implement additional utility relocation training for all involved parties. This training will enhance understanding of utility relocation requirements and will assist key project delivery personnel in obtaining training and/or certifications as utility relocations specialists and/or utility inspectors.
- VDOT should add language to the agency's Land Use Permit Manual to solicit reviews and comments from local jurisdictions as part of the permitting process for the placement of utilities in the rights of ways for roadways planned for widening as part of the local jurisdiction's comprehensive plan.
- VDOT should establish best practices and timelines for the relocation of private fiber companies' infrastructure within established timeframes.

**BE IT FURTHER RESOLVED**, that the CTB directs VDOT to report on the implementation of these recommendations and the impact of implementation by July 1, 2021.

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## CTB Decision Brief

### Recommendations Relating to Utility Relocations

**Issue:** There have been concerns raised by the utility industry regarding delays, inconsistencies, and complications associated with the relocation of utilities on transportation projects. The concerns are primarily focused on design-build and locally administered projects. In response and after a review of the issues, the Commonwealth Transportation Board (CTB) is being requested to consider and make recommendations to the Virginia Department of Transportation (VDOT) relating to utility relocations on transportation projects conducted or funded by VDOT.

#### **Facts:**

- The Commonwealth Transportation Board (CTB) established a working group (Utility Relocation Working Group) for the purpose of reviewing processes, procedures and policies relating to utility relocations on projects conducted by the Virginia Department of Transportation (VDOT).
- The Utility Relocation Working Group involved utility companies, contractors, localities and VDOT staff.
- This Working Group began meeting in November 2018 and met five times to discuss issues related to utility relocation.
- VDOT also conducted separate meetings with the contracting industry to discuss design build projects and with localities across the state to gather input on utility relocation issues related to design build projects and locally administered projects.
- The Utility Relocation Working Group developed and has provided to the CTB, for its consideration, recommendations for the CTB to make to VDOT relating to utility relocations on VDOT transportation projects.

**Recommendations:** It is requested that the CTB approve a resolution, making the following recommendations to VDOT relating to utility relocations involving VDOT transportation projects, and directing VDOT to report on implementation of and the impact of implementing the recommendations by July 1, 2021:

- VDOT should identify an overall champion to continue and enhance the implementation of improvements developed and recommended through the Utility Relocation Working Group.
- VDOT should develop a policy whereby early phase project drawings with basic project details would be provided to utility companies earlier in the project development process. These early drawings will provide utilities, with early notice of the project in a standard format, the opportunity to provide a standard set of responses to potential design-build contractors in advance of the project's procurement.
- VDOT should develop common templates for use by utilities, contractors, VDOT and local partners in the planning and relocation processes for utilities on VDOT funded projects. These templates will list information, documentation and protocols for each phase of the utility relocation process to be followed by all involved.

- VDOT should develop a policy requiring that trained and certified utility coordinators and trained utility inspectors be utilized on VDOT funded projects based upon project size and complexity criteria.
- VDOT should develop a policy that would provide for a stipend to utility companies under certain conditions and circumstances. This stipend could be offered to utility companies to facilitate their efforts in the early phases of project development to reduce their risks of designing utility relocations which may later change. This policy should consider project size and complexity criteria.
- VDOT should incorporate any approved policy improvements in its Utility and Locally Administered Program Manuals, and related documents, to provide clear direction to all utility companies, local partners, VDOT staff, and contractors.
- VDOT should develop a policy regarding allowances for time-only contract extensions for design-build projects based upon utility delays outside of the contractor's control, provided strict criteria are met.
- VDOT should implement additional utility relocation training for all involved parties. This training will enhance understanding of utility relocation requirements and will assist key project delivery personnel in obtaining certifications as utility relocations specialists and/or serving as trained utility inspectors.
- VDOT should add language to the agency's Land Use Permit Manual to solicit reviews and comments from local jurisdictions as part of the permitting process for the placement of utilities in the rights of ways for roadways planned for widening as part of the local jurisdiction's comprehensive plan.
- VDOT should establish best practices and timelines for the relocation of private fiber companies' infrastructure within established timeframes.

**Action Required by CTB:** Approval of the resolution making the aforesaid recommendations to VDOT and directing VDOT to report on the implementation of the recommendations and the impact of implementation by July 1, 2021.

**Result, if Approved:** VDOT will utilize the CTB's recommendations for purposes of improving utility relocation performance on VDOT transportation projects and report back on implementation efforts by July 1, 2021.

**Options:** Approve, Deny, or Defer.

**Public Comments/Reactions:** None