



RIGHT-OF-WAY OPERATIONS MANUAL

Chapter Forty Utilities Operations

July 2025

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Chapter Forty

UTILITIES OPERATIONS

40-1 UTILITIES FUNCTIONS

40-1.1 Overview

The Utilities Section, which is part of the Right-of-Way Bureau, acts as liaison between the Montana Department of Transportation (MDT) and utility companies when these companies wish to locate facilities within MDT right-of-way and when utilities require relocation or modification because of conflicts with MDT projects.

With respect to relocation activities, the Utilities Section provides guidance on issues and works directly with utility companies to determine relocation alignments and create agreements for cost sharing. The Utilities Section processes relocation agreements for approval. It also handles bills from utility companies for cost reimbursement. The Section serves in a similar capacity when county/city water and sanitary sewer facilities must be relocated for a construction project.

The Utilities Section develops and implements procedures governing the occupancy of highway facilities by public utilities. It is responsible for ensuring compliance with Federal codes, Montana statutes and Department policies relating to utilities. This includes provisions governing eligibility for cost reimbursement for utility relocations.

The Utilities Section administers the Department's Subsurface Utility Engineering (SUE) Program. The program uses engineering consultant contractors to locate, survey and obtain depths of utilities for selected MDT reconstruction projects.

40-1.2 Project-Related Activities

The Utilities Section assists the Preconstruction Bureau with preliminary plan reviews for proposed projects and undertakes route studies of all major reconstruction projects to develop preliminary cost estimates for utility relocations. Where appropriate, the Utilities Section recommends design changes to avoid expensive utility relocations. Section representatives make initial contact with the affected utility companies to advise them of the pending project and the possible utility conflicts. Other project-related Utilities Section activities include:

- Preliminary utility investigations.
- Responses to Environmental Services queries, including requests for environmental study information, available raptor data and cost estimates.

- Plan-in-Hand utility reviews.
- Evaluation of right-of-way documentation.
- Negotiation and preparation of contracts and agreements.
- Development and review of cost estimates.
- Oversight for relocation and adjustment of utility facilities as required by highway construction.

The development time for highway projects generally spans 3 to 5 years, including preliminary engineering stage, design, right-of-way acquisition, incidental construction for utility adjustments, and construction. The growth of Montana's counties, the related growth of utilities, and the impetus of MDT ready dates generate a need for early contact with utility companies. This helps to avoid delays in construction caused by late utility adjustments. Close coordination with utility companies also keeps the Utilities Section informed of all projected new utility facilities and facility expansion. This information is useful in the highway planning process and helps to resolve potential conflicts as soon as possible.

Ideally, utility adjustments and relocations should be completed before the project ready date. Only those adjustments that must be coordinated with the highway contractor should remain unfinished. The Utilities Section manages utility conflicts that cannot be resolved prior to the construction letting date and has the responsibility to ensure that special construction contract provisions are developed by the District or the Utilities Section to allow for joint utility and contractor work during construction.

40-1.3 ORGANIZATION AND UTILITIES SECTION STRUCTURE

The Utilities Section consists of the Engineering Manager and 3 teams. The teams are staffed by Engineering Officers, utility agents and support staff as needed to perform the work of the Section. Their responsibilities are as follows:

1. **Utility Manager**. The Section is under the supervision of the Engineering Manager, who is directly responsible to the Right-of-Way Bureau Chief for the fulfillment of the responsibilities of the Section. The Engineering Manager:
 - Develop policies and procedures.
 - Prepares, monitors, and revises the railroad/utility budget.
 - Supervises work schedules.
 - Provides oversight of field utility/railroad relocation activities.

2. Pre-Construction Supervisor.

- Responsible for cost estimates and agreements.
- Responsible for managing railroad agreements.
- Assist District Utility Agents (DUA) with project delivery.

3. Utility Agents/Railroad.

- Manage railroad and permitting agreements.

4. Utility Designer/Checker.

- Designs and checks utility plans.

5. Construction Supervisor.

- Responsible for reviewing and tracking utility agreements for the projects.
- Approving and managing all project billing.
- Managing the Utility Agents that support the Utility Permitting Administration System (UPAS).
- Manages the Broadband Coordinator that supports interstate broadband permitting.
- Approval of the SUE Surveys.

6. Utility Agents for Utility Permitting Administration System (UPAS).

- Administrator of the UPAS system.
- Supports all internal and external customer with utility permitting.

7. Interstate Broadband Coordinator.

- Manages and approving all broadband interstate permitting within the state.

8. Utility Agent for Billing & SUE Survey.

- Responsible and manages the utility agreement invoicing.
- Requests and manages the SUE survey for Phase I & II.
- Verifying cost estimation and comparison.

9. District Utility Agents.

- Responsible for utility relocation negotiations and establishing the agreement.
- Reviewing the utility accommodation permits.

- Managing the administration of utility relocation agreements after they have been approved including all invoicing.
- Responsible for providing field liaison with utility and railway companies.