



Chapter Forty

UTILITIES OPERATIONS

MONTANA RIGHT-OF-WAY
UTILITIES MANUAL

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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; and
- 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 at the earliest possible date.

Ideally, utility adjustments and relocations should be completed before the project ready date. Only those adjustments that have to 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.

40-2 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. Engineering 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:
 - develops policies and procedures;
 - prepares, monitors and revises the railroad/utility budget;
 - supervises work schedules; and
 - provides oversight of field utility/railroad relocation activities.
2. Engineering Officers, Utilities Section. There are three Engineering Officers in the Utilities Section. Two of the officers perform functions relating to utilities. One Engineering Officer is responsible for handling matters relating to cost estimates and agreements with utility companies. Another Engineering Officer is responsible for reviewing and tracking all utility and railroad agreements and program information. These duties include processing utility payments. The third Engineering Officer is responsible for Railroads. The engineering officers are under the direct supervision of the Engineering Manager.
3. Utility Agents, Helena. The Utilities Section staff also includes utility agents, who are responsible for providing field liaison with utility and railway companies. These agents handle the preparation of utility estimates, permits and utility relocation agreements. The Helena-based utility agents are under the direct supervision of the Engineering Manager.
4. Utility Agents, Districts. Each MDT District has 1 or more utility agents. These agents are responsible for utility accommodation permits and for the administration of utility relocation agreements after they have been approved.
5. Administrative Support. Administrative support for the Utilities Section is provided as needed.