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Utilities Task Force : June 18, 2002 Meeting Minutes

Maine Department of Transportation

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M.D.O.T. - Utilities Task Force

June 18, 2002 Meeting Minutes

Attachments:

- A. Meeting Attendance List
- B. Meeting Agenda

Item 1 - Utility Accommodation Policy:

The new policy seems to be working fairly well without any major problems, however there is a need to continue to publicize its existence. Carlton felt that many water and sewer districts remain unaware of the policy or its availability on the MDOT Utility Web Site (www.state.me.us/mdot/utility). Further mailings to a list provided by MRWA or presentations at some MRWA conferences may help address the situation.

It was clarified that this policy is applicable to all state and state-aid roads in Maine. In compact areas, where municipalities act as the Licensing Authority for Utility Location Permits, this policy sets the minimum standards.

Item 2 - Utility Work in MDOT Contracts

MDOT has been continuing to include many utilities in their project contracts with an “opt-out” clause. This has worked fairly well and has resulted in better prices for the utilities and more utility work being done by the MDOT contractor.

MDOT has also implemented a “capped agreement” for surface adjustments involving municipal and not-for-profit utilities. Such agreements guarantee a set price for manhole adjustments, manhole rebuilds, and watertight adjustments if such work is included in the MDOT construction contract. If bid prices are lower than the capped amount, the utility gets the lower price. This has also worked well and has resulted in better prices and more utility work being done by the MDOT contractor.

Item 3 - Company Organizational Changes

MDOT reviewed its current organizational structure and summarized where in the organization people are located. The MDOT Utility Web Site continues to make all contact information available to utilities. Some of the other companies that have recently gone through major organizational changes were, unfortunately, not present at this meeting. Those in attendance had nothing new to report in this regard.

Item 4 - Subsurface Utility Engineering (SUE)

MDOT will soon be posting two RFQs: One to contract with at least two firms to provide Subsurface Utility Engineering (SUE) services and one to contract with at least two firms to provide vacuum excavation services.

SUE is an engineering process for accurately identifying the quality of subsurface utility information needed for highway plans and for acquiring and managing that level of information during the development of a highway project. On select projects (typically urban areas) this service would replace the need for utilities to mark (designate) their facilities up front in the design stage of a project. Furthermore, the vacuum excavation component would replace the need for test pits.

Vacuum Excavation is a method of using specialized equipment to dig low-impact (1 sq. ft. or less) test holes. Such test holes can be used to identify the existence of utilities (or lack thereof) and to gather general information regarding size, type, depth and condition of the utility facility.

MDOT hopes to be using these services on select projects by Fall.

Item 5 - General Issues, Projects, etc...

Letter #1: MDOT is still, on occasion, mistakenly sending out duplicate requests for Letter #1 (Which requests a contact from utilities located within the limits of a project). This is typically happening when consultant firms are providing the coordination services and may be the result of multiple file locations at MDOT that still need to be cleaned up following the latest reorganization. Brian is attempting to get this corrected and is also continuing to pursue the development of a database that will address this issue.

Funding for Small Utilities: Small utilities continue to have a problem obtaining funds to relocate or replace facilities in a timely manner on projects. As a result, projects are often delayed or highways are constructed over old facilities. This group needs to reopen this issue and try to identify potential solutions. Brian Burne, Jim Cohen, Carlton Gardiner, Dennis Kinney and Chris Simpson briefly discussed this issue following the meeting and intend to regroup (in whole or in part - depending upon the availability of those involved). Dennis will draft a brief summary of one proposed approach and Brian will discuss the situation further within MDOT for additional ideas.

Highway Opening Permits: These permits still remain an issue regarding: 1) excavations in non-paved areas, 2) who can apply, 3) policy vs. rule, and 4) the \$1000 threshold for escrow accounts. Since these permits are administered by MDOT's Bureau of Maintenance and Operations, Brian will coordinate with someone in that Bureau to open up discussions. Unfortunately, the person who used to oversee this issue has retired from MDOT and a replacement has not yet been named, so there will be a delay until such time a replacement is hired. Brian intends to investigate the possibility of combining the Highway Opening and Utility Location Application processes. Updating the application processes to allow electronic applications will also be a part of this effort.

Item 6 - Recent Bills/Rules

Discussed a couple new bills (An Act to Improve the Safety Provided by the Underground Facilities Protection Law (aka "Dig Safe" bill - LD 2024), and An Act Regarding Utility Easements, (LD 1973)). Also reviewed the general intent of the MPUC's Line Extension rule. More detailed information can be obtained from the state's legislative web site:

<http://janus.state.me.us/legis/session/>

Next Meeting: Late 2002/Early 2003

I have attempted to summarize our discussions as accurately as possible, however, if anyone feels that I have missed or misrepresented any of the items, please notify me within a two week period. Otherwise, this record will be understood as accurate. - Brian

Attachment A

UTILITY TASK FORCE MEETING June 18, 2002 Attendance List

<u>Name</u>	<u>Company</u>	<u>E-mail</u>
Brian Burne	MDOT	brian.burne@state.me.us
Tom Atwood	CMP	thompson.atwood@cmp.com
Jim Cohen	Verrill & Dana	jcohen@verrilldana.com
Sam Hafford	Lincolnville Comm.	samh@tidewater.net
Dennis Kinney	Hallowell Water Dist.	dkinney1@msn.com
Ron Bartley	Maine Pub. Service	rbartley@mainepublicservice.com
Larry Ralph	CMP	alralph@cmpco.com
Rich Harper	Verizon	richard.j.harper@verizon.com
John Butts	ACM	jbutts@acm-inc.org
Carlton Gardiner	Maine Rural Waters Assoc.	cgardiner@mainerwa.org
Don Gobeil	Kennebunk Water District	kkw@cybertours.com
Russell Walton	Mid Maine Communications	rusty@midmaine.com
Michael Davies	FHWA	michael.davies@fhwa.dot.gov
Chris Simpson	Maine Rural Water Assoc.	csimpson@gwi.net
Jay Nutting	Verrill & Dana	jnutting@verrilldana.com
Julia Spinney	MDOT	julia.spinney@state.me.us
Shawn Smith	MDOT	shawn.smith@state.me.us
Bill Akins	MDOT Legal	william.akins@state.me.us

Attachment B
Utility Task Force Meeting

Date: June 18, 2002

Time: 1 - 4 p.m.

Location:

Maine Conference Room, temporary MDOT Building in Winthrop

Agenda:

1:00 - 1:10 Welcome & Introductions

1:10 - 1:30 Utility Accommodation Policy

- How are things going?
- Questions/Comments?

1:30 - 1:40 Utility Work in MDOT Contracts

- Opt-out agreements
- Surface adjustment “capped agreements” for water and sewer facilities included in MDOT contracts

1:40 - 2:00 Company Organizational Changes

- Updates and impacts

2:00 - 2:10 Subsurface Utility Engineering (SUE)

- What is SUE
- Pilot Project
- RFQ/Intended Use

2:10 - 2:30 General Issues, Projects, etc...

- What’s working well/What needs work?

2:30 - 2:45 Break

2:45 - 3:30 Recent Bills/Rules

- An Act to Improve the Safety Provided by the Underground Facilities Protection Law (“Dig Safe”) (LD 2024 - 03/28/2002 Signed by the Governor)
- An Act Regarding Utility Easements (LD 1973 - 04/03/2002 Signed by the Governor)
- Construction Standards and Ownership and Cost Allocation Rules for Electric Distribution Line Extensions (MPUC Rule, Chapter 395)

3:30 - 4:00 New Issues

4:00 Adjourn