



INSPECTION & OVERSIGHT OF UTILITY WORK WITHIN HIGHWAY ROW

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AMERICAN ASSOCIATION OF
STATE HIGHWAY AND
TRANSPORTATION OFFICIALS

AASHTO
THE VOICE OF TRANSPORTATION

AGENDA

- Master Franchise
 - General
- Utility Permit Work Requirements
 - General
 - Inspection
 - MOT Approval
- Utility Relocation Associated w/ State Projects
 - General
 - Inspection
 - MOT Approval
 - Advanced Work

MASTER FRANCHISE, GENERAL

- Governs the installation of all utility facilities within State ROW and is good for 50 years with automatic renewal for another 50 years unless revoked by the Department. Must be in place prior to utilities installing within State ROW.
 - Utility to hold State harmless.
 - Work shall conform to the DeIDOT Utility Manual
 - Utility shall respond immediately to emergencies related to their facilities and must respond within 3 hrs to less urgent trouble calls.
 - Utility must comply with Delaware laws and regulations including Delaware's Underground Utility Damage Prevention and Safety Act (Miss Utility or One Call).
 - State may withhold permits or take other reasonable sanctions deemed appropriate for non-compliance situations.
 - Outlines revocation process.

PERMITS, GENERAL

- Delaware Code provides the Department with authority and responsibility to regulate the use of State highway ROW. This includes oversight/approval of materials, placement, restoration, etc.
- Must follow provisions outlined DeIDOT Utility Manual.
- Master Franchise or Use & Occupancy Agreement must be in place prior to applying for a permit.
- Permits required for all new utility installations or maintenance work.
- There is currently no fee for utility permits and the associated inspections.

PERMITS, INSPECTION

- Inspection of permit work occurs through the Public Works sections in our District offices with in-house personnel. This is a branch of Maintenance.
- Inspectors essentially spot check various utility permits looking for proper MOT, construction practices, adherence to permit & standard specs, etc. Larger projects may get more attention but the inspectors are responsible for many projects at once. Manual and standard specs outline backfill and compaction requirements along with restoration requirements.
- Utility companies are to provide 24 hour notice to inspectors prior to performing work associated with an approved permit.

PERMITS, INSPECTION

- Inspectors have the authority to stop work if necessary. Will call in police assistance if necessary to remove contractor from ROW.
- Utility permit projects do not typically go through a formal final inspection process but are subject to good faith warranties (3 yrs on hot mix & 1 yr for other restoration). Special insurance and/or surety bonds are not required by DeLDOT for utility permit work.

PERMITS, MOT APPROVAL

- Permits are reviewed & approved through an electronic, web-based application.
- Permits are typically reviewed/approved by our Traffic Safety Officers as part of the system workflow. Certain areas and emergency permits are an exception to this.
- Traffic Safety Officers will spot check MOT for permits and will supply reports back to inspectors/managers outlining issues. Also have authority to stop work if unsafe.

STATE PROJECT, GENERAL

- Similar to the permit side, companies must have Franchises to be located within the ROW. There may be some that are located in ROW without but there is legislation or some other type of agreement that covers.
- Relocation work associated with a highway or bridge project is coordinated through the Utility Engineer's office during design.
- Depending on DE Code requirements, companies may be entitled to reimbursement for all or part of the relocation work.

STATE PROJECT, INSPECTION

- Typically the DeDOT Construction Section handles inspection of utility relocation work associated with DeDOT projects. Inspect based on plans, specs, etc. similar to inspection provided through permit side.
- Depending on project, inspectors may be in-house personnel or consultants. The DeDOT Utility Section does not have inspection staff.
- Construction inspectors have the authority to stop work if need be.
- Do not typically require companies to obtain utility permits if working within the State project limits, if construction inspector if assigned and overseeing work. Construction gets 2 week look ahead on State contractor schedule and tries to coordinate same with utilities.
- State project will go through final inspection process once complete but utilities are not subject to good faith warranties.

STATE PROJECT, MOT APPROVAL

- Typically MOT for the highway project is coordinated during project design. This MOT is usually enough to cover utility relocations but the construction inspector will coordinate with Traffic Safety in the field if utility work is concurrent to State contract work.
- If utility work to occur in advance of State contract, utility company will submit MOT through Utility Section. This will be provided to Construction & Traffic Safety for review/approval.
- Construction/Traffic Safety provide MOT inspections.

STATE PROJECT, ADVANCED WORK

- The Department utilizes advanced utility relocation work fairly frequently. It is evaluated on a case-by-case basis.
- Typically, a permit is not required as our Construction section will have inspection personnel assigned to the job. Inspector will handle any necessary coordination.
- Utility companies are requested to provide 10 days advance notice to our Construction section prior to starting work.
- If work is to occur so far in advance that a construction inspector cannot be assigned, a permit is required and our Public Works section will inspect. Inspection will be limited to MOT and restoration. The company should supply state project plans as part of their permit application.

QUESTIONS

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