## TxDOT / UESI Information Exchange Session Agenda

<table>
<thead>
<tr>
<th>Topic</th>
<th>Who</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ground Rules</strong></td>
<td>Anna Pulido, PE – Utility Portfolio Section Director, TxDOT</td>
</tr>
<tr>
<td><strong>Safety Message</strong></td>
<td></td>
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<tr>
<td><strong>DE&amp;I Moment</strong></td>
<td>TxDOT, ROW Utility Specialist</td>
</tr>
<tr>
<td><strong>Introductions</strong></td>
<td>Trisha Frederick, PE, MBA – Costello, Inc. Utility Engineering Division Manager, Partner</td>
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<tr>
<td><strong>Presentation: Common Deficiencies in Utility Agreements</strong></td>
<td>Wayne Robinson – TxDOT, ROW Utility Specialist</td>
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<tr>
<td><strong>Panel Discussion – Best Practices for Utility Agreements</strong></td>
<td>Trisha Frederick, PE, MBA - Moderator</td>
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<tr>
<td><strong>Open Discussion and Q&amp;A</strong></td>
<td>Anna Pulido, PE and Trisha Frederick, PE, MBA</td>
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<tr>
<td><strong>UESI Announcements</strong></td>
<td>Sandee Khoury, P.E.</td>
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<tr>
<td><strong>Adjourn</strong></td>
<td>Anna Pulido, PE</td>
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</table>
Trisha Frederick, P.E. has 18 years of experience in the design and construction of utility and transportation projects for both the public and private sectors. Her engineering experience covers the investigation of existing utilities, to facilitating utility adjustments to accommodate the physical construction of transportation improvement projects.
TxDOT/UESI Information Exchange Session
Common Deficiencies in Utility Agreements
High-Level Agreement Process

1. TxDOT District notifies Utility of project
2. TxDOT District and Utility coordinates and develop Utility Agreement
3. TxDOT District and Utility executes Standard Utility Agreement
4. ROW Division sends memo to TxDOT District
5. ROW Division conduct Administrative Review
6. TxDOT District submits SUA to ROW Division
High-Level Agreement Process

- Why does ROW Division review the Standard Utility Agreement?
  - ROW Division role is to ensure that the agreement meet State and Federal Compliance and oversight of the Utility Accommodation Program.
Agreement Tips

1. Lump Sum items in the cost estimates.
2. Not capturing all costs of relocation.
3. Insufficient information on plans.
4. No plans attached to UJUA.
5. Not addressing utility’s property interest in the right of ways.
6. Not giving reasons for supplemental agreement.
Top Issue #1

- Lump Sum items in the cost estimates.

<table>
<thead>
<tr>
<th>EXTERNAL ENGINEERING - Cost documented with INVOICES and / or CHECKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outside ENGINEERING A</td>
</tr>
<tr>
<td>UPS &amp; Associates (Easements)</td>
</tr>
<tr>
<td>UPS &amp; Associates (Utility Agreements)</td>
</tr>
<tr>
<td><strong>SUBTOTAL</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EXTERNAL SURVEY / LANDMAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>UPS &amp; Associates (Survey)</td>
</tr>
<tr>
<td><strong>$42,450.00</strong></td>
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</tbody>
</table>
Top Issue #1

- The cost estimate items must be sufficiently detailed to provide TxDOT with a reasonable basis for analysis.
  - Examples of Cost Estimate Items
    - Internal and External Labor
    - Materials
    - Internal and External Engineering
    - Replacement Easement
    - Others
- Items should include appropriate units and unit price for each (See Utility Manual, Chapter 6 Section 2).
Top Issue #2

- Not capturing all costs of relocation.
  - All costs associated with the utility relocation must be captured in the utility agreement.
  - Temporary Bypass
  - Easement Costs
  - Stopples
  - ROW Agent or Attorney Fees
  - Construction Easements
  - Environmental Evaluation
## Top Issue #1 – Not Capturing All Costs

### Missing Engineering Costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractors Expense</td>
<td>337,898.45</td>
</tr>
<tr>
<td>Materials</td>
<td>259,316.32</td>
</tr>
<tr>
<td>Vouchers</td>
<td>2,254,391.53</td>
</tr>
<tr>
<td><strong>subtotal 1:</strong></td>
<td><strong>2,851,606.30</strong></td>
</tr>
<tr>
<td>Indirect Overhead:</td>
<td></td>
</tr>
<tr>
<td>Expenses not charged directly to project:</td>
<td></td>
</tr>
<tr>
<td>Management, Buildings, etc.</td>
<td></td>
</tr>
<tr>
<td><strong>Charged to Project</strong></td>
<td>3,707,088.19</td>
</tr>
<tr>
<td><strong>Less Elective Betterment</strong></td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Salvage Material</strong></td>
<td>(5,397.30)</td>
</tr>
<tr>
<td><strong>Total Estimated Cost</strong></td>
<td>3,701,690.89</td>
</tr>
<tr>
<td><strong>Eligibility Ratio</strong></td>
<td>100.00%</td>
</tr>
</tbody>
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Top Issue #3

- Insufficient information on plans.

Hard to read
Congested Plans – Missing Existing & Proposed Facility
Where is the existing facility, proposed facility and conflict?

**Diagram:**

- **EXISTING AND PROPOSED:** 264 FIBER AND 6-1.5" HDPE DUCTS.
- **NOTE:** ABANDON IN PLACE 8-1.5" HDPE DUCTS, FIBER WILL BE REMOVED 1010+00 TO 1000+50
Top Issue #3

- The plans and profiles developed for an adjustment should clearly address existing/proposed utility’s facility and existing/proposed ROW so that justification of the work.

- To assure utility policy compliance, for each Property Line, station number and offset should be shown on the plans (See Utility Manual, Chapter 6 Section 2).

- Appropriate plans will allow the reader to establish eligibility ratio.
General Requirements Include:

- Must Depict the Conflict
- Legend (of symbols, line styles)
- Preferred – Color Coded
- Existing and Proposed Right of Way Lines
- Existing and Proposed Utility Easements
- Existing and Proposed Utility Facilities
- Proposed Joint Use Areas
- TxDOT Highway Stations
- Utility Facility Offset from Right of Way Line
- Profile Views
- Betterments
- Eligibility Calculations by page (Facility Measurements to determine Eligibility and Verify Cost Estimate)
Top Issue #4

- No plans attached to UJUA.
Top Issue #4

- The approved UJUA should include a plan with highlighted area of joint use.
Top Issue #5

- Not addressing utility’s property interest in the right of ways.
- If the Utility own a property interest, after the project; what happens to the property interest?
  - Utility’s property interest inside of the state right of way should be addressed either by UJUA or quitclaim.
Top Issue #6

- Not giving reasons for supplemental agreement.
Top Issue #6

- Reason to supplement the original agreement clearly should be stated and described in the supplemental agreement.
  - Why did the cost increase/decrease?
    - Is there a side-by-side cost comparison?
  - Why did the eligibility/betterment ratio change?
    - Is the calculation correct?
  - What Attachment is being corrected?
Top Issue #7

- Incorrect betterment ratio calculation. Incorrect eligibility ratio.
- Formulas
  - Betterment Ratio

\[
\text{Betterment Ratio} = \frac{\text{Betterment Est. Total (B)} - \text{IN} - \text{KIND Betterment Est. Total (A)}}{\text{Betterment Estimate Total (B)}}
\]

OR

\[
\text{Betterment Ratio} = \frac{B-A}{B} = \frac{X}{B}
\]
Top Issue #7

Formulas

- Eligibility Ratio

A = Total number of eligible facilities within the project
B = Total number of facilities in conflict within the project
C = Eligibility Ratio, calculate to the nearest hundredth

\[
\frac{A}{B} = C
\]
### Upcoming and Available Training

#### ROW 100 – Identifying and Managing Utility Conflicts
- **7/12/2022** – Virtual (instructor led)

#### ROW 101
- **6/8-10/2022** – Virtual (instructor led)
- **8/10-12/2022** – Virtual (instructor led)

#### Utility Accommodation Toolkit:
- **Forms and Publications**
- **Joint Trenching Opportunities**
- **Resources**
- **Events (Including this presentation)**
- **Training Opportunities**

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**WE’RE BACK!**

#### 2022 Utility Week
- **October 31, 2022, to November 3, 2022**
Need Additional Information on Utility Accommodations?

Visit the TxDOT Utility Accommodations Toolkit on TNtoday

https://tntoday.dot.state.tx.us/row/Pages/utl.aspx
Matt Reinhard is a graduate of the University of North Texas in Denton, Texas. He has been working at Oncor since 2018 as part of the Transmission Line Engineering group. In 2020 Matt became a part of the Oncor Utility Relocations team and worked as the Oncor Resource Engineer for a number of Transmission Line relocation projects for TxDOT and other customers. Currently, Matt is now working as part of Oncor's Regulatory group supporting the Relocations team.
Antony Cognasi, PE

Design Services – Oncor Electric Delivery

Antony Cognasi is a graduate of Texas Tech University from Lubbock, Texas and a registered Professional Engineer in the State of Texas. He has been working at Oncor Distribution since 2014 in Oncor’s Utility Relocations group and worked on a number of TxDOT relocation projects. Currently, he is a Supervisor in the Relocations group that works with reimbursable projects for all entities. He enjoys spending time with family and playing a round of golf with friends.
Sandee Khouri, PE

Senior Vice President, Utility Solutions
Discipline Lead – Cobb Fendley

Sandee Khoury has 24 years of experience in utility coordination, engineering, and design. She is a Utility Accommodation Rules (UAR), right-of-way policies and procedures, utility conflict analysis and corridor planning expert. Ms. Khoury has served various clients, including utility owners, municipalities, transit authorities and TxDOT, primarily in the Central Texas Region.
Stefan Srnensky

*Project Delivery Utility Specialist – TxDOT*

Stefan Srnensky is a utility team lead at the TxDOT Austin District responsible for processing standard utility agreements and the corresponding reimbursement payments. He has worked for the Austin District going on 5 years. Prior to TxDOT he worked for Texas Parks & Wildlife as a water and wastewater treatment operator. He worked in multiple state parks replacing outdated infrastructure and improving treatment processes. Stefan enjoys cooking, wood crafts, golf, and fishing.
Panelist:

Corinna Clark

Utility Specialist – TxDOT

Corinna Clark is a Utility Specialist for the Texas Department of Transportation, in the ROW Division. For the first 28 years, she has worked in the Paris District in Design, Construction, Maintenance, Administration, and specializing in Utilities for 15 of those years. As a Division Utility Specialist, these past 2 years, her goals are to provide quality guidance and help develop a successful and effective utility relocation program within the State of Texas.
At what point should we discuss compensability with the Utility Owner?
What are best practices to execute agreements in a timely manner?
What is your process to obtain final approval and an executed agreement?
CECON 2022 & UESI

TOP 4 REASONS TO ATTEND CECON:
• Build relationships with Texas civil engineers & suppliers
• Explore legislative & industry panels
• Discover the latest in innovation and technology and their impact to the utility engineering and surveying field
• Earn Professional Development Hours (PDHs)

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