

# Design-Build Utility Administrative Diagram

## Issue Resolution and Escalation Process

### **Design Builder (DB) Responsibilities:**

- Notify the Department Utility Team of any circumstance that may lead to a delay claim.
- Request the Department Utility Team escalate the issue.
  - Follow coordination and documentation requirements outlined in this flow diagram for the duration of the Project.
  - Demonstrate adherence to all requirements set forth in any Third-Party Agreement.

Note: DB may request assistance in seeking Utility Company cooperation from the Department Utility Team at any step in the coordination process.

### **Department Utility Team (Region Utility Leader/RE/Project Director/Project Manager) Responsibilities:**

- Document any written or verbal discussions with DB and/or Utility Company on details regarding a specific Utility Company's participation or lack thereof.
- Request required documentation / deliverables from DB in the form of a formal submittal package.
- Review submittal package to determine if the Administrative Order process is required.
- Notify the Utility Company of request to escalate.
- Meet with Utility Company in an attempt to resolve the issue prior to further escalation to the Statewide Railroad and Utilities Director. If no timely resolution is agreed on, Department Utility Team escalates issue to the Statewide Railroad and Utilities Director.
  - Statewide Railroad and Utilities Director meets with Utility Company and decides whether to begin the Administrative Order process.

Note: Two Administrative Orders may be required. The First Order is a legal notice of action that may be taken by the Department and provides a reasonable schedule/timeline for the Utility Company to correct the issue(s). The Second Order comes after the Utility Company fails to comply with the First Order. This is a legal notice of the action the Department is taking against the Utility Company.

## Design Builder (DB) Required Coordination - by Milestone

## Required Documentation – ALL Milestones

## Additional Required Documentation – by Milestone

### DB Utility Kick-off Meeting/Utility Coordination Meetings

- Notify Utility Company and the Department of any required meeting 2 weeks in advance of DB Utility Kick-off Meeting and 1 week in advance of any subsequent meeting for each conflict. Notice must provide the Utility Company a reasonable opportunity to meet and time to schedule an alternate time and location. Provide the notice verbally with written follow-up.
- Meet with the Utility Company to coordinate any required relocation work. Document who attends each meeting, what commitments were made, and what materials were distributed or received by the Utility Company in the meeting minutes.
- Document Utility Company commitments made during meetings, verbal or written. Distribute an electronic copy of the commitments, distributed materials, meeting minutes, and attendance sheet to the Utility Company and the Department Utility Team.
- Record attempts and methods to seek Utility Company cooperation and participation (including alternate meeting dates, Utility Company point of contact, and contact method, e.g., telephone, voicemail, text, email).

### Baseline Schedule & Utility Work Plan

- If Utility Work is performed by the Utility Company, request baseline schedule and Utility Work plan during DB Utility Kick-off Meeting or subsequent coordination meeting. Provide a verbal and written deadline (per the terms of each Master Utility or Statewide agreement) but no less than 2 weeks from the written request.
- If the DB is performing the Utility Work, obtain written acknowledgement from Utility Company of agreed upon DB baseline schedule and Utility Work plan. A copy of this acknowledgement shall be delivered to the Department Utility Team.
- Document verbal/written correspondence to/from Utility Companies.

### Revised/Updated Schedule & Utility Work Plan

- If Utility Work is performed by the Utility Company, request revised/updated schedules and Utility Work plan during coordination meetings. Provide a verbal and written deadline (per the terms of each Master Utility or Statewide agreement) but no less than 2 weeks from the written request.
- If the DB is performing the Utility Work, obtain written acknowledgement from Utility Company of agreed upon revised/updated schedule and Utility Work plan. A copy of this acknowledgement shall be delivered to the Department/Utility Team.
- Document verbal/written correspondence to/from Utility Companies.

### Notification and Utility Work Performance

- Ensure record of verbal correspondence log, Utility Company commitments, and written acknowledgement from Utility Company of agreed upon baseline/updated/revised schedule and Utility Work plans from previous coordination efforts is kept for each specific conflict.
- Notify Utility Company, verbally and with written follow-up, of Utility Work performance regarding Utility Company failure to:
  - Provide required advanced notification before beginning Utility Work.
  - Provide required notification of changes in agreed upon schedule and Utility Work plan.
  - Complete Utility Work by agreed upon schedule date.
  - Complete Utility Work according to approved design.
- Document DB's adherence to Utility Company requests for information or action items, agreed upon schedule and schedule, and Utility Work plans.
- Show evidence of unchanged site conditions or work factors which limit or prohibit Utility Company from completing its Utility Work as planned. For example, dated photo showing work area is available for Utility Company to perform Utility Work.

- Verbal correspondence log
- Written notifications (email/mail)
- Verbal/written response from Utility Companies
- Meeting minutes
- Utility Company commitments
- Attendance sheets
- Record of attempts and methods to contact non-responsive Utility Companies

- Complete Required Documentation – ALL Milestones

- Complete Required Documentation – ALL Milestones, and;
- Utility Company baseline schedule and Utility Work plan
- Utility Company acknowledgement of DB baseline schedule and Utility Work plan

- Complete Required Documentation – ALL Milestones, and;
- Utility Company updated/revised schedule and Utility Work plan
- Utility Company acknowledgement of DB updated/revised schedule and Utility Work plan

- Complete Required Documentation – ALL Milestones, and;
- Baseline/Updated/revised schedule and Utility Work plan with Utility Company commitments/acknowledgement
- Field logs
- Record of DB adherence to schedule
- Evidence of unchanged site conditions and no work factors outside of the utility's control which limits the utility work
- Copy of notification requirements from the project agreement.