

FLORIDA STATUTES, FLORIDA ADMINISTRATIVE RULE AND UTILITY ACCOMMODATION MANUAL 2010

Florida Statutes 337.401-405

These statutes gives FDOT authority to establish rules for utility accommodation.

Rule 14-46

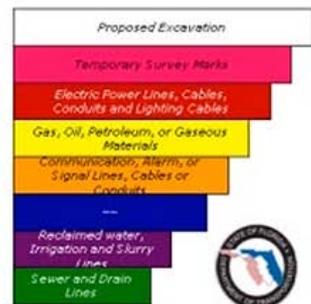
The rule says what requirements are to be enforced and that they can be found in the UAM.

2010 UAM

2010 UAM

Utility Accommodation Manual
(Pocket Version)

The UAM contains the requirements.



Topic No: 710-020-001-g

Section 337.401, F.S. through 337.405, F.S. - UAM Sections 1.2, 4.1.5, 4.8.1

Florida Statute - 337.401 Use of right-of-way for utilities subject to regulation; permit; fees

Florida Statute - 337.402 Damage to public road caused by utility

Florida Statute - 337.403 Relocation of utility; expenses

Florida Statute - 337.404 Removal or relocation of utility facilities; notice and order; court review.

Florida Statute - 337.405 Trees or other vegetation within rights-of-way of State Highway System or publicly owned rail corridors; removal or damage; penalty.

14-46.001 Utilities Installation or Adjustment.

(1) Purpose. This rule is established to regulate the location and manner for installation and adjustment of utility facilities on any Florida Department of Transportation (FDOT) right of way, in the interest of safety and the protection, utilization, and future development of such rights of way, with due consideration given to public service afforded by adequate and economical utility installations, and to provide procedures for the issuance of permits.

(2) Permits.

(a) FDOT will issue permits for the construction, alteration, operation, relocation, removal, and maintenance of utilities upon the right of way in conformity with the FDOT *Utility Accommodation Manual* (UAM), August 2010 edition, FDOT Document No. 710-020-001-g, which is hereby incorporated by reference and made part of this rule. The UAM also incorporates by reference additional documents contained in the UAM Section 6.1, Incorporated References. Copies of the UAM are available from the FDOT Maps and Publications Office at 605 Suwannee Street, MS 12, Tallahassee, Florida 32399-0450, or the FDOT Utility Web Site: <http://www.dot.state.fl.us/rddesign/utilities>.

(b) The Utility Permit, FDOT Form 710-010-85, Rev. 08/10, is incorporated herein by reference and available from the FDOT Utility Web Site listed above.

Rulemaking Authority 334.044(2), 337.401 FS. Law Implemented 337.401, 337.403 FS. History—New 5-13-70, Amended 8-10-78, 7-22-82, Formerly 14-46.01, Amended 7-5-90, 6-8-93, 10-15-96, 8-30-99, 11-10-05, 1-24-08, 1-30-11.

UTILITY ACCOMMODATION MANUAL 2010 AND FLORIDA STATUTES

- ✘ **UAM 3-1** To expedite construction of FDOT projects, FDOT may determine *an approved FDOT Utility Work Schedule, and a relocation agreement* are equivalent to a utility permit.
- ✘ **F.S. 337-401 (2)** The authority may grant to any person who is a resident of this state, or to any corporation which is organized under the laws of this state or licensed to do business within this state, the use of a right-of-way for the utility in accordance with such rules or regulations as the authority may adopt. No utility shall be installed, located, or relocated unless authorized by a written permit issued by the authority. However, for public roads or publicly owned rail corridors under the jurisdiction of the department, a utility relocation schedule and relocation agreement may be executed in lieu of a written permit.

RELOCATION AGREEMENTS

UTILITY MASTER AGREEMENT

WHEREAS, the FDOT and the UAO desire to enter into a master agreement which **establishes the terms and conditions applicable to the Utility Work**, both for Utility Work to be reimbursed and for Utility Work to be performed at the sole cost and expense of the UAO, and **eliminates the need for an individual agreement on each Project;**

| | |
|------------|--|
| 710-010-20 | Utility Master Agreement, (At UAO and FDOT Expense Combined) - |
| 710-010-54 | Utility Work Agreement (FDOT Participating in Expense) |
| 710-010-55 | Utility Work Agreement, (At UAO's Sole Expense) |

Utility Work Agreement VS UWHC(A)

Utility Work Agreement

1. Performance of Utility Work
2. Claims Against UAO
3. Out of Service Facilities
4. Default
5. Indemnification
6. Force Majeure
7. Miscellaneous
8. Certification

Utility Work by Highway Contractor

1. *Design of Utility Work **
2. Performance of Utility Work
3. *Cost of Utility Work **
4. Claims Against UAO
5. Out of Service Facilities
6. Default
7. Indemnification
8. Force Majeure
9. Miscellaneous
10. Certification

UTILITY WORK AGREEMENT

1. Performance of Utility Work

- a. The **UAO** shall perform the Utility Work in accordance with the utility relocation schedule attached hereto as Exhibit A and by this reference made a part hereof (the Schedule) and the plans and specifications for the Utility Work which have been previously approved by the **FDOT** (the Plans), said Plans being incorporated herein and made a part hereof by this reference. If the Schedule and the Plans have not been prepared as of the date of the execution of this Agreement, then the Utility Work shall be performed in accordance with the Plans, and the Schedule that are hereafter prepared in compliance with the notice previously sent to the **UAO** which established the terms and conditions under which those documents are to be prepared. The **FDOT's** approval of the Plans shall not be deemed to be an adoption of the Plans by the **FDOT** nor a substitution for the proper exercise of engineering judgment and the **UAO** shall at all times remain responsible for any errors or omissions in the Plans. The Utility Work shall include all Facilities located on the Project and neither the failure of the **UAO** to include all of the Facilities in the Schedule, nor the Plans, nor the failure of the **FDOT** to identify this omission during its review of the Plans shall relieve the **UAO** of the obligation to make those Facilities part of the Utility Work. Time shall be of the essence in complying with the total time shown by the Schedule for the Utility Work as well as any and all interim time frames specified therein. The Utility Work shall be performed in a manner and using such methods so as to not cause a delay to the **FDOT** or its contractors in the prosecution of the Project. **The UAO shall be responsible for** all costs incurred as a result of any delay to the **FDOT** or its contractors caused by errors or omissions in the Plans or the Schedule (including location of the Facilities and the proper inclusion of all Facilities as part of the Utility Work as stated above); failure to perform the Utility Work in accordance with the Plans and Schedule; or **failure of the UAO to comply with any other obligation under this Agreement or under the law.**

PROPOSED PROCESS

Red, Brown and Green Markup Drawings

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION 710-010-05
UTILITY WORK SCHEDULE UTILITIES
12/09
Page 1 of 3



~~STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION 710-010-85
UTILITY PERMIT UTILITIES
OGC - 08/10~~

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION 710-010-55
UTILITY WORK AGREEMENT UTILITIES
10/04
(at UAO's Sole Expense) Page 1 of 8

Utility Drawings (Phase 56)

or

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION 710-010-05
UTILITY WORK SCHEDULE UTILITIES
12/09
Page 1 of 3

Utility Agency/Owner (UAO): **BACKOUT SCHEDULE**



No
UTILITY PERMIT
Required

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION 710-010-21
UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT UTILITIES
(AT FDOT EXPENSE) 10/04
Form No. 710-010-21

NTP NON-REIMBURSABLE LETTER IN LIEU OF PERMIT

Dear Mr or Ms Last Name:

The Department has approved the enclosed Utility Work Agreement and Supporting Docs or UWS as submitted for the above referenced project. If your schedule has work “prior to” construction, this work must be completed prior to [Click here to enter a date](#), 60 days after letting. In an effort to see that all work is performed on time, your agency is hereby notified to obtain any and all necessary materials required to complete your utility relocation work as stipulated on your schedule.

The attached approved Utility Work Schedule **shall be used in lieu** of a Utility Permit providing the following conditions are met:

1. The UAO shall contact the Local Operations office ([Click here to choose office](#)) 48 hours (2 business days) prior to beginning work.
2. The UAO shall provide maintenance of traffic (MOT) plan; any lane closures require a minimum of one week prior notice.
3. Any deviation from the approved UWS/marked plans need to be coordinated with FDOT’s Engineer for approval in advance, and advance and as built/record drawings shall be submitted within two (2) weeks of completion of work.

The items of work as stipulated on your Utility Work Schedule are referenced to a Utility Agreement on record dated [Click here to enter a date of agreement](#).

If other permits are required for the relocation of your facilities (i.e., City, County, DEP, DNR, Water Management District, etc.) they must be submitted to the respective agencies so your work can proceed as scheduled.

Should you have any questions concerning this matter, I can be reached at (386) 943-Extension or by email at [enter email address](#).

Sincerely,

1. Notification of proposed work to other utilities.
2. Notification of completion of work.
3. Material inspection and approval requirements.
4. Incorporation of the UAM into the permit.
5. Good faith estimate of the work timeframes.
6. No interference with other permittees.
7. Notification that the permit is a license.
8. Requirements for future relocation.
9. Requirements for future coordination.
10. Conditions for non-compliance.
11. Requirements Indemnification.
12. Requirements for Maintenance of traffic.
13. Notice for placing utility out-of-service.
14. Requirements for contaminated soils
15. Future requirement to locate, expose, de-energize or alter the proposed work.
16. Responsibilities for damages.
17. Responsibilities for restorations.
18. Compliance with Chapter 556, F.S.
19. Special FDOT Instructions.
20. Compliance with Section 119.07, F.S.
21. Disclosure of any changes to these conditions on the permit forms conditions.

NEW PROCESS ELIMINATES PERMIT PACKAGE

3.4 PERMIT APPLICATION PACKAGE

3.4.1 General Documentation

In addition to the information required on the *FDOT Utility Permit Form*, the UAO shall provide the following with the utility permit application:

- ✓ 1) A key map showing the proposed installation's location and the approximate distance and direction from the proposed work area to the nearest town, major road intersection, bridges, or railroad crossings.
- ✓ 2) Plan view drawings (preferably to scale) showing all of the following:
 - a) The R/W Lines, limited access lines or easement lines.
 - b) The proposed utility and proposed utility appurtenances (except for utility appurtenances mounted at least fifteen (15) feet above the ground and less than eight (8) cubic feet).
 - c) The horizontal distance from the proposed utility to a well defined feature of the transportation facility (such as the edge of travel lane).
 - d) A tie to roadway/railroad mileposts, or stationing (when available).
 - e) The limits of the work area (including staging, access points, or other areas to be used).
 - f) For trenchless installations, the proposed method of installation, materials, function, type, size of proposed installation and largest reamer when used.
 - g) Maximum allowable operating pressures of proposed gas mains and the locations of proposed shut-off valves.
 - h) Aboveground features such as existing utility poles within the work area.
 - i) Underground facilities such as utilities, drainage pipes, or ITS lines within the proposed work area as can reasonably be obtained by a review of existing records and a topographical survey of above ground features.
 - j) Significant physical features such as vegetation, wetlands or bodies of water.

PLAN VIEW

PROFILE

- ✓ 3) When installing underground utilities by open trench or trenchless methods or will disturb existing drainage features or grades, the UAO shall provide profile view drawings showing all of the following:
 - a) The horizontal and vertical location of the proposed utility and proposed appurtenances larger than eight (8) cubic feet.
 - b) Benchmark information (assumed datum or *North American Vertical Datum of 1988*).
 - c) Horizontal and vertical location of existing underground facilities such as utilities, drainage pipes, or ITS lines within the proposed work area as can reasonably be obtained by a review of existing records and a topographical survey of above ground features.
 - d) The proposed utility's minimum vertical clearance below the top of the pavement or existing unpaved ground.
 - e) Top of water table or confining layer when required per *UAM Section 4.3.11.1*.
- ✓ 4) Cross-sectional view showing one or more typical cross sections to adequately reflect the proposed installation's location.
- ✓ 5) A traffic control plan (TCP). When using the *FDOT Design Standards* as its TCP, the UAO shall include on the permit application specific reference to the appropriate indexes used.
- ✓ 6) Manufacturer's certifications of proposed underground appurtenance manufactured offsite such as manholes, splice boxes or vaults that are greater than eighty (80) cubic feet in accordance with *UAM Section 4.3.4.1*.
- ✓ 7) Signed and sealed plans and specifications for proposed attachments to structures suitable for inclusion in the Florida Bridge Management Inventory System (BMIS) file including a bridge load rating analysis where attachments affects the bridge's carrying capacity.
- ✓ 8) Not more than six photographs documenting work area conditions prior to the utility work as requested by the Local Maintenance Engineer. The Local Maintenance Engineer shall waive the requirement for photographs when unnecessary.

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- ✓ 9) Justification and drawings showing proper replacement of the roadway for any open trenching, pavement cuts, or water supply line conflicts
 - ✓ 10) For aboveground crossings of an operational LA R/W between interchanges, a list of any other anticipated crossings.
 - ✓ 11) A completed standard railroad application package when within on FDOT rail corridors.