TN

TDOT Utilities Website

EPIC

Empowering People, Influencing Culture

IPD

Integrated Program Delivery

2025 Tennessee Utility Contractors Group Luncheon

Introduction

By: Regional Utilities Personnel

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Regional & Headquarters Utility Staff

- Regional Utility Managers – Permits Staff
  - Region 1 : Macario Reyes – Terry Ogle
  - Region 2 : Andrew Miller – Stephanie Allen
  - Region 3 : Jon Zirkle – Tom Cole
  - Region 4 : Branden Garcia – Patrick Walker

- Headquarters
  - Utility Agreements & Encroachment Manager : Michael Horlacher
  - Statewide Technical Specialist Regions 1 & 2 : Christopher Johnston
  - Statewide Technical Specialist Regions 3 & 4 : Monica Cromer

10 Year Plan Overview

By: Jon Zirkle

Region 3 Utility Manager

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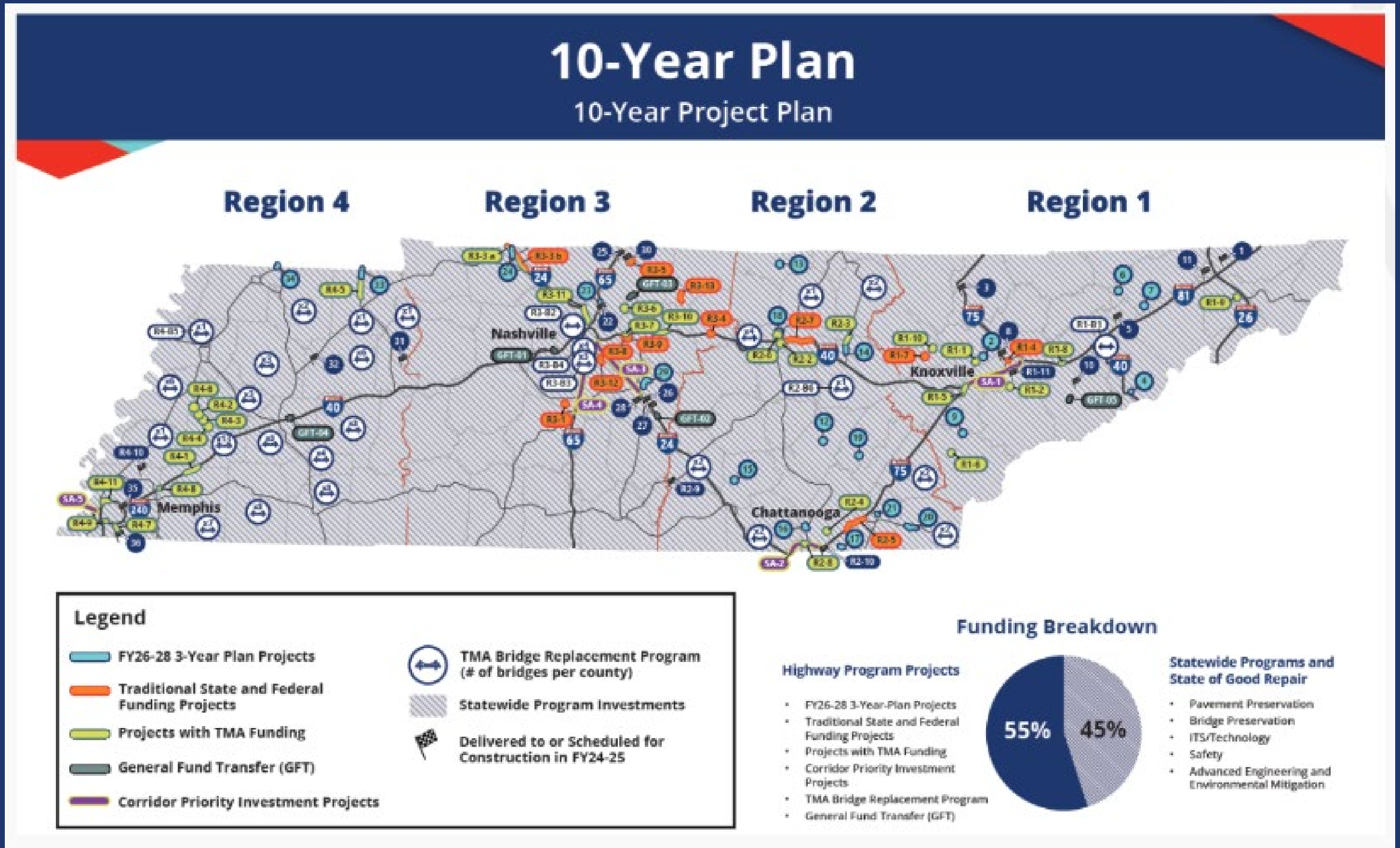
10 Year Plan Overview

- **Build With Us website link - [Build With Us]**



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10 Year Plan Overview

- **Talking Points for Updated 10 Year Plan**

    - TDOT is required to release a plan in support of its budget annually. This year, we will hopefully do that twice if the budget passes as proposed. We are releasing this now on April 7 with the current funding level. Should the proposed budget pass with the inclusion of the $80m recurring and $1b non-recurring, we will release another plan in the May/June timeline.
    - TDOT reevaluates our 10-year project plan every year. But it's not as simple as picking and scheduling projects. There's a lot more at play. The scope, the funding, the environmental impact—everything must align like a game of Tetris.

10 Year Plan Overview

- **Talking Points for Updated 10 Year Plan**

- TDOT delivers more than the projects listed in the 10-year plan. You'll find additional planned work on our website, ranging from our 3-year pavement, bridge, and safety plans to our funding programs for transit, aviation, rail, and traffic operations and management.
  3-Year Off-System Bridge Program
  3-Year On-System Bridge Program
  3-Year Pavement Plan
  3-Year Safety Program
  3-Year Unstable Slope Program

10 Year Plan Overview

- **Various funding types and project delivery methods**
- Transportation Modernization Act (TMA) [Transportation Modernization Act]
  - **Governor Lee's proposed FY24 budget recommends providing a general fund transfer of approximately $3.3 billion to the Department of Transportation to help jump-start critical transportation projects in both rural and urban areas of the state**
  - $750M for each of TDOT's 4 regions
  - Public Private Partnership (P3 delivery) – Choice Lanes project
  - Expanded Alternative Delivery (CMGC, Design Build)
  - Creating Parity with Electric Vehicles
- General Fund Transfer (GFT)

Chapter 86 Policy Overview & Changes

By: Jon Zirkle

Region 3 Utility Manager

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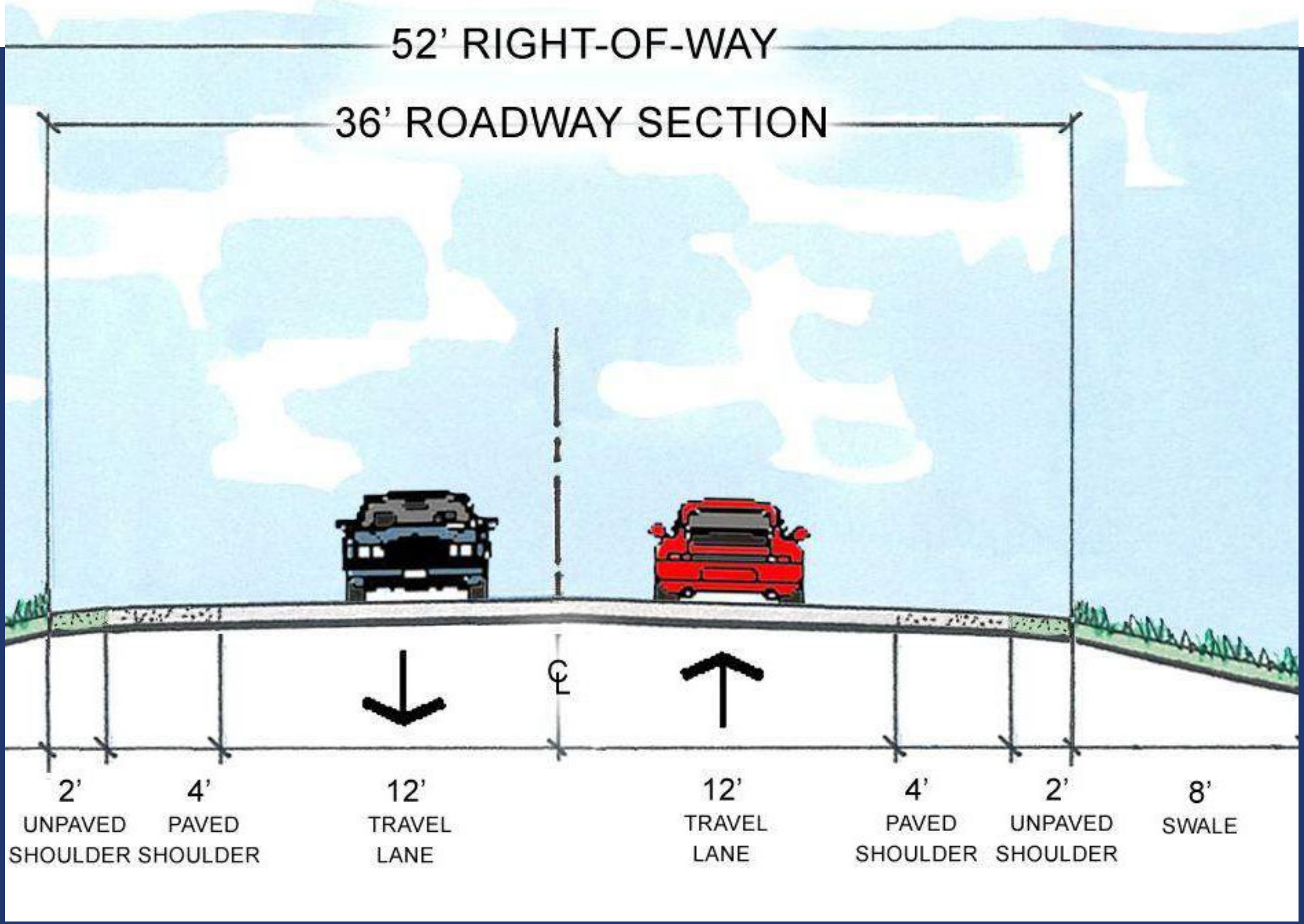
Utility Relocation Reimbursement Types

- Property Rights
  - Mandatory (5th & 14th Amendment)

- Chapter 86
  - Permissive (by policy)
  - Only applies to public ROW



Chapter 86 Qualified Projects

- Bridge Replacements on State Highway System
- Grade and Drainage projects w/ROW acquisition
- Projects identified by the Commissioner

- Examples of "minor" non-qualified projects
  - Resurfacing Projects
  - Safety Projects
  - State Industrial Access (SIA) Projects

Utility Eligibility Requirements

- Possess a valid permit
- Respond within 120 days (45 more days for revisions)
- Enter into written relocation agreement
  - Move Prior to Letting (Move Prior)
  - Move In State Construction Contract (Move In State)

Other Key Historical Dates

- 2007 – $1.75M reimbursed cap implemented by policy
- 2014 – Move Prior reimbursement reduced by 50%
  - For Profits receive 75% on MIS and 25% on MP
  - Non-Profits receive 100% on MIS and 50% on MP
- 2021 – One-call compliance added (TN 811 “call before you dig”)
- 2023 – B-date deadline extended from 16 to 28 weeks prior to letting

February 14, 2024 Policy Changes!!

- Applies to projects distributed after February 14, 2024
- Raised cap from $1.75m to $2.5m
- Incentives Utilities to move prior
  - 100 % not for profit companies
  - 75% for Profit
- B-date deadline changed again from 28 weeks to 26 weeks prior to letting

Chapter 86 Contract Types

- Move Prior
  - Conflicts must be removed by letting!
  - Work done by:
    - Force Account
    - Low Bid
    - Continuing Contract
    - Combination
- Move In State
  - Stamped plans required.
  - Work done by TDOT's contractor.

Non-Chapter 86 Contract Types

- Public/Private (Percent)
  - Traditional
  - Move In State
- Pipeline
- Move Again
- Replacement Easement
  - Recorded
  - Prescription
- Move In State w/Exceptions
  - Material
  - Negotiated Labor (AT&T)

This is the key message:

- Chapter 86 changes encourage more move prior utilities
  - If working on ROW, place utilities according to approved plans
  - As built information is encouraged (if not required) to avoid move again costs
  - If working off ROW, make sure utility has acquired all easements before beginning work
  - If utility does not have a relocation contract, then a utility permit is required to work on ROW or within limits of a project

Permits

By: Jon Zirkle
Region 3 Utility Manager

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TDOT Utility Permit Process

- Utility Permit Submission

  - Permit applications are sent to region utility or permits email box
  - We permit utilities not contractors, consultants or developers
  - Contractors, consultant or developers can submit applications but under cover letter from the utility
  - TDOT Utilities Office website has updated staff contact information.

TDOT Utility Permit Process

- **<u>Permit Reviewed</u>**
  - Permit supervisor assigns permit reviews from permits email box
  - All permit applications are reviewed to ensure that a cover letter from a utility, plans, a traffic control letter, and all applicable forms are included.
  - If utility is not a General Agreement holder, then a U&O form req'd.
  - Plans are complete and reflecting the work proposed in the permit request
  - Permit request meets the 1680 Rules for Accommodating Utilities on the ROW.
  - Location of request is cross referenced with ROW phase projects, Active Construction, and future TDOT projects using 360, 3 Year Plan, Construction Job Box, ETrims, etc.

TDOT Utility Permit Process

- **Permit Distribution**

  - Permit is signed by permit reviewer and distributed for signatures. If higher level approvals are required, then Adobe Sign is used.
  - Non-open cut permits are signed by reviewer and permit sup.
  - Permit is distributed to the utility with a copy to applicant if other.
  - A copy of the permit has to be on the job site at all times for inspection purposes.

TDOT Utility Permit Process

- <u>Open Cut Approval</u>
  - Permit reviewer elevates open cut request with hardship justification to permit supervisor and utility office manager.
  - Email including open cut request, hardship justification, and supporting plans and documents is forwarded to each.
  - Information is reviewed to ensure additional options are not available. If justification does not consider other options then the application is put on hold for the utility to provide more information on alternatives considered or available.
  - If open cut is justified and documented, then permit is sent for Region Director review and approval.

TDOT Utility Permit Process

- **Utility Owner Notification**
  - Approved utility permit is emailed back to the utility.
  - If a contractor, consultant or developer compiled the application, they are copied on the distribution as appropriate.
  - District Maintenance personnel are copied on the permit distribution for coordination and inspection purposes.
  - Work hours, any special conditions, and repair details are provided in the permit.
  - A copy of the permit has to be on the job site at all times for inspection purposes.
  - If the site overlaps a TDOT project, then the contact info for project engineer is provided.

TDOT Utility Permit Process

- <u>Utility Permit Inspection</u>
  - Utility contacts TDOT Maintenance to begin work or project engineer if work overlaps a TDOT project.
  - Utility must have traffic control installed properly according to MUTCD.
  - Utility is responsible for maintaining traffic and safe work zone during allowed working hours and intermittently if project spans multiple days.
  - No equipment or materials can be stored on the shoulder or travel lanes when no work is occurring or overnight.
  - Backfill, repair work, and final paving is completed according to permit repair detail and TDOT Standard Specifications for Road and Bridge Construction.

TDOT Utility Permit Process

- <u>Utility Permit Closing</u>
  - Utility contacts TDOT Maintenance and/or Utility Office notifying that work is complete and requests bond to be released if applicable.
  - Final inspection of permitted site is performed.
  - Utility bond is released if no further repairs are needed if applicable.

TDOT UTILITIES PERMIT

The appropriate forms will need to accompany the request… Under Ground Encroachment Form (Communications, Fiber, Electric, etc.), Pipeline Encroachment form (Water, Sewer, Gas), Aerial Encroachment form (Communication, Fiber, Electric, etc.)

- 11x17 Drawings (Sketched Drawings in PDF, CADD Drawings, etc.) We have to know where the utility will be on TDOT ROW. We will always push to be as close to edge of right of way as possible since our number one concern is the motoring public. We need distances from edge of asphalt to ROW and edge of asphalt to where the utility is located.
- Utilities Forms are on the TDOT Utilities website - Utilities Division (tn.gov)

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Environmental Agreement for Utility Projects

I, the undersigned representative of the Utility named below, state the following:

1. The Utility desires to construct the project described below (the named project).
2. The Utility is aware that it may be required by law to obtain one or more environmental permits prior to constructing the named project; that determining which permits are necessary and obtaining those permits are the sole responsibility of the Utility; and that the activities of the Utility in constructing the named project are not covered under any permit associated with TDOT construction activities.
3. The Utility agrees that if the total area of disturbed land associated with the construction of the named project is planned to, or does at any time actually exceed one (1) acre, the Utility shall obtain coverage under the *National Pollutant Discharge Elimination System General Permit For Discharges Of Stormwater Associated With Construction Activities*.
4. The Utility agrees that during all phases of construction of the named project, the Utility shall implement and maintain appropriate Erosion Prevention and Sediment Control (EPSC) measures, as published in the TDOT *Standards and Specifications* and/or the Tennessee Department of Environment and Conservation (TDEC) *Erosion and Sediment Control Handbook*.
5. The Utility agrees that it shall comply with all State and Federal laws, rules, regulations and permit terms and conditions applicable to the construction of the named project.

Utility Name: ______________________________

Utility Address: ______________________________

Utility Phone: ____________________ Fax: ____________________

Project Description: ______________________________

____

Representative Name: ______________________________

____________________ _____/_____/_____

(SIGNATURE) (DATE)

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Pipeline Encroachments

The following information is required to accompany all plans for pipeline encroachments.

		Carrier Pipe	Casing Pipe
1.	Contents to be handled	__________________	__________________
2.	Outside Diameter	__________________	__________________
3.	Pipe material	__________________	__________________
4.	Pipe Specification and grade	__________________	__________________
5.	Wall thickness	__________________	__________________
6.	Design Pressure	__________________	__________________
7.	Actual Working Pressure	__________________	__________________
8.	Type of joint	__________________	__________________
9.	Coating	__________________	__________________
10.	Method of installation	__________________	__________________
11.	Protection at end of casing	__________________	__________________

Both Ends ______ One end ______ Type __________________________

12. Cover: Finished grade to top of casing or carrier _____________________________

Bottom of ditch or toe of slope to top of carrier to casing _______________________

____

13. Cathodic protection ____

14. Size and height of casing vent ____

15. Distance from casing vent to edge of nearest traffic lane _______________________

Underground Electric Encroachments

The following information is required to accompany all plans for underground electric or communications encroachments.

This information may be shown on the plan or by attachment thereto.

1. **Type of facility** ____
2. **Type of conductor or cable** ____
3. **Size of conductor or cable** ____
4. **Type of duct or encasement** ____
5. **Minimum longitudinal cover** ____
6. **Minimum cover at crossing of travel way** ______________________________

Overhead Encroachments

The following information is required to accompany all plans for overhead power or communication encroachments.

This information may be shown on the plan or by attachment thereto.

1. **Type of facility** ______________________________

2. **Type of conductor or cable** ______________________________

3. **Size of conductor or cable** ______________________________

4. **Poles - Height** ______________________________

   Poles - Type ______________________________

   Poles - Class ______________________________

5. **Guys - Type** ______________________________

   Guys - Size ______________________________

6. **Minimum vertical clearance @ point of crossings** ____________________

7. **Cross arm - Type** ______________________________

   Cross arm - Size ______________________________

Permits Staff

Encroachments (Permits)			
Region 4	Region 3	Region 2	Region 1
Patrick Walker Phone: (731) 935.0121 Patrick.Walker@tn.gov	Tom Cole Phone: (615) 350.3083 Thomas.Cole@tn.gov TDOT.R3.UtilityPermits@tn.gov	Stephanie Allen Phone: (423) 510.1276 Stephanie.Allen@tn.gov TDOT.R2.Util@tn.gov	Terry Ogle Phone: (865)594-2424 Terry.Ogle@tn.gov TDOT.R1.Util@tn.gov

TN TDOT Department of Transportation

TDOT UTILITIES

LANE CLOSURES

- All shoulder and lane closures are required to be on an approved lane closure report that is compiled on Monday morning before 10 AM.
- It is read to our Region Director and construction personnel on Wednesday mornings.
- Then it goes to TDOT Commissioner’s office for their review.
- After all reviews, the most critical are put out through TDOT communications office to make motoring public aware of when, where, and why lanes will be shutdown and an expected timeframe.

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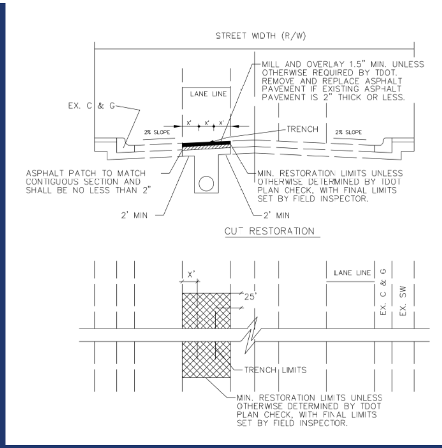
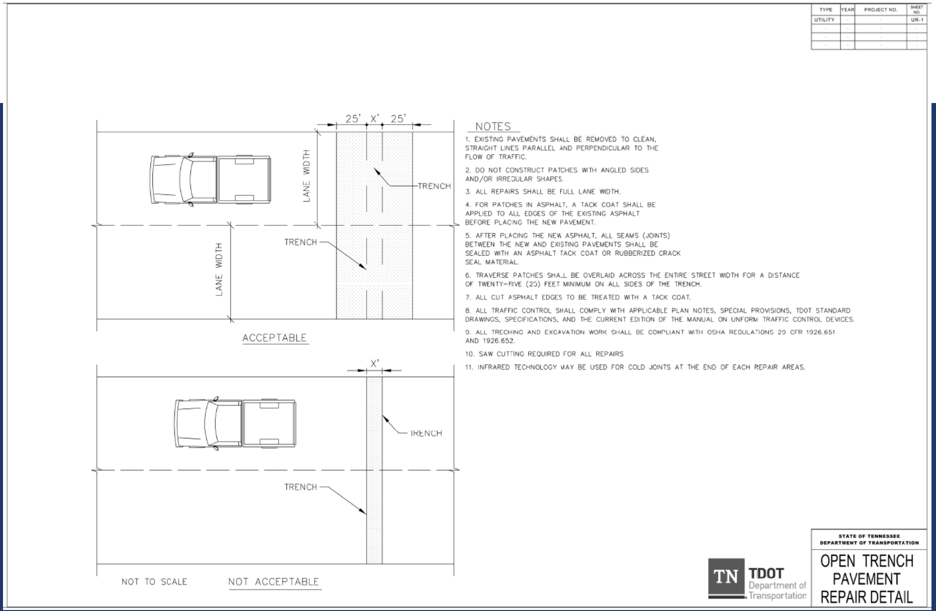
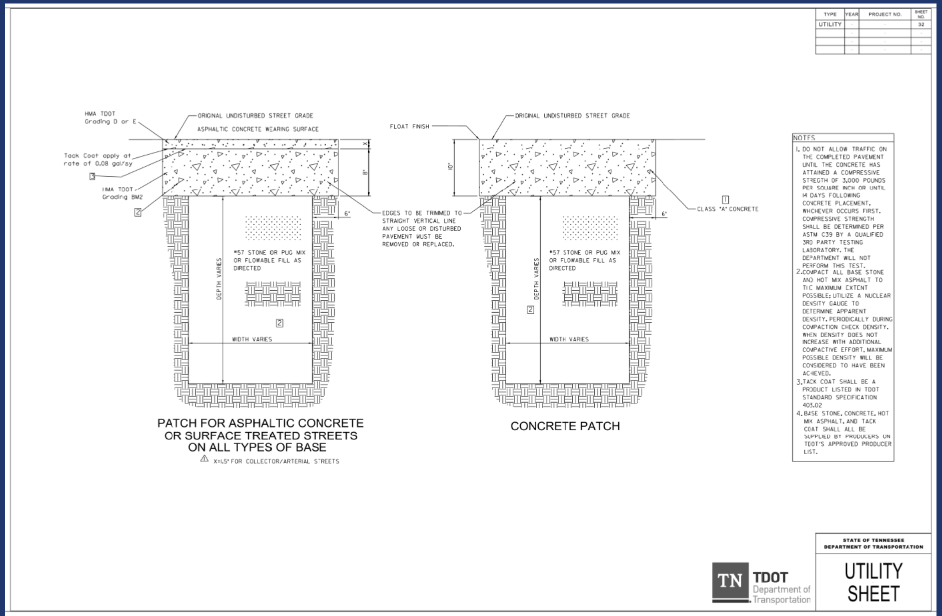
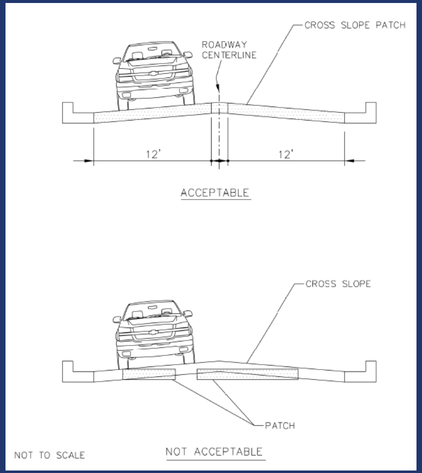
TDOT Standard Repair Details and Notes
TDOT Website









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TDOT Construction Website – 2021 Standard Specifications (tn.gov)

TDOT Spec Book - Page 735 Traffic Control

TN TDOT Department of Transportation

A. **Flaggers**

Provide flaggers with proper attire and paddle when necessary to safely handle traffic through the construction zone. Ensure that flaggers are trained and certified in flagging operations by one of the following training programs:

1. American Traffic Safety Services Association (ATSSA)
2. National Safety Council (NSC)
3. Tennessee Transportation Assistance Program (TTAP)
4. ABET Accredited University Programs

The Department will accept flagger training programs developed and conducted by construction industry associations, consultant organizations, and contractors if they have an established, written program that meets all MUTCD requirements and Department Policy.

The Department will review and determine if an alternative training program is acceptable prior to use. Alternative training programs shall meet all MUTCD requirements and follow FHWA guidance.

The Department will consider flaggers to be a general requirement of traffic control and will not make direct payment for such.

Coordinate flagging operations in a manner that causes as little delay to the traveling public as possible. Delays shall be kept within 2 minutes or ¼ mile, but shall not exceed 5 minutes or a 1 mile maximum, unless prior authorization is granted by the Department.

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TDOT Spec Book - Page 156 Flowable Fill

B. **Flowable Fill**

If shown on the Plans, place as backfill material a controlled low strength material (CLSM) (flowable fill) at the locations shown on the Plans or as directed by the Engineer.

Materials used in the placement of CLSM shall meet the following requirements:

Portland Cement, Type I	901.01
Fine Aggregate	903.01
Water	921.01
Chemical Admixtures and Additives	921.06
Air Entraining Admixtures	921.06.A.2
Fly Ash, Class C or Class F	921.15
Ground granulated blast furnace slag (GGBFS)	921.16

Submit for approval a proposed mix design for CLSM as specified in 604.03.

As defined herein, there are three types of CLSM: general use flowable fill, excavatable flowable fill, and early strength flowable fill.

Reminder: UG utilities cannot be abandoned on ROW. They must be Retired In Place with flowable fill.

TN TDOT Department of Transportation

Utilities Division Staff

REGIONAL UTILITY MANGERS

REGION 4	REGION 3	REGION 2	REGION 1
Branden Garcia Phone: (731) 935.0331 Branden.Garcia@tn.gov	Jon Zirkle Phone: (615) 350.4254 Jon.Zirkle@tn.gov	Andrew Miller Phone: (423) 510.1243 Andrew.Miller@tn.gov	Macario Reyes Phone: (865) 594.3522 Macario.Reyes@tn.gov

REGIONAL TEAM LEADS

Elvis Ngeh Phone: (731) 935.0159 Elvis.Ngeh@tn.gov	Andrew Wisniewski Phone: (615) 741.5067 Andrew.Wisniewski@tn.gov	Mike Miner Phone: (423) 280.8564 Michael.Miner@tn.gov	Alex Christie Phone: (865) 594.0208 Alex.Christie@tn.gov

HEADQUARTERS (statewide)

ENCROACHMENTS & AGREEMENTS

Manager	Regions 1 & 2 Coodinator	Regions 3 & 4 Coordinator
Michael Horlacher Phone: (615) 741.6802 Michael.Horlacher@tn.gov	Christopher Johnston Phone: (615) 741.3359 Christopher.Johnston@tn.gov	Monica Cromer Phone: (615) 741.3331 Monica.Cromer@tn.gov

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Questions?