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| REVIEW OF NEW SPECIFICATION OR SPECIFICATION CHANGE  | **Log No.: 105-3** |
| **Specification Section No.:** 105.11 | **Item:** Cooperation with Utilities |
| **Originating Office:** Project Support | **By:** Andrew Pihaly |
| **Date Sent For Review:** May 1, 2019 | **Date Comments Due:** May 29, 2019 |
| Submit response to: Andrew Pihaly, Specifications Engineer, 3rd floor, CDOT HQ |
| **Vote****Y/N** | **Concurrent Reviews – Others Commenting** | The attached Draft Specification is submitted for your review and comments. If not returned by Date Comments Due, the draft specification will be considered to be approved unless the Standards and Specifications Unit of the Project Development Branch [(303) 757-9402] is advised otherwise.**REMARKS:** If these proposed changes are approved, our unit will issue these in a standard special provision. |
|  | **Spec Committee Members:** | **✓** |
|  | Co-Chairman: Neil Lacey | ✓ |
|  | Region 1: Telecia McCline | **✓** |
|  | Region 1: Jason Lucerna | **✓** |
|  | Region 2: Jennifer Billings | **✓** |
|  | Region 3: Jarrett Spegele | **✓** |
|  | Region 4: Chris Boespflug | **✓** |
|  | Region 5: David Valentinelli | **✓** |
|  | Project Development: Neil Lacey | **✓** |
|  | Standards and Specifications: Shawn Yu | **✓** |
|  | Area Engineers: Straub, Zamora, & Ryburn | **✓** |
|  | Bridge: Hoang Bui | **✓** |
|  | Contracts & Market Analysis: Markos Atamo | **✓** |
|  | Materials: Mike Stanford | **✓** |
|  | Materials: Craig Wieden | **✓** |
|  | Traffic Engineering: Manjari Bhat | **✓** | REVIEWER COMMENTS:( ) Approved ( ) Disapproved ( ) ModifiedIf disapproved or modified, give reason why and show any modifications on the attached draft copy: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_ Name/Signature Date |
|  | Maintenance: Tyler Weldon | **✓** |
|  | FHWA: Kelly Galardi | **✓** |
|  | Attorney General: Leo Milan | **✓** |
|  | **Others:** |  |
|  | Colorado Contractors Assoc.: Jim Moody | **✓** |
|  | **Technical Committees:** |  |
|  | Bridge |  |
|  | PDAC | **✓** |
|  | Drainage Advisory Committee (DAC) |  |
|  | Water Quality Advisory Committee (WQAC) |  |

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| **COLORADO DEPARTMENT OF TRANSPORTATION****SUBMITTAL OF NEW SPECIFICATION OR SPECIFICATION CHANGE** | Log No. (Assigned by Standards and Specifications Unit)105-3 |
| TO: Standards & Specifications Unit Project Development Branch | FROM:Kevin Walters / Utility Program(Region, Branch or Technical Committee) |
| SPECIFICATION SECTION NO.105.11 | ITEMCooperation with Utilities | PriorityRoutine x Fast  |
| Reason for this new or changed specification:The proposed revision adds language to address the recently revised 811 Statute, specifically the new subsurface utility engineering (SUE) requirements, in accordance with C.R.S. 9-1.5-103 (Excavation Requirements - Plans and Specifications) and the ASCE Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data (CI/ASCE 38-02). It also provides additional guidance on how to document utility related delay claims on projects. |
| New or Revised Specification:See attached. |
| NOTE: See Procedural Directive 513.1 for a description of appropriate specification development procedures. |

XXXXXX XX, 2019

# REVISION OF SECTION 105

COOPERATION WITH UTILITIES

**NOTICE**

This is a standard special provision that revises or modifies CDOT’s *Standard Specifications for Road and Bridge Construction.* It has gone through a formal review and approval process and has been issued by CDOT’s Project Development Branch with formal instructions for its use on CDOT construction projects. It is to be used as written without change. Do not use modified versions of this special provision on CDOT construction projects, and do not use this special provision on CDOT projects in a manner other than that specified in the instructions unless such use is first approved by CDOT’s Standards and Specifications Unit. The instructions for use on CDOT construction projects appear below.

Other agencies which use the *Standard Specifications for Road and Bridge Construction* to administer construction projects may use this special provision as appropriate and at their own risk.

**Instructions for use on CDOT construction projects:**

Use on all projects.

Section 105 of the Standard Specifications is hereby revised for this project as follows:

In subsection 105.11 delete the third paragraph and replace with the following:

In accordance with C.R.S. 9-1.5-103 et seq. (Excavation Requirements – Plans and Specifications), the Department will certify in the project plans and specifications which Quality Level (A-D) the depicted existing known utilities are shown at, pursuant to the most recent version of the ASCE Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data (CI/ASCE 38-02).  The Contractor shall not be relieved of its responsibility to comply with the requirements set forth therein and shall not rely solely on the Department’s plans and specifications when completing its work with respect to existing buried utilities.  The Contract will indicate those utility items which are to be relocated or adjusted by the utility owner or which are to be relocated or adjusted by the Contractor. The Contractor shall consider in the bid proposal all of the permanent and temporary utility facilities in their present or relocated positions as shown in the Contract and as revealed by site investigation. Utility delays due to changes which are the responsibility of the Contractor will be considered nonexcusable delays. Utility delays beyond the Contractor’s control and not due to the fault or negligence of the Contractor shall be documented by the Contractor and tied to the project’s critical path schedule, so as to demonstrate a timeline of events leading up to the utility owner’s failure to perform and subsequent delay to the project. Delays will be determined to be compensable or non-compensable in accordance with subsection 108.08. The Contractor and the Engineer shall meet with the utility owners as often as necessary to coordinate and schedule relocations or adjustments. Additional compensation will not be allowed for foreseeable coordination, inconvenience, or damage sustained due to interference from the utility facilities or the removal or relocation operations as indicated in the Contract.