

# STATE OF COLORADO

## DEPARTMENT OF TRANSPORTATION

Region 6  
2000 South Holly Street  
Denver, Colorado 80222



*RA*  
*STA C800-001*

Project # ~~STU 1281-012~~ CN  
SA # 16501

May 22, 2008

Lisa Hyland  
Qwest Corporation  
5325 Zuni Street, Room 728  
Denver, CO 80221

Subject: **LETTER OF UTILITY AGREEMENT**  
PROJECT NO.: STU 1281-012  
LOCATION: **120<sup>th</sup> Connection – Phase 1 – Design / Build**  
from SH 121 (Wadsworth Parkway) to Old Wadsworth Blvd.

This Letter of Utility Agreement is intended to establish project expectations, and a process for CDOT's Design / Build Contractor to work with Qwest Corporation to resolve all potential project impacts with Qwest utility facilities. The process is as follows:

### General Performance Standards

#### **Contractors Investigations**

The CDOT Design / Build Contractor (Contractor) shall take all actions necessary to identify and confirm the existence and exact location, size and type of all utilities within the project Right-of-Way (ROW) or otherwise potentially impacted by the project, whether or not such utilities are shown in the Utility Information Sheets (UIS) supplied by the Colorado Department of Transportation (CDOT). Such actions shall include making diligent inquiry at the offices of Qwest Corporation (Qwest), consulting public records, and conducting field studies (such as subsurface utility engineering) as appropriate. If the Contractor's investigations identify utilities not described in the UISs supplied by CDOT, the Contractor shall create and execute with Qwest a new UIS to document and track.

#### **Damage to Utilities Caused by the Contractor**

The Contractor shall determine and document the condition of existing Qwest utilities, and shall be responsible for any damage caused by the Contractor or its subcontractors, employees or agents, to property, designated utilities, structures, or subcontractors, employees or agents of Qwest. The Contractor shall immediately notify Qwest of any utility damaged by the Contractor during performance of the work on the project.

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### **Utility Coordination**

The Contractor shall be responsible for coordination of all project activities with Qwest and CDOT in order to accomplish all utility work. The Contractor shall issue all notices to Qwest in writing, with copies submitted to CDOT. In the discharge of its coordination responsibilities, the Contractor shall:

1. Keep Qwest fully informed of schedules with regard to utility work. The Contractor shall provide to Qwest, as soon as practicable, an estimated schedule for their respective utility work and shall notify Qwest of any changes to the schedule as soon as practicable; and
2. Keep Qwest fully informed of project changes that affect their utilities to avoid multiple relocations of the same utility; and
3. Consider, to the extent practicable, Qwests' needs for the allocation of resources to perform their respective utility work in a timely manner; and
4. Keep Qwest involved in making decisions that affect their utilities so Qwest is able to provide uninterrupted service to their customers, or to be subject to the least interruption practicable. Notices shall be given to Qwest when the Contractor is working adjacent to their utilities.

### **Utility Work Procedure**

#### **Utility Information Sheet (UIS)**

Attached to this agreement are the UISs (#06-001 thru #06-005) supplied by CDOT identifying Qwest's existing utility facilities and potential impacts that shall be resolved by the Contractor during the project.

The Contractor shall create a new UIS to document and track utilities discovered from the Contractor's investigations that are not described in the UISs supplied by CDOT. The Contractor shall provide the new Utility Information Sheet (UIS) to Qwest to review and sign. A copy shall be submitted to CDOT.

#### **Utility Tracking Report**

The Contractor shall maintain a current Utility Tracking Report that is available for review by CDOT at all times. The report shall update and expand the CDOT supplied Utility Tracking Report, by listing all UISs (CDOT supplied and any additions from field investigation) for each existing utility located within the ROW or otherwise potentially impacted by the Project.

#### **Utility No-Conflict Closeout Form**

Once the Contractor has determined that a utility shown on the Contractor's Utility Tracking Report is not a conflict, the Contractor shall provide a Utility No-Conflict Closeout Form to Qwest to review and sign. A copy shall be submitted to CDOT.



