

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 6
2000 South Holly Street
Denver, Colorado 80222



STA C800-001

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

May 22, 2008

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Gas Operations
1123 West 3rd Avenue
Denver, CO. 80223

Subject: **LETTER OF UTILITY AGREEMENT**
PROJECT NO.: STU 1281-012
LOCATION: **120th 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 Xcel Energy – Gas Operations to resolve all potential project impacts with Xcel Energy 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 Xcel Energy – Gas Operations (Xcel Energy), 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 Xcel Energy a new UIS to document and track.

Damage to Utilities Caused by the Contractor

The Contractor shall determine and document the condition of existing Xcel Energy 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 Xcel Energy. The Contractor shall immediately notify Xcel Energy of any utility damaged by the Contractor during performance of the work on the project.



Utility Coordination

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

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

Utility Work Procedure

Utility Information Sheet (UIS)

Attached to this agreement is the UIS (#09-001) supplied by CDOT identifying Xcel Energy'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 Xcel Energy 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 Xcel Energy to review and sign. A copy shall be submitted to CDOT.



