

## **EXHIBIT K**

### **PSURA DEFINITIONS**

#### **The Following Definitions Apply to Terms Used in the PSURA**

Abandonment	The work necessary for each Utility (including appurtenances) which is not removed and has an inside diameter of 8 inches or larger. The Utility must be taken out of use using proper Utility Owner and/or industry procedures (e.g.: flushing; then filling with grout or sand, etc.; then capping) and that are Acceptable to CDOT.
Accept or Acceptance	Conforms to the requirements as specified in the PSURA.
Applicable Laws	All laws, regulations, codes, ordinances, by-laws, rules, executive orders and other orders, guidelines, and interpretations of the Federal Government and the State of Colorado (including their respective political subdivisions, agencies, authorities, departments, instrumentalities, and public boards and bodies) applicable to the work or performance of the PSURA.
Approve or Approval	Formal consent that information or product is good or satisfactory for the utility work and/or the Project.
Betterment	The upgrading (e.g., increase in capacity) of a Utility being relocated that is not attributable to construction of the Project or is made solely for the benefit of and at the election of the Utility Owner (not including a technological improvement which is able to achieve such upgrade at costs equal to or less than the costs of a "like for like" replacement or Relocation). The use of new materials or compliance with current standards in the performance of Utility work is not considered a Betterment.
CDOT	Colorado Department of Transportation.
CDOT Utility Permit	A Permit obtained by the Utility Owner from CDOT, for the construction of a Relocation performed by the Contractor or by the Utility Owner.
CDOT Utility Representative	The CDOT Utility Manager for the Project, acting directly or through an authorized representative who is responsible for administrative supervision of utility work for the Project.
Contract, or DB Contract	The Design-Build Contract between CDOT and the Contractor.
Contractor	The Design-Build Contractor engaged by CDOT under the Contract to perform work, render services, and/or provide materials, equipment, or other property with respect to the design and construction of the Project.
Contractor Drawings	A complete set of plans, reviewed shop drawings, working drawings, and other submittals, submitted either internally or to CDOT, kept available on the Project site at all times by the Contractor.
Day(s)	Calendar Day(s)
Electric Distribution	Electric line 34.5 kV and less
Electric Transmission	Electric line greater than 34.5 kV

Force Majeure	As used in this PSURA means fire, explosion, action of the elements, strike, interruption of transportation, rationing, shortage of labor, equipment, or materials, court action, illegality, unusually severe weather, act of God, act of war, or any other cause that is beyond the control of the party performing work on a Design-Build transportation or a Utility Relocation Project, and that could not have been prevented by the party while exercising reasonable diligence, as defined in Section 43-1-1402(4.5) CRS.
Incidental Utility Work	Incidental Utility Work shall include Abandonment, Protection-in-Place and Utility Removal Work necessary and/or determined by the Contractor to be convenient for construction and/or accommodation of the Project. The Contractor shall be responsible for Incidental Utility Work for all Utilities, including required Governmental Approvals.
Master Agreement	The meaning set forth in #3 of the PSURA
Owner	Same as "Utility Owner"
Private Utility	A Utility that is owned by a Private Utility Owner.
Private Utility Owner	Any Owner or operator of a Utility which is not a Public Utility Owner.
Project	As defined in the DB Contract.
Protection in Place or Protect in Place	Any activity undertaken to avoid damaging a Utility which does not involve removing or relocating that Utility, including staking the location of a Utility, avoidance of a Utility's location by construction equipment, installing steel plating or concrete slabs, encasement in concrete, temporarily de-energizing power lines, and installing physical barriers, per Utility Owner's requirements as necessary to ensure their safe operation and structural integrity. For example, temporarily lifting power lines without cutting them would be considered Protection in Place; whereas temporarily moving power lines to another location after cutting them would be considered a temporary Relocation.
PSURA	Project Specific Utility Relocation Agreement - An agreement made between CDOT and a Utility Owner which provides a general framework for addressing Utility conflicts associated with the Project, as the same may be amended from time to time.
Public Utility	A Utility that is owned by a Public Utility Owner.
Public Utility Owner	Any Owner or operator of a Utility which is entitled to reimbursement of its utility work costs pursuant to Section 43-1-225, Colorado Revised Statutes.
Quality Control	The activities performed by the Contractor, designer, producer or manufacturer to ensure and document that a product meets Contract requirements. Components may include checking, materials handling and construction procedures, calibrations and maintenance of equipment, shop drawing review, document control, production process control, and any sampling, testing, and inspection done for these purposes.
Relocation	Each transfer of location, adjustment or modification of any and all Utilities that is necessary or advisable in order to accommodate or permit construction of the Project.

Right-of-Way (ROW)	<p>The real property (which term is inclusive of all estates and interests in real property) which is necessary for ownership and operation of the Project. The term specifically excludes (1) the Utility easements; and (2) any temporary easements or other real property interests which the Contractor deems necessary or advisable in connection with:</p> <ul style="list-style-type: none"><li>(a) Construction of the Project; and/or</li><li>(b) utility work</li></ul>
Service Line	<p>A Utility line, the function of which is to connect an individual service location (e.g., a single family residence or an industrial warehouse) to another Utility line which connects more than one such individual line to a larger system. The term "Service Line" also includes any Utility on public or private property that services structures located on such property.</p>
Technical Criteria	<p>The criteria described in the PSURA that establishes the minimum acceptable standards of quality, materials, and performance for the Utility Work, and which will be used as a basis for reviews, and as a basis for acceptance.</p>
Utility	<p>(1) A privately, publicly or cooperatively owned line, facility and/or system for producing, transmitting or distributing communications, power, cable television, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with the highway drainage, signal systems and other products that directly or indirectly serve the public, and/or; (2) a privately owned irrigation facility. The necessary appurtenances to each Utility facility shall be considered part of such Utility. The term "Utility" is also sometimes used to refer to the Owner or operator of any such line, facility and/or system. The term "Utility" shall specifically exclude storm water facilities connected with drainage of the roadway.</p>
Utility Agreements	<p>The PSURAs and WOs</p>
Utility Design Sheet (UDS)	<p>A form to be initiated by the Contractor, which will document the existing conditions of a Utility and the final utility work recommendation to mitigate potential conflict. This form will be signed by CDOT, the Utility Owner, and the Contractor and will be an attachment to the respective Work Order.</p>
Utility Information Sheet (UIS)	<p>A form, completed for each Utility, which documents the existing conditions of a facility and a preliminary Utility Work recommendation to mitigate potential conflict. The information was obtained by CDOT in cooperation with the Utility Owner. The form was signed by CDOT and the Utility Owner.</p>
Utility Owner	<p>The Owner or operator of any Utility (including both Public Utility Owners and Private Utility Owners).</p>
Utility Permits	<p>All appropriate approvals, exemptions, filings, licenses, permits, and registrations and any other Governmental Approvals required by or with any Governmental Person or Utility Owner necessary for any utility work.</p>
Utility Relocation Plans	<p>The design plans for the construction of the Relocation for a Utility impacted by the Project to be prepared by the Contractor or by the Utility Owner.</p>

Utility Removal Work	Work necessary to remove any Utilities (whether or not in use as of the date of Notice-to-Proceed) for which leaving the Utilities in-place is not feasible or not permitted, or which the Contractor otherwise proposes to be removed in order to accommodate the Project or permit construction of the Project, regardless of whether or not replacements for such Utilities are being installed on other locations.
Utility Tracking Report	A CDOT report summarizing Utility conflicts, as shown on the UISs, for all Utility Owners within the ROW, found in Exhibit A of Bk. 2, Section 7.
Work	All of the administrative, design, engineering, Utility Work, procurement, legal, professional, manufacturing, supply, installation, construction, supervision, management, testing, verification, labor, materials, equipment, documentation and other duties and services to be furnished and provided by the Contractor as required by the Contract Documents, including all efforts necessary or appropriate to achieve final acceptance of the Project except for those efforts which the Contract Documents specify will be performed by CDOT or other Persons. In certain cases the term is also used to mean the products of the Work.
Work Order or WO	An ordering agreement (as the same may be amended from time to time) among CDOT, a Utility Owner and the Contractor, providing detailed information and terms relating to the Relocation of a particular Utility, which is executed pursuant to a PSURA.