

FAST PROCESS AGREEMENT INSTRUCTIONS

The agreement estimate prepared by the utility company and the approval process is structured to require a minimal amount of time to prepare and approve. The utility company must prepare the lump sum, actual cost or unit cost estimate. The estimate face sheet will serve as the Department approval format, the work completion certification and the final bill. The use of a unit cost estimate will be utilized.

Requirements for fast process:

- 1) Fast process agreements shall not exceed \$50,000.00 State cost share of the proposed utility relocation.
- 2) Utility Work Orders are initiated by the District before or during the utility relocation activities and must be initiated when the cost will exceed 15% of State's share of the agreement cost with the cost justification supplied by the Utility Company. In rare cases, and providing Unit Costs were utilized, the costs may exceed the \$50,000.00. If the cost will exceed the \$50,000.00 limitation, a Work Order will be required by District with the cost justification supplied by the Utility Company or District.
- 3) Fast process agreements shall be Lump Sum, Actual Cost or Unit Cost agreements only.
- 4) For Lump Sum Agreements, final bills should be submitted by the District to the Utility Section for payment no later than 60 days after the work is completed.
- 5) Fast process agreements may only be used to relocate Public Utilities. Privately owned facilities cannot be relocated by fast process agreements.

FAST PROCESS AGREEMENTS PROJECT RELATED

Fast process agreements project related should be used for minor utility relocations on active construction projects. Utility companies should be encouraged to use the Lump Sum fast process agreements where the work can be well defined and is under \$50,000.00 State share.

Only one fast process agreement should be written for one utility company per project. If there are a number of minor conflicts throughout a project for the same utility company, the total of which exceeds \$50,000.00 State share, the standard agreement format should be initiated.

The fast process agreement can be initiated either by the District or by the Helena Utility Section. To save time, the District, in most cases, should initiate and process fast process agreements. Fast process agreements should be signed by the District Administrator when initiated by the District.

PROCEDURES FOR APPROVAL

1. Field review the proposed adjustment with the utility company.
2. The utility company must furnish two original agreements with the following information:
 - a. An exhibit of the work, including the existing and new locations of the utility facility.
 - b. Two completed estimate face sheets showing the percentage of participation and the cost to the State and utility.
 - c. Complete the description of work.
 - d. Sign and date the two estimate face sheets.
3. Review information for accuracy, complete the project information, sign and date the agreements and submit two original agreements to the Utility Section.

4. a. Supervisor Utility Section shall review and sign two agreements. In the absence of the Supervisor, Utilities Section, the agreements are to be signed by the Right-of-Way Bureau Chief.
 - b. Distribution is as follows:
 - 1) Utility Section, one original agreement
 - 2) Utility company, one original and one copy of the agreement
 - 3) District, Electronic Distribution
 - 4) Project Analysis, Electronic Distribution
5. The District will notify the utility company to proceed with work.
6. For Lump Sum Fast Process Agreements the face sheet of the agreement is the final bill. Within 60 days after the work is completed, the District Utility Agent should verify the completion of work by signing the face sheet (estimate sheet), and submit the face sheet with the pertinent documentation to the Utility Section for payment.

FAST PROCESS AGREEMENT NON-PROJECT RELATED

Safety of the traveling public and the elimination of potential utility hazards are the only reasons for relocating utilities by a non-*project fast process agreement*. Fast process agreements, non- project related, are initiated by the District and used when the District determines a need to adjust or relocate a utility where no active project exists. The justification by which a District may want to relocate a utility facility will vary, but should be documented in the files and must be safety related. For example; the District may determine a utility facility should be relocated because it obstructs sight distance, is a potential hazard, or must be relocated for a maintenance widening project. The relocation of utility facilities by this procedure will not replace or conflict with the program for the relocation of high hazard utility facilities, identified for relocation or adjustment by Safety Management.

The same requirements govern non-project related and project related Fast Process Agreements. The agreement must be Lump Sum, Actual Cost or Unit Cost, unless otherwise approved, not to exceed \$50,000 State share.

PROCEDURES FOR APPROVAL

The approval procedure is identical for the fast process agreements project related with the following exceptions:

- 1) The District must submit a memorandum to the Utility Section either prior to or with the agreement package explaining the reason for the proposed utility relocation. The rationale should indicate the safety benefits the Department and traveling public will achieve from the relocation.
- 2) The nearest non-active construction project to the work area shall be used as a project designation along with the route, the milepost and county. However, use the applicable fast process agreement project number.

FAST PROCESS AGREEMENTS EXPLORATORY (P.E. Funded)

This agreement will be used when project designers and Utility Agents need exact depths to underground utilities to avoid potential conflicts. The agreement process can also be used during the utility plan in hand process when depths of underground utilities are needed to determine the extent of conflict with proposed construction.

The approval procedure is the same process as used for project related agreements.

Exploratory work (excavations) performed by a utility company is reimbursed 100% by the state.

The utility company should be encouraged to provide Unit cost estimate per excavation. The Utility Section and District should determine the number of excavations required. When additional excavations are required beyond those approved by the initial agreement, actual number of units for each excavation will used.

When the Preconstruction Bureau needs to have elevations to utility facilities, the request should be directed to the District. The request should include the number of excavations, stations and distance left or right. The District will initiate the fast agreement.

This agreement cannot be used to determine depths of non-utilities such as cable television facilities.

FUNDING AND ACCOUNTABILITY FOR STATE-WIDE FAST PROCESS AGREEMENTS

Fast process agreements shall be processed for funding through the Project Analysis and Programming Engineer in the following manner:

State-wide accounts will be initiated for "fast process" agreements in the following categories:

National Highway System	NH STWD ()
Surface Transportation Program	STPX STWD ()
Safety Projects	STPHS STWD ()
Interstate Project	IM STWD ()

Other accounts may be initiated for specific programs.

GENERAL RULES:

- 1) Where an incidental construction program has been or will be initiated on a project, the fast agreement must be programmed and costs charged to the I.C. Account. On a specific project, all agreements must be charged to either the State-wide Fast Process Account or the I.C. Account.
- 2) If the utility work is non-project-related, the fast process utility agreement must be charged to the applicable annual state-wide "fast process" agreement project.
- 3) The Utilities Section is responsible for preparing an itemized summary of all State-wide Fast Process utility agreements.