

From: [HENNESSY Kevin](#)
To: [WALKER Cheryl](#)
Subject: Fwd: Enforcement Stipulation terms - 2018-35 FLC - ODOT 4100 NE Maywood Place Portland
Date: Friday, September 6, 2019 2:21:57 PM
Attachments: [20190326122006592.pdf](#)
[ATT00001.htm](#)

Please see attached for NC 392

They didn't follow Order instructions but submitted the attachment as their compliance item.

I wasn't sure when we got this if they intended this to be the compliance item.

It works for what we are trying to accomplish.

Thanks

Kevin

Sent from my iPhone

Begin forwarded message:

From: MOORE Lucinda M * Luci <Lucinda.M.MOORE@odot.state.or.us>
Date: March 26, 2019 at 12:13:06 PM PDT
To: HENNESSY Kevin <khennes@puc.state.or.us>, HUNTER Karla <KDHUNTER@puc.state.or.us>, KOHO Lori G. <LGKHOHO@puc.state.or.us>
Cc: MILLER Theodore C <Theodore.C.MILLER@state.or.us>, SAPP Johnny R <Johnny.R.SAPP@odot.state.or.us>
Subject: Enforcement Stipulation terms - 2018-35 FLC - ODOT 4100 NE Maywood Place Portland

Attached is ODOT's response to the terms of the Enforcement Stipulation 2018-35 FLC - ODT 4100 Maywood Place Portland.
Please let me know if you have any questions.

Luci Moore
ODOT Statewide Maintenance and Operations Engineer
503-931-9557

Please use caution when opening links, attachments or responding to this email as it originated outside of PUC.



Oregon

Kate Brown, Governor

Department of Transportation
Maintenance and Operation Branch
455 Airport Rd SE
Building K
Salem, Oregon, 97301
Phone: (503) 986-3005

To whom it may concern,

State of Oregon Public Utility Commission
201 High Street Ste. 100
Salem, Oregon 97301

RE: Enforcement Stipulation terms - 2018-35 FLC - ODOT 4100 NE Maywood Place Portland

In response to the violation of the OUNC OAR 952-001-0070 and in response to the enforcement stipulation terms - 2018-35 FLC - ODOT 4100 NE Maywood Place Portland. ODOT will comply with the direction of the OPUC in this matter. We have reviewed our policy and procedures with respect to the request from the OPUC.

The following are ODOT policy procedures as requested in the stipulation.

1. Describe the purpose of the policy and commitment thereof by leadership, management and employees

The following is the ODOT organizational structure and therefore exhibits its commitment for all highway maintenance and construction activities to comply with the OUNC Standards as it pertains to safe operation of the highways systems in the State of Oregon. Part of that safe operation is to assure that all utilities operated by ODOT are located in accordance with the standards. ODOT specifications require that new installation of utilities be made locatable and any rebuild/re-installations also be made locatable.

ODOT Organization

The Deputy Director for Highways of ODOT is responsible for, among other duties, the construction, improvement, maintenance, and operation of the State Highway system. The Deputy Director for Highways reports to the Director of ODOT. The Director is appointed by the Governor and confirmed by the Oregon Senate. The Director receives guidance and direction from the Oregon Transportation Commission, the members of which are also appointed by the Governor and confirmed by the Oregon Senate. Authorized representatives of the Deputy Director for Highways, including the State Maintenance Engineer, Region Manager, Region Maintenance and Operations Manager, District Manager, and Transportation Maintenance Manager, perform most responsibilities in maintenance and operation of the State Highway system. The Deputy Director for Highways has delegated some authorities to those persons and others within ODOT.

The Office of Maintenance performs, along with other tasks, policy and staff-level functions related to the Maintenance program.

Each Region Manager, through the District Manager and others, assures that ODOT fulfills all maintenance obligations within the Region. The District Manager and others may assign some duties and responsibilities to persons under their control, including the Transportation Maintenance Manager.

2. Identify notifications and types of response for marking underground facilities

ODOT is committed to the safety of the public, our employees as well as contractors that are working under contract for ODOT. ODOT offices are responsible for receiving locate requests and timely response to all requests for locates. ODOT's activity L12 covers our commitment to this process.

952-001-0050 Excavator to Give Notice of Proposed Work; Exemption (1) Except as provided in section (2) of this rule, at least two (2) business days, but not more than ten (10) business days before commencing an excavation, the excavator shall notify the Oregon Utility Notification Center of the date and location of the proposed excavation, and the type of work to be performed

Activity L12 Locate Utilities

Description

Activity L12 involves identifying and marking the location of ODOT owned underground facilities in response to a request from the Oregon Utilities Notification Center (OUNC) or other request from a non-ODOT entity.

The facilities may include:

- Buried electrical wiring or conduit carrying wiring for traffic signals, illumination, detection devices, communications, or other uses.
- Irrigation facilities.
- Storm sewers.
- Water lines.

General Information

Refer to discussion in the General Instructions section preceding Activity L10 in this section of the *Maintenance Guide* for additional information including environmental and traffic control recommendations and other important considerations.

Respond to the request from the OUNC or other entity timely. If ODOT does not respond to the request within the timeline specified by statute, ODOT could be responsible for any damage to ODOT facilities caused by the proposed activity. Also refer to discussion in the Public Relations section of this Guide.

The Utility Location and Coordination Council has established the following Uniform Color Code for marking of buried facilities:

- | | |
|----------------|---|
| RED: | Electric power lines, cables, or conduit and lighting cables. |
| YELLOW: | Gas, oil, steam, petroleum, or other hazardous liquid or gaseous materials. |
| ORANGE: | Communications, cable television, alarm, or signal lines, cables, or conduits. |
| BLUE: | Water, irrigation, or slurry lines. |
| GREEN: | Sewers, storm sewer facilities, or other drain lines. |
| WHITE: | Pre-marking of the outer limits of the proposed excavation or marking the centerline and width of proposed lineal installations of buried facilities. |
| PINK: | Temporary survey markings. |
| PURPLE: | Reclaimed water, irrigation, and slurry lines. |

Use the correct color of paint or marking to mark ODOT facilities or proposed work.

Measurement of Accomplishment, Expenditure Account, Charge Activity

Measurement is number of worker hours involved. Expenditure account type is Highway EA; use a sub job appropriate for the crew performing the work.

- Charge all work to Activity L12.

3. Identify tasks assigned to participants by title or position then their roles and responsibilities for the workflow process

The structure below at all levels manage ODOT's programs that include the L12 activity, management of utility locate tickets, locating utilities described in activity L12 as well as manage the ticket systems. Under the direction of these managers down to the crew level, locate tickets are reviewed and responded to within the required timelines within the law and set by OUNC Standards.

Office of Maintenance

The State Maintenance Engineer directs and supervises activities of the Office of Maintenance, including policy and staff-level functions related to the Maintenance program.

- The Office of Maintenance, among other things, is responsible to:
- Assure that ODOT uniformly maintains and operates the State Highway system;
- Develop appropriate policies and procedures to maintain and operate the State Highway system; to include all activities for excavation and utility locating.
- Develop, and assure overall implementation of, the budget for the Maintenance program, including the performance budget;
- Provide staff level support of the Maintenance program;
- Promote the efficient administration of the Maintenance program;
- Update the Maintenance District Map.

The State Maintenance Engineer may establish and convene teams or committees to help develop policy, guidelines, and direction related to administering and performing the Maintenance program.

Staff in the Office of Maintenance specialize in various program areas, including those discussed below. Maintenance personnel, including the Region Manager and the District Manager, should consult with them for advice and direction in administering maintenance and operations activities and programs.

Region

Each Region Manager is responsible to the Deputy Director for Highways for all work performed by ODOT employees in the Region. The Region Manager is also responsible to assure that the State Highway system in the Region is operated and maintained according to accepted or established requirements, standards, and policies. The Region Manager is responsible to assure that activities of the Maintenance program are performed according to established standards and policies.

The responsibilities of the Region Manager, regarding the Maintenance program, include, but are not limited to:

- Assign the personnel and other resources necessary to properly and adequately perform and fulfill the requirements of the Maintenance program.
- Provide guidance, assistance, and advice to the District Manager.
- Provide other administrative support and guidance for the Maintenance program, including safety, training, and purchasing support.

- Assure that the District Manager, the Area Manager responsible for project delivery, the Planning Manager, and other units in the Region appropriately accommodate each other's needs in delivering the Region program.
- Assure that resources are designated and assigned for needs of the ODOT Emergency Operations Plan.

The Region Manager may assign a Region Maintenance Operations Manager to administer the Maintenance program in the Region. It is under this program that all policy a procedures for activity L12, locate of utilities following all standards are followed.

District Manager

The District Manager, under the direction of the Region Manager or Region Maintenance Operations Manager, is responsible for the performance of all activities needed to fulfill the requirements of the Maintenance program in the District.

The District Manager's duties include, but are not limited to:

- Develop, manage, maintain, and sustain an efficient organization to perform and fulfill the requirements of the Maintenance program in the District.

The "organization" includes:

- The Transportation Maintenance Managers, and their employees, in the District
- Employees of the District Manager.
- The Area Manager, regarding involvement in the project delivery program and liaison with local governments and other interest groups or interested citizens.
- Other stakeholders in the Maintenance program or in delivery of the program.

Although the District Manager may not supervise each of the above, the District Manager must develop and maintain a working relationship with all involved entities.

- Annually develop a performance budget for the District that identifies maintenance activities needed to maintain the desired level of service for roadway users. The desired level of service depends on the funding available in the statewide Maintenance budget.
- Acquire and assign the personnel, equipment, and other resources needed to accomplish the needs of the performance budget and other portions of the Maintenance program in the District, including the administration of approach, encroachment, vegetation control, house move, and other permits.
- Assure that needed activities are accomplished and expenditures do not exceed the allocated budget for the District.
- Provide mentoring, guidance, advice, and other assistance to each Transportation Maintenance Manager and other employees.
- Assure that needed training is provided and accomplished. It is under this program that all policy a procedures for activity L12, locate of utilities following all standards are followed.
- Assure that emergency contact lists and on-line employee directories are maintained.
- Along with the Region Traffic Engineer, review serious and fatal crashes to determine if there is a highway cause and effect link to the crash. The review should be completed as soon as practical after the crash and should not duplicate efforts by other state agencies such as Oregon State Police. Care should be taken to ensure the documentation is limited to highway features such as signs, signals, and pavement friction, pavement markers, etc.

4. Identify technology or systems and methods used throughout the policy that enables the completion of identified tasks

ODOT has five Regions and fifteen districts that receive locates for their utilities every work day, process tickets to assure timelines are met either by trained ODOT staff or by trained contract. ODOT employees create polygon mapping and updating as utilities are added or deleted from ODOT systems. Utility locates are received by contract electronic services or ITIC/NTMS systems for ticket management.

5. Establish criteria for periodic review of effectiveness and identify best practices

ODOT reviews its maintenance guide annually to assure all employees have the latest information, midyear updates are as needed if policy/procedures change. This assures that ODOT employees follow safe work practices to include identification of ODOT utilities when tickets are received, development projects, Federal projects or local district projects that involve any type of highway work that impact or have excavation activities. The district offices have an active permit program that addresses excavation activities through the permitted work. All permit applications, permits and plan sets include Dig Safely information and expectations.

Sincerely,



Luci Moore
State Maintenance Engineer
Oregon Department of Transportation

Cc: Ted Miller, Region 1 Maintenance and Operations Manager
John Sapp, region 1 Electrical Manager, OUNC Board Member

Copy to file