| **Title:** Administrative Policy<br>Utility Relocation Cost Sharing Program | **Policy No.**<br>Part 8, Streets and Roads<br>Chapter 1, Programs<br>Section 5 |
|---|---|
| | **Effective Date**<br>December 5, 2006 |
| **Policy Custodian**<br>Transportation and Engineering Division | **Adoption/Revision Date**<br>December 5, 2006 / May 30, 2013 |

**Adopting Resolution(s):** CC06-548

**References (Statutes/Resos/Policies):** CC94-478

**Purpose:** To serve as a reasonable compromise on cost sharing of utility work necessitated by County road projects and to serve as a guide for continued cooperation and planning to avoid unnecessary costs to both the County and the utility owners in the future. This policy was developed at the direction of the County Commissioners through extensive negotiation and debate between County representatives and non-profit utility owner representatives.

**Policy:** Utility Relocation Cost Sharing Program

A. Definitions

1. Utility Owners: Water and sewer special districts, non-profit water and sewer companies, and municipalities operating Utilities.

2. Utilities: Water, sewer, and irrigation lines and ditches.

3. Betterment: Betterment is generally defined to be improvements to the existing pipeline. For example, these improvements could include, but are not limited to, increasing the pipe size, installation of appurtenances not on the existing pipeline such as additional fire hydrants, valves, air-vacuum valves, pressure reducing valves, and manholes not necessitated solely by the relocation. Any special treatment required to protect the pipeline which is necessitated by the roadway improvements is not considered a Betterment. These special considerations may include, but are not limited to, encasing pipelines, or providing structural support for pipelines with minimal ground cover.

B. Planning & Coordination

1. The Transportation and Engineering Division will involve utility owners in the consideration and subsequent design of road improvements as early in the process as possible. Specifically, the Transportation and Engineering Division will provide an annual long-range assessment of priorities in reference to road, bridge, and drainage improvements, so potential utility impacts can be noted and discussed with appropriate utility representatives. The utility owners will copy the Transportation and Engineering Division on any plans for utility construction and/or rehabilitation construction and involve the Division in the review process.

2. Staff from the Transportation and Engineering Division shall meet with and discuss potential utility conflicts as early as possible in the concept/preliminary design phase of a road, bridge, or drainage project. In addition to the meetings held during the conceptual design phase of a project, the Transportation and Engineering Division will schedule a meeting between the County's design staff and/or consultants and all utility owners potentially impacted by a County project. This will assist in identifying, and, to the extent possible, avoid conflicts with existing and proposed Utilities.

3. The Transportation and Engineering Division will work with its design consultants and utility owners to avoid or minimize the impact to existing Utilities.

C. Cost Allocation & Sharing Guidelines

1. When the Utilities are in easements or right-of-way senior to the County right-of-way, the County will pay 100% of relocation costs.

2. In all cases the Utility Owners will pay for Betterments as defined above.

3. When the County owns right-of-way and no senior utility easements exist, the County and the Utility Owner will share the cost of relocating existing water and sanitary sewer facilities in accordance with the following funding category guidelines:

4. Funding Category No. 1: Projects where construction is partially or totally funded with State or Federal funds, (excluding right-of-way).

   The Utility Owners will share in the utility relocation costs at a ratio equal to the ratio of local matching funds between the County and State or Federal Governments. For example, if the County receives 80 percent funding from the Federal Government, the County will apply federal funds to 80 percent of utility relocation costs including design, survey, soils engineering, construction, pipeline removal, testing and inspection costs. The Utility Owner's share in this case would be the 20% match for these costs. The percentage shall be derived from the initial application and grant. Any costs for inspection or design review incurred by the Utility Owners would be borne by the Utility Owners. The County will pay for all costs associated with the acquisition of additional right-of-way and easements needed for roadway projects, including right-of-way and easements for any utility relocations.

5. Funding Category No. 2: Projects funded by future special roadway improvement districts/co-ops formed after the date of this policy.

   The County/special roadway improvements district shall pay all costs for relocation water and sewer mains with the exception of the costs for Betterments requested by the Utility Owners, regardless of availability of federal funds or other funding sources.

6. Funding Category No. 3: Projects totally funded by County funds.

   a. The County and Utility Owners will share the Utility relocation costs corresponding to the age of the pipeline, as shown below:

| Cost Sharing Formula | | |
|---|---|---|
| Age of Pipeline (Years) | Utility Owner's Percentage | Jeffco's Percentage |
| 0-4 | 0% | 100% |
| 5-9 | 25% | 75% |
| 10-14 | 30% | 70% |
| 15 & Older | 50% | 50% |

   b. The Utility Owners will furnish evidence of the month and year that the existing pipeline was installed.

   c. The County's existing One-Half Cent Sales Tax District for arterial roadway improvements in southeast Jefferson County shall have a cost sharing basis in accordance with the above "Cost Sharing Formula." If future projects are added to the Utility Owner's service plan, the guidelines outlined in "Funding Category No. 2" shall apply to the added projects.

D. Payment

Payment is considered due within twelve (12) months of billing by the County or Utility Owner. If the payment required of a Utility Owner creates a hardship, the County will consider payment options for the Utility Owner's share of the costs over a longer time period.