Utility Agreement Preliminary Engineering Closeout Process

Start RE sends the PM a memo stating that the project is substantially complete PM verifies job numbers for each utility charge PM sends Final Acceptance Letter to Utility Owner asking for Final Construction Invoice **Utility Owners submit Final** Construction Invoices **Resident Engineer forwards** Final Invoices to the PM PM prepares Utility Acceptance Memorandum PM prepares Department Action Slip to closeout agreement and release remaining funds **End Utility Closeout** Procedure

If the project is funded differently than Construction, the Preliminary Engineering agreement must be closed out. The Project Manager sends a letter to all utility companies requesting that they submit their Final PE Invoice within 60 days.

The Project Manager receives the Final PE Invoices and routes them in accordance with the AD-37 and Department Action Slip for execution.

The Project Manager will proceed to send the Final Acceptance Letter (for Final Invoices) through certified mail return receipt to each company with a Utility Engineering Construction Agreement (UECA)/Railroad Engineering Construction Agreement (RECA) for the project. The Utility Company's response time for submitting Final Invoices should be in accordance with the time negotiated in the Utility Agreement (UECA or RECA). The Utility Company can request the Project Manager for a time extension if needed.

The sixty day or six month (whichever is applicable) waiting period can be cut short if the companies respond by stating that their billing on the contract has been completed. The closeout process **must** proceed as soon as the sixty day or six month period is over.

All Final Invoices with the Buy America "Certificate of Compliance" (<u>DC-17U</u>) received and approved by the RE will be forwarded to the Project Manager for payment.

A Utility Acceptance Memorandum is prepared when the Final Invoice Notice time frame expires. For Federally funded projects the Utility Acceptance Memorandum has to be **addressed** to FHWA on the State letterhead (template available on the Utility intranet website) and sent to the Manager of Capital Program Coordination. For State funded projects the Memorandum has to be sent to the Manager of Capital Program Coordination (template available on the Utility intranet website). These memorandums should include a list of all the Utility Agreements executed for the project.

When the notification and invoicing process is completed, a Department Action Slip (DAS) needs to be prepared on Form AD-12 to trigger the agreement closeout and release of any remaining funds. The template of the AD-12 for close out is posted on the Utility Management forms intranet webpage; the subject of the DAS is Utility Agreement Cancellations.