



KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF RIGHT OF WAY & UTILITIES

TC 69-13
Rev. 08/2016
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PROJECT RELOCATION DELIVERY ORDER

SECTION 1: PROJECT AND PROJECT RELOCATION DELIVERY ORDER INFORMATION

A. PROJECT INFORMATION *(to be completed by KYTC)*

COUNTY	FEDERAL #	STATE #
ROUTE/ROAD NAME		
PROJECT DESCRIPTION		
ITEM #	FUNDING AUTHORIZATION # (TC 10-1)	TC 10-1 AUTHORIZATION DATE

B. PROJECT RELOCATION DELIVERY ORDER INFORMATION *(to be completed by KYTC before execution)*

TERM AGREEMENT #	DATE			
DELIVERY ORDER #	STATE LETTER DATE	ELIGIBLE SERVICE DATES	FROM	
			TO	
APPLIED CITED AUTHORITY <i>If other, please specify.</i>				

SECTION 2: UTILITY COMPANY INFORMATION *(to be completed by utility company)*

COMPANY NAME	COMPANY CONTACT NAME
COMPANY STREET ADDRESS <i>(as shown on term agreement)</i>	

CITY	STATE	ZIP	
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TYPE OF FACILITY	<i>If other, specify in the space provided.</i>
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TYPE OF WORK	
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Is Betterment involved?	<i>If yes, complete Section 3d.</i>
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Do Prior Rights apply?	<i>If yes, please provide evidence.</i>
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UTILITY IS CURRENTLY LOCATED IN	
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Any required easement purchase(s) will be made by:

NOTE: If private easement is claimed, the utility shall provide evidence or property rights upon request.

ACTIVITIES *(Indicate all applicable items.)*

☐ **ENGINEERING/DESIGN/INSPECTION/EASEMENT ACQUISITION**

☐ By Company ☐ By Consultant *(name)* _____ ☐ By Both *(If selected, complete 3B.)*

☐ **UTILITY RELOCATION**

☐ By Company ☐ By Company contractor *(name)* _____ ☐ By KYTC contractor

☐ **SECOND MOVE OF UTILITY**

☐ By Company ☐ By Company contractor *(name)* _____ ☐ By KYTC contractor

☐ **BETTERMENT INVOLVED IS:**

(If selected, provide a detailed description of Betterment in Section 3D.)



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SECTION 3: PROJECT-SPECIFIC ITEMS TO BE COMPLETED UNDER THIS DELIVERY ORDER

EXPLANATORY STATEMENT

The Company and the Cabinet entered into a Term Agreement as identified above for use when a Cabinet-initiated highway project passes either over, under, adjacent to, or at-grade with the Company's facilities (*collectively referred to as "Projects" or individually as "Project"*).

In addition to the covenants contained in the Term Agreement, it is the purpose of this Project Relocation Delivery Order to provide for the specific project descriptions, obligations, project funding, and responsibilities of the parties.

In consideration of good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the parties agree and covenant herein.

A. SCOPE OF WORK (*Provide a detailed description of ALL work to be accomplished under this Delivery Order.*)

NOTE: A detailed estimate & plan (*if applicable*) of work proposed is to be attached to this Project Relocation Delivery Order for Cabinet review and approval. Final execution of this Delivery Order constitutes agreement to these terms.

B. NON-CONSTRUCTION SERVICES ESTIMATE (*Preliminary engineering, design, materials, inspection, & easement*)

Check the applicable items below and enter the estimated cost of each.

- | | |
|-------------------------------------------------------------------|----------|
| <input type="checkbox"/> By Company's in-house engineering forces | \$ _____ |
| <input type="checkbox"/> By Company's consultant engineer | \$ _____ |
| <input type="checkbox"/> By Both | \$ _____ |
| <input type="checkbox"/> Easement and/or acquisition services | \$ _____ |

Total Combined Non-Construction Services Cost \$ _____

Percentage of engineering to construction costs is estimated to be: _____ percent.



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C. RELOCATION CONSTRUCTION SERVICES ESTIMATE *(Includes all labor, equipment, and materials required)*

Check applicable items below and enter the estimated cost of each. If the work will be performed by the Cabinet's Highway Contractor, the cost entered must include any proposed betterment.

☐ By Company forces or a company contractor \$ _____

☐ By the Cabinet's Highway Contractor \$ _____

☐ Other (Specify.) _____ \$ _____

Total Combined Construction Services Cost \$ _____

Provider of Materials: *(if typical)* _____

The Company agrees that the scope of work specified will be completed within ____ working days following execution of this Project Relocation Delivery Order and issuance of a Notice To Proceed to the company by the Cabinet.

D. BETTERMENT ESTIMATE *(If applicable, provide description of Betterment work to be completed.)*

The Company proposes the above-listed betterment at an estimated cost of: \$ _____

Note: For the purpose of calculating the total cost for this Delivery Order, the cost of any betterment work shall be deducted from the total work compensable to the Company. In the event this Betterment cost exceeds the amount compensable to the Company, the resulting deficit amount shall be reimbursable to the Cabinet by the Company.

E. CABINET AND UTILITY COMPANY COST PARTICIPATION

The scope of work outlined in Section 3A of this Delivery Order includes the following reimbursable facilities:

The parties will participate in cost sharing according to the following percentages:

Percent participation by the Company will be: _____%

Percent participation by the Cabinet will be: _____%

Note: Justification for the split must be provided in the estimate.



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F. TOTAL ESTIMATE COST SUMMARY

Non-Construction costs (from Section 3B) \$ _____

Relocation Construction Costs (from Section 3C) \$ _____

Betterment Costs (from Section 3D) \$ _____

Percent Participation (from Section 3E) Company ____% Cabinet ____%

PROJECT RELOCATION DELIVERY ORDER TOTAL: \$ _____

- ☐ The above Total is the reimbursement amount due the **Company**.
- ☐ The above Total is the reimbursable amount due the **Cabinet** by the Company.

SECTION 4: PROJECT RELOCATION DELIVERY ORDER EXECUTION

By the execution of this Delivery Order for the named project, the Parties warrant that they have fully read the Term Agreement and this Delivery Order and agree to the terms and condition set forth by both. The Company warrants that the existing _____ facilities identified have been verified, said facilities must be relocated due to the referenced Cabinet project, and the relocation of said facilities are reimbursable as defined in the cited authority. The Cabinet warrants that all compensable costs invoiced will be paid as defined herein.

IN WITNESS WHEREOF, the parties have executed this Project Relocation Delivery Order by their duly authorized officers. This the ____ day of _____, 20__.

COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET APPROVALS

Approval of the Division of Right of Way and Utilities		Approval of the Utilities and Rail Branch	
SIGNATURE		SIGNATURE	
		Utilities and Rail Branch Manager	
Right of Way & Utilities Division Director		DATE	
Approval of Company			
SIGNATURE		DATE	
TITLE			
Approved Form and Legality (KYTC)		Approved Form and Legality (Company – not required)	
SIGNATURE		SIGNATURE	
DATE		DATE	