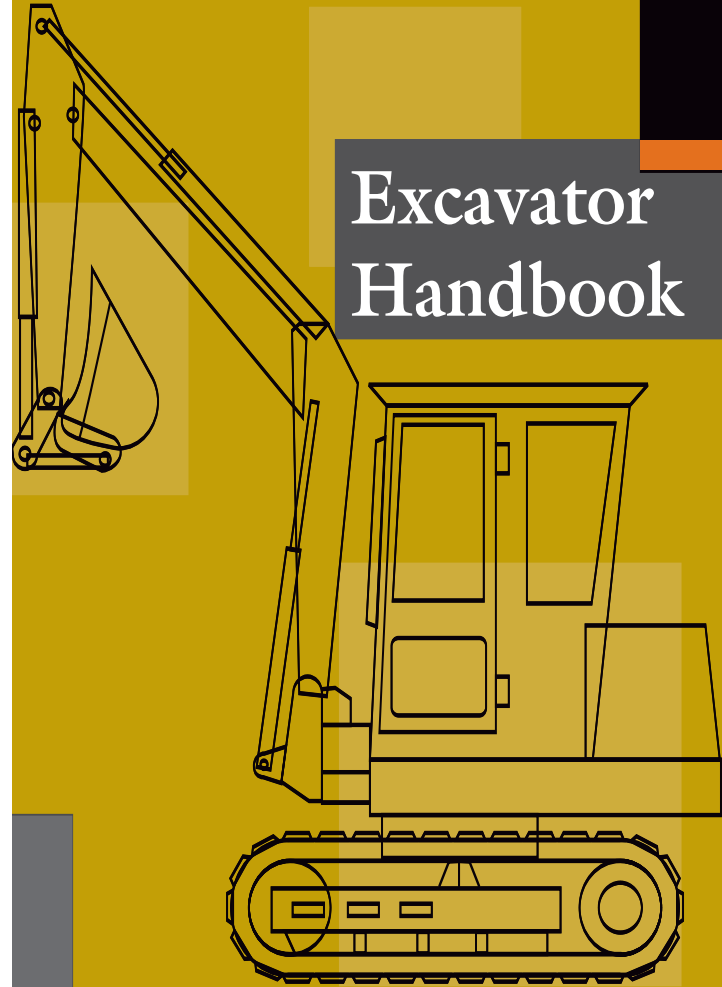


Excavator Handbook



DIGGER

Chicago Utility Alert Network

312-744-7000









www.cityofchicago.org/transportation

DIGGER

Chicago Utility Alert Network
121 North LaSalle Street, Room 905
Chicago, IL 60602

DIG SAFE. DIG SMART.

COLOR CODE FOR MARKING UNDERGROUND UTILITY LINES

-  ELECTRIC
-  GAS-OIL-STEAM
-  COMMUNICATION
CATV
-  POTABLE WATER
-  RECLAIMED WATER
SLURRY LINES
-  SEWER
-  TEMPORARY SURVEY
MARKINGS
-  PROPOSED EXCAVATION



DIGGER

CHICAGO UTILITY ALERT NETWORK

312-744-7000

PREFACE

This handbook is intended for informational and reference purposes only. This handbook has been designed by the Greater Chicago Damage Prevention Council (GCDPC) to help excavators and locators understand what is necessary to assure safe digging from start to finish. It is not intended to be a full and complete statement of the law, nor of the excavator's duties and responsibilities when engaging in excavation work.

The Illinois Legislature enacted the Illinois Underground Utility Facilities Damage Prevention Act (220 ILCS 50/1 et seq.), which took effect on January 1, 1991 (as amended). Specific reference should be made to this Act for the duties and responsibilities it imposes on the excavator. Any further inquires as to the duties and responsibilities of the excavator should be referred directly to an attorney.

The contents of this handbook are subject to change without notice. If you have any questions or need additional copies, please contact DIGGER at (312) 744-7000.

For more information and a downloadable version of this manual visit our website at www.GCDPC.org.

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Nicor Gas
Peoples Energy
Plumbing Contractors Association
Qwest Communications
RCN
SBC
Sprint
Western Utility Contractors, Inc.
Westshore Pipeline
XO Communications

REQUIRED LOCATION REQUEST INFORMATION

TYPE OF WORK/DETAIL

COMPANY PERFORMING WORK

COMPANY ADDRESS

COMPANY FAX#

CONTACT NAME AT SITE

PHONE # OF CONTACT ON SITE

ADDRESS OF SITE

DEPTH OF EXCAVATION



CHICAGO UTILITY ALERT NETWORK

312-744-7000

www.cityofchicago.org/transportation

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1. THE GREATER CHICAGO DAMAGE PREVENTION COUNCIL

The Greater Chicago Damage Prevention Council is made up of representatives from facility owners and operators, the City of Chicago DIGGER system, excavators, state and local governments and others interested in the protection of underground facilities. The Council provides an open forum for these organizations to share ideas and solutions to minimize damages to underground facilities by taking a proactive approach through education and partnering with those engaged in the act of excavating in the City of Chicago.

If you would like more information on The Greater Chicago Damage Prevention Council or membership in the Council, please call (312) 744-5034 or visit our website at www.GCDPC.org.

2. THE ILLINOIS UNDERGROUND UTILITY FACILITIES DAMAGE PRE- VENTION ACT (220 ILCS 50/1 et seq.)

The Act requires persons excavating to contact the One-Call Network prior to digging. The Act requires owners of underground utility facilities to be members of the One-Call Network. This law went into effect January 1, 1991. **A copy of the Act, current as of this printing can be found at the end of this manual.**

Underground utility facilities can be damaged or ruptured by various digging instruments; a small bend or dent can create problems months later. The ramifications of damaged facilities and interrupted services are serious.

Loss of natural gas, telephone, water or electricity can leave communities without such services as police, fire and medical protection. When damaged, these vital services can endanger life, property and public safety. They can also be expensive and time consuming to repair.

3. THE CITY OF CHICAGO ONE-CALL NETWORK (312) 744-7000

I. HISTORY AND BACKGROUND

DIGGER (Chicago Utility Alert Network) was formed by the owners and operators of underground facilities in the City of Chicago as a means of reducing damage to those facilities. DIGGER began operations August 1974.

If digging on a street that borders both the City and the Suburbs, contact both DIGGER and JULIE

If digging outside the city limits of Chicago
CONTACT JULIE (800) 892-0123
www.illinois1call.com

WHAT IS DIGGER?

DIGGER is a not-for-profit corporation that helps homeowners and excavators find buried utility facilities within the City of Chicago with one phone call.

DIGGER is not a utility. DIGGER owns no facilities and does not locate underground facilities. DIGGER is a message handling service, which receives location requests from persons excavating. DIGGER then sends these requests to DIGGER member companies who have facilities in the area of excavation. Each utility is responsible to mark its own facilities. The service provided by DIGGER to excavators is free of charge. Member companies pay the cost of DIGGER.

WHEN DO I USE DIGGER?

Anytime you plan to dig. Whether it's a small job, or a large construction project, or a demolition project, or a homeowner project (such as putting up a fence or clothes line, planting a garden or shrubbery, building a home addition, deck or foundation, etc.) you must call 48 hours (EXCLUDING WEEKENDS AND/OR HOLIDAYS) prior to digging. DIGGER will notify the owners/operators of underground utility facilities who are DIGGER MEMBERS of the planned digging activity.

HOLIDAYS RECOGNIZED BY DIGGER MEMBERSHIP

The following is a list of The DIGGER system holidays:

New Year's Day	Dr. Martin Luther King, Jr.'s Birthday
Lincoln's Birthday	Washington's Birthday
Pulaski Day	Memorial Day
Independence Day	Labor Day
Columbus Day	Veteran's Day
Thanksgiving Day	Day After Thanksgiving
Christmas Eve	Christmas Day

Even though your call might be answered by DIGGER on the above dates, member companies usually have only skeleton crews on call to handle emergencies. Therefore, these days are NOT included in determining the two working day advance notice.

An example of this would be the following. When a holiday falls on a Friday, a DIG Notice called in Wednesday at 12:00 p.m. would not have to be located until 12:00 p.m. on Monday.

REASONS NOT TO CALL DIGGER

The DIGGER system exists to provide digging related messages. DIGGER should NOT be contacted for any of the following reasons:

- A. To report any type of service outage due to weather conditions.
- B. To resolve any type of utility billing problem.
- C. To report any excavation outside of the City of Chicago.
- D. To request any type of facility removal or relocation (including meter removals prior to demolition of a building).
- E. To request initiation of any type of utility service.
- F. Legal questions (such as locating for utility letters, or subdividing property).
- G. To locate for design or bidding stage before a project (see Section 5-OUC Stage).

ARE ALL UNDERGROUND FACILITY OWNERS MEMBERS OF DIGGER?

No. While all underground utility owners, are required by state law to participate in the one-call Network, some underground facility owners/operators are not members of DIGGER. Thus, all underground facilities ARE NOT included in the location notification request. Those planning to dig should search the area for non-DIGGER members and notify them on your own. A regularly updated list of DIGGER members can be found on the DIGGER website ([www cityof-chicago/transportation](http://www.cityof-chicago/transportation)) by clicking on Chicago Utility Alert Network.

WHAT IS A DIG NUMBER?

A dig number identifies the specific location request record you had processed. This record contains all of the information about your request along with a list of DIGGER members receiving your request. It is important that you write this number down and keep it with your personal records. DIGGER keeps this information on file for seven years.

HOW LONG IS A MARK AND/OR A LOCATION REQUEST GOOD FOR?

According to state law, you must provide notice of excavation “not less than 48 hours (exclusive of Saturdays, Sundays and holidays) but no more than 14 calendar days in advance of the start of the excavation or demolition ...” In other words, state law requires you to call DIGGER for a new dig number if the start of the project is extended beyond 14 days from the original locate request. However, if any outside factors (such as weather, vandalism, heavy construction traffic, etc.) result in marks/stakes being removed or becoming indistinguishable at any time, call DIGGER to have the area remarked and be prepared to wait up to an additional 48 hours. Please refer to previously received dig number when calling for a remark.

Also, please understand that if you call back to DIGGER on a previously received dig number, after the first 14 days have expired, to report a “no show” or “incomplete marking(s)”; the Illinois Underground Utility Facilities Damage Prevention Act allows utilities an additional two working days to mark.

When the excavation or demolition project will extend past 28 calendar days from the date of the original notice provided, the excavator shall provide a subsequent notice to the owners or operators of the underground utility facilities or CATS facilities in and near the excavation or demolition area through the One-call network (DIGGER), informing utility owners and operators that additional time to complete the excavation or demolition project will be required. **The notice will provide the excavator with an additional 28 calendar days from the date of the subsequent notification to continue or complete the excavation or demolition project.**

It is the responsibility of the excavator requesting the dig ticket to protect the marks at the job site.

ACCURACY OF YOUR DIG SITE LOCATION IS IMPORTANT

In an effort to minimize unnecessary markings in the public way, and to assist the locators when marking the excavation area, **all excavation areas should be clearly marked in safety white paint, if practical, prior to calling DIGGER.** White paint is not required for joint meets or emergency work.

When an address is not posted or when excavation is taking place on property without a building, it is important that the excavator makes the site identifiable for the locators by posting the lot number or address in a conspicuous manner at the site.

HOW CAN MARKS BE PROTECTED?

There are a number of ways that the excavator can protect the marks at a job site. Some of these are:

- Offset locates to a less traveled area (using white paint).
- Barricade the locate marks with cones or something similar (do not use your normal traffic protection barricades).
- Circle or box the locates in white paint.
- Stake or flag the locates.
- Copy the stationing of the locates on the job prints.
- Videotape or take photographs of the locate marks (be certain that photos or images show the 18-inch tolerance zone).

- Make the location and identification of marking and utilities the #1 topic of your daily safety meetings.
- DO NOT use utility color paint to protect marks. The facility owner or the authorized agent of the owner should only use these colors.

II. TYPES OF LOCATE REQUESTS

There are generally four types of requests made from excavators to utility operators through DIGGER. The four categories include:

- 1) Dig Notice (for work that is permitted on the public right-of-way)
- 2) Private Property
- 3) Emergency Notice
- 4) Joint Meets

The most common types of requests require a minimum of 48 hours (two working days) notification in advance of digging. Other key elements associated with the initial request include specific address/area information as well as a specified dig start date. Please note: Illinois state law requires at least a two working day (48 hour) notice, but no more than a 14 calendar day advance notice prior to the start of excavation.

DIG NOTICE

A Dig Notice is for work that is permitted by the City of Chicago on the public right-of-way. The address and general contractor on the permit issued by the Chicago Department of Transportation will dictate the address and contractor on the DIG Ticket.

It should be noted that every subcontractor working for the general contractor must call in for locates with that permit number. Also, because there may be more than one subcontractor working on the permit, the subcontractor should double check that the area located is located for them and not another.

Example: Contractor "A" is installing catch basins on north side of street. The locator and Contractor "A" meet and the locator marks what Contractor "A" needs. Contractor "B" comes the next day to install new street-lights on the south side of street using the locate marks of Contractor "A" and damages something. The locator was unaware of the digging on the south side of the

street and did not mark it. It is important for all contractors on the job to check with the locate companies to make sure that their specific part of the job is marked out.

It should also be noted that normally these projects are large, ongoing projects and the address of the excavation now taking place may be blocks away from the address listed on the DIG Ticket.

PRIVATE PROPERTY DIG NOTICE

A Private Property Dig Notice is issued for digging on private property. You cannot use this notice to dig in the public right-of-way. If your excavation requires you to dig on private property and in the public way, you should have 2 dig ticket numbers (refer to section on dig notice). The Private Property Dig Notice is made at least 48 hours (two working days) in advance and involves a request for utility locates at a specific address, for a specified dig start date. Please note: Illinois state law requires at least a two working day (48 hour) notice, but no more than a 14 calendar day advance notice prior to the start of excavation.

This notice is not just used by the homeowner but should also be used for commercial and industrial projects where digging is to be done on private property only. It should be noted that for large projects, a Joint Meet ticket may be used so that the locator can better serve the contractor.

EMERGENCY LOCATE REQUEST

Emergency Locate Request means a locate request for any condition constituting an imminent danger to life, health, or property, of a utility service outage, and which requires immediate repair or action.

Before any emergency work is to be performed, the excavator is responsible for securing the necessary permit and notifying DIGGER. The DIGGER staff will transmit an Emergency Dig Notice for locates. Excavators are required to give at least 2 hours for mark out (locates) to be performed. If the utilities do not respond within a reasonable time, the excavator is required to make a follow-up call to DIGGER. A second Emergency Dig Notice will be transmitted.

For after hours Emergency Locate Requests, the excavator is required to call DIGGER. The automated phone system will prompt the caller and switch them to DIGGER's after hours support staff if the caller selects the "emergency" option.

The 311 Call Center only accepts off-hour emergency requests for public right-of-way Dig Notices for DIGGER, weekdays from 10:00 p.m. to 6:00 a.m. and 24 hours a day on weekends and major holidays. Contact DIGGER during regular business hours for non-emergency notifications.

When calling DIGGER for an Emergency Locate Request, inform the operator that an emergency situation exists and be prepared to explain the situation/conditions. The answering attendant will prepare a location request for immediate transmission and note your planned start time. It is essential to leave a phone number, which will be answered by someone who can further explain the situation or accept an "all clear" notification.

Every person who engages in emergency excavation or demolition shall take all reasonable precautions to avoid or minimize interference between the emergency work and existing underground utility facilities in and near the excavation.

JOINT MEET

A Joint Meet is a meeting to exchange information such as maps, plans, or schedules, and to openly discuss a large or complicated project. It is not a locating session. We request that you hold your meet at the dig site or a location in close proximity to the dig site.

The Joint Meet is a 96-hour process. Joint meets require 48 hours (two working days) advance notice. Following the exchange of information at the joint meet, member companies have an additional 48 hours (two working days) to mark their facilities after the meeting is held.

DIGGER member companies have been requested to contact the excavator if they have no facilities present or if they are unable to attend the joint meet.

III. METHODS OF REACHING DIGGER

There are now three methods of reaching DIGGER, 24 hours a day, 365 days a year, with excavation related requests: 1) by phone, 2) DIGGER Direct, and 3) fax request.

USE OF THE PHONE NUMBER

DIGGER can be contacted by calling (312) 744-7000. DIGGER operators are standing by 6 a.m. to 10 p.m., Monday through Friday. After 10 p.m. calls will be transferred to the 311 center.

**The 311 center is used for emergency
locate requests only.**

DIGGER DIRECT

DIGGER DIRECT is quick and easy method of communicating the date construction will commence through the use of a touch-tone phone: (312) 742-9070. DIGGER DIRECT is an additional capability to the existing DIGGER ALERT NETWORK function. This method of reaching DIGGER can only be used for Permitted Work (Work in Public Way).

Features include simple step-by-step voice instructions to request a Dig Confirmation number for Permitted Work. Copy the dig confirmation number DIGGER Direct provides you; it is your proof of compliance to the regulations.

Benefits of the interactive system enable 24-hour contact, including weekends, but 48-hour notice will be enforced. Saturdays, Sundays and holidays are not counted in the 48 hours.

The DIGGER Staff is available during regular hours to assist and answer questions if you are having problems.

Make sure you have your nine (9)-digit permit number available before making the call, as well as all nine (9)-digit dig numbers for that permit if also checking "Clears."

Remember when using DIGGER DIRECT the infor-

mation the locating companies are receiving is based off the permit. If you have additional comments, subcontractors, or just want to segment the work, you need to call DIGGER at (312) 744-7000.

Note also that your dig ticket is valid for 28 calendar days after last request. Prior to the 28th calendar day, the ticket must be renewed.

FAX REQUEST

You can also reach DIGGER by fax at (312) 742-0950.

Use this phone number with the information that you would use in making a phone call and DIGGER will fax back the DIGGER number and the start date to you.

IV. LOCATE REQUEST PROCESS

HOW DO I USE THE DIGGER SYSTEM?

When you call, be prepared to give the DIGGER operator the following information:

When digging in the Public Way:

- A. Permit number;
- B. Name of the Contractor doing the work (general and/or subcontractor);
- C. Address of dig ticket will be dictated by the address of the permit, so be more specific where the area of the excavation is to take place (address, block, intersection, alley, or certain part of the address on the permit);
- D. Size of excavation area;
- E. Type of work;
- F. The date and time work will begin;
- G. Contact number of person on site.
- H. Is area pre-marked?

When digging on Private Property:

- A. Your telephone number, name, address, and fax and/or pager number;
- B. Name of the Excavator doing the work;
- C. Location of excavation site, which should include the actual address and general description of the excavation site;
- D. Size of excavation area;
- E. Type of work;
- F. The date and time work will begin;
- G. Contact number of person on site.
- H. Is area pre-marked?

HOW A CALL IS PROCESSED

1. Provide notice to the City's DIGGER system not more than 14 days nor less than 48 hours (excluding Saturdays, Sundays and holidays) in advance of the start of excavation or demolition.
2. Operators are available to take calls Monday through Friday from 6 a.m. to 10 p.m. After hour calls will be transferred to the 311 center for emergency calls only.
3. The locate request is entered into a computer to determine what members are in the area.
4. The ticket is transmitted electronically to DIGGER members having facilities in the area stated on the locate request. Members sort messages and dispatch locators accordingly.
5. Before you dig, a locator from the appropriate DIGGER member company(s) will respond and if appropriate, mark the location of their buried facilities.

NEW CONSTRUCTION: SPECIAL NOTES

When your excavation work is the result of new building construction, all separate phases of the job need to be called in as individual requests. Identifying your type of work as "new building construction" **does not** cover such things as sewer, water, gas, or electric installations. Please specify each type of work.

CALLING IN "SECOND REQUESTS"

On occasion, unforeseen issues arise at the dig site and it may become necessary for an excavator to call in to DIGGER for a "second request" locate. This may be a request for one; several, or all member companies to return to the dig site to freshen or complete utility locate markings.

In order to effectively communicate to the DIGGER operator and member company(s) the reason for your second request, the excavator should choose from one of the following appropriate terms and specify which Member Companies are required:

"Remark" – Weather, construction activity, or vandalism at the dig site has caused one or more member company's markings to become indistinguishable.

“Incomplete Markings” – One or more member companies failed to mark the entire area asked for on the original request.

“No Show” – One or more member companies failed to locate within the two working day advance notice period (or two hours in the case of emergencies).

“Renewal” – It is the Excavator’s responsibility to renew the dig request prior to the 28th calendar day if work is expected to continue beyond that time.

V. UTILITY RESPONSE PROCESS

WHAT HAPPENS AFTER I CALL?

DIGGER MEMBER COMPANIES operate on the premise that if you give them proper advance notice (48 hours not counting Saturdays, Sundays or holidays) and they have facilities in the area where you intend to dig, they will respond and mark these facilities sometime within this 48-hour period.

If a member has no underground utility facilities in the immediate area of the excavation, they are required to communicate this to the excavator. Notification of such to the excavator may be provided in any reasonable manner to include, but not limited to the following examples:

- Face to face communication
- Phone or phone message
- Facsimile
- Posting or marking in the excavation area with “OK” or “NO” (and may include the company’s initials)
- Positive Response thru DIGGER Direct.

WHAT FACILITIES ARE MARKED?

While all underground utility owners, are required by state law to participate in the one-call Network, some underground facility owners/operators are not members of DIGGER. Thus, all underground facilities ARE NOT included in the location notification request. Those planning to dig should search the area for non-DIGGER members and notify them on your own. A regularly updated list of DIGGER members can be found on the DIGGER website (www.cityofchicago.com/transportation) by clicking on Chicago Utility Alert Network.

DIGGER member companies do not locate individuals' privately installed lines or facilities (house to garage/out buildings, gaslights, gas grills, etc.). Individuals may contact utility locating services, often found in local telephone directories; to assist them in locating privately installed utility lines.

**AMERICAN PUBLIC WORKS ASSOCIATION
(NATIONAL STANDARDS) APPROVED MARKING
COLORS USED BY DIGGER MEMBERS**

Gas, Oil or Petroleum – Safety Yellow

Electric – Safety Red

Communication, Telephone, TV – Safety Alert Orange

Potable Water – Safety Precaution Blue

Sewer – Safety Green

Proposed Area of Excavation – Safety White

VI. EXCAVATOR RESPONSIBILITIES DURING DIGGING

MAY I DIG AFTER THE 48-HOUR ADVANCE NOTICE WITH NO MARKS PRESENT?

Yes. However, you have an obligation to dig in a reasonable and prudent manner, taking all necessary and required measures to avoid damaging underground facilities. It is required that you follow current industry practices, such as hand digging and/or vacuum excavating within 18 inches either side of a marked underground facility.

Remember if there is a known facility that is not marked or no marks present, DON'T DIG. Call DIGGER back and ask for that facility owner to come out to mark the facility.

WHAT SHOULD I DO IF I DAMAGE AN UNDERGROUND FACILITY?

If the excavator determines the situation poses a danger or threat of ignition (natural gas), or in case of a serious injury call 911. If not, call the specific company involved using the emergency or repair number listed in the phone book or at the back of the manual immediately!

Notify DIGGER immediately at (312) 744-7000.

When you call, please be prepared to give the following information:

- Your permit number
- Your DIGGER number
- Your agency name & address
- Contact person's name, phone & fax number
- Site; location (address where excavation or demolition has taken place)
- Type of facility damage

WHAT SHOULD I DO IF I DISCOVER UNKNOWN UNDERGROUND FACILITIES?

Call DIGGER and explain the situation. If necessary, DIGGER will notify member companies with facilities in the area. Be prepared to tell the DIGGER operator what general type of facility it is, (i.e. pipe vs. cable) and maybe a better location of facility.

DIGGER does not obtain or have information on the depth of underground facilities.

4. THE GREATER CHICAGO DAMAGE PREVENTION COUNCIL BEST PRACTICES PROGRAM

The Greater Chicago Damage Prevention Council (GCDPC) has developed a Best Practices approach to educate excavators and facility owners (i.e. Public and Private Utilities, City/Government Agencies) who have been involved in both excellent and substandard performance issues. This Best Practice approach will address these performance issues and provide progressive steps in education and compliance to allow all parties an opportunity to learn from each other. To facilitate this program, the GCDPC Best Practices Committee will invite the parties to a round table discussion.

The Council shall be responsible for compiling statistics from its members, excavators, utilities and the Department of Transportation.

The Council shall be responsible for analyzing the data in order to facilitate these roundtable discussions.

The Council shall be responsible for contacting these parties (through correspondence to Company/Department officials) requesting a meeting to discuss the issues.

The Council shall be responsible for reporting to selected agencies and/or City Departments of any excavators and facility owners who do not comply with the Council's request to meet and shall provide recommendations to selected agencies and/or City Departments on possible sanctions (i.e. permit revocation, loss of license, loss of contracts) on any excavators and facility owners who fail to respond.

5. OUC AND PERMIT PROCESS

DEPARTMENT OF TRANSPORTATION, DIVISION OF INFRASTRUCTURE MANAGEMENT

Provided below are the Department of Transportation's guidelines to which all parties (governmental agencies, utilities, not-for-profit associations, private contractors, private companies, individuals, etc.) must adhere to when constructing within the public way. This information is not to be considered all-inclusive or an incorporation of other requirements that might be set forth concurrently by other City, State and Federal Agencies.

OFFICE OF UNDERGROUND COORDINATION:

The Office of Underground Coordination (OUC) is the distribution agency within the Chicago Department of Transportation, Division of Infrastructure Management, for all requests regarding existing utility information (Information Retrieval Process – "IR") and the review/approval of construction work in or adjacent to the public way (Existing Facility Protection – "EFP"). This also includes large projects with deep excavations and penetrations, such as foundations (piles, caisson, etc.), earth retention systems or major piping installations. The OUC is responsible for the protection of the City's surface and subsurface infrastructure from damage due to planned and programmed construction, installation and maintenance projects. Proposed projects for new construction and installation work must be processed through the OUC, prior to the issuance of permits through the Division of Construction Compliance (Room 905, City Hall).

The OUC is made up of twenty-three members ("Members") consisting of both city agencies and private entities, who review IR and EFP documents to determine the effect specific requests will have

on their existing facilities. Each Member reviews individual IR and EFP requests, which are then commented on either through providing existing atlas information/record drawings; conflict notification and resolution requirements or authorizing proposed construction/installation of new facilities.

Information Retrieval (IR) Process:

In order for a proposing entity (“Requester”) to accurately engineer the installation of new facilities or maintenance on existing facilities it is recommended that an Information Retrieval Request (IR) be submitted to the OUC. This will also assist Members in the protection of their existing infrastructure and minimize conflicts in the field during construction of new facilities or maintenance on existing facilities. Upon submittal of an IR – Notice Form (obtained from the OUC), with thirty (28) copies of an 8-1/2”x11” preliminary sketch of the project area, the OUC will assign an OUC number to the request and distribute the IR request to all Members for their review/response. Members are required to respond within thirty (30) calendar days to the OUC with existing atlas/record drawing information or to comment “Not Involved” when they are not located in the requested area. The OUC will confirm by written response, to the Requester that the IR request (OUC number) has been distributed to the Members and will notify the Requester when all responses have been received. It is then the Requester’s responsibility to obtain the completed IR request from the OUC Administrative Office and evaluate the information as it pertains to future work in the requested area. The Requester should direct any correspondence regarding the information provided in the IR to the Members.

*IR Process Overview (See “**Exhibit 1**”):*

- 1. Complete OUC Notice Form (see “**Exhibit 2**”) for an “Information Retrieval.”*
- 2. Submit Notice Form with thirty (28) copies of an 8-1/2”x11” preliminary sketch of the project area to the OUC at 121 North LaSalle Street, Room 905, Chicago Illinois 60602. In addition, a service fee of fifty dollars (\$50.00) is required and must be paid by check or money order payable to: City of Chicago, Department of Transportation. (NOTE: Project area should not encompass an area larger than 4 square blocks/per IR request.)*
- 3. The OUC will assign an OUC number to the request, distribute the IR request to all Members for their response and send a confirmation to the Requester in writing.*

4. *Members review request and respond within thirty (30) calendar days to the OUC with existing atlas/record drawing information or to comment "Not Involved" when they are not located in the requested area.*
5. *The OUC will manage the Member responses and notify the Requester when all responses have been received for pick-up.*

Existing Facility Protection (EFP) Process:

All new construction, maintenance and installation work in the Public Way involving excavation shall adhere to the following criteria/guidelines and are prerequisites to the issuance of a public way opening permit. Without corroboration of completion of review by the Manager (or his designate) of the Office of Underground Coordination, a pavement-opening permit may not be issued, pursuant to the Municipal Code of the City of Chicago, Section 2-120-300 (available for viewing at www.cityofchicago.org).

In order to promote efficiency of work in the public way, reduce the risk of damage to existing infrastructure and reduce inconvenience to the public caused by work within the public way, an Existing Facility Protection (EFP) request must be submitted to the OUC by the Requester. Upon submittal of an EFP – Notice Form (obtained from the OUC), with twenty eight (28) copies of the proposed construction documents, the OUC will assign an OUC number to the EFP request and distribute the request to all Members for their review/response. In addition, the OUC will send an acknowledgement letter to the Requester. Members are required to respond within thirty (30) calendar days to the OUC with various responses of: "Permit Issuance Authorized," "Not Involved," or "Conflict." Responses may include information and/or comments as to how Member's existing facilities in the project area are to be protected and also may include inspection requests, etc. Members will contact the Requester directly with any "Conflict" notices and in addition, any received by the OUC will be immediately sent to the Requester for resolution. A proposed project will not be authorized for permit unless all outstanding conflicts are resolved. The OUC will notify the Requester when all responses have been received and the EFP request will only be authorized for permit when all Member responses have been received as "Permit Issuance Authorized" and/or "Not Involved."

EFP Process Overview:

- 1. Complete OUC Notice Form (See “**Exhibit 2**”) for an “Existing Facility Protection.”*
- 2. Submit Notice Form with twenty eight (28) copies of the Construction Documents, each folded separately, to the OUC at 121 North LaSalle Street, Room 905, Chicago, Illinois 60602. (See “**Exhibit 3**”: Construction Documents are to include, but not limited to, project scope and purpose, drawings/plans and specifications identifying proposed locations, sizes, depths of proposed construction in relation to any and all existing facilities which may exist within the project area. Construction standards and procedures should also be included with the proposed project.)*
- 3. The OUC will assign an OUC number to the request, distribute the EFP request to all Members for their review/response and send a written confirmation to the Requester.*
- 4. Members review request and respond within thirty (30) calendar days to the OUC with various responses of: “Permit Issuance Authorized,” “Not Involved,” or “Conflict.” (NOTE: Responses may include information and/or comments as to how Member’s existing facilities in the project area are to be protected and also may include inspection requests, etc., which need to be followed during construction.)*
- 5. Members are to contact the Requester directly when an EFP is in “Conflict” with their existing facilities for resolution. In addition, any “Conflict” responses received by the OUC will be sent to the Requester for resolution with the Member. An EFP will NOT be authorized for permit unless all outstanding “Conflicts” are resolved.*
- 6. The OUC will manage the Member reviews/responses and notify the proposing entity when all responses have been received as “Permit Issuance Authorized” and/or “Not Involved.” (NOTE: as “Permit Issuance Authorized” and/or “Not Involved” DO NOT indicate that DIGGER has been notified. Please refer to the DIGGER Section within this manual for process directions.)*
- 7. Upon OUC approval, a “Permit Issuance Authorization Letter” will be provided to the Requester, which is needed to obtain the “Opening and/or Use in the Public Way” permit from the Division of Construction Compliance.*

NOTE: Any Deep Excavation projects require CDOT—Quality Assurance to be contacted prior to OUC submittal. (Mr. Zenon Stuck, P.E. at (312) 742-3130, please refer to “**Exhibit 4.**”)

Proposed Projects Requiring Existing Facility Protection (EFP) Review:

- a. New installations or relocations greater than two (2) feet from the existing facility, which parallels traffic, flow including all street intersection areas when an opening in the street pavement or into a vaulted sidewalk area is required.
- b. New installations or relocations within alleys, parkway areas and under on-grade sidewalks when the depth of excavation is greater than eight (8) feet.
- c. Maintenance, repair or relocation within two (2) feet of an existing facilities involving excavations or earth retention system penetrations deeper than twelve (12) feet within the Freight Tunnel System Area which is bounded by Cermak Road, Halsted Street, Chicago Avenue and Lake Michigan.
- d. Maintenance, repairs or construction in existing vaults requiring demolition of or excavation beyond the existing floor, walls or roof.
- e. Borings and excavations deeper than twelve (12) feet within the Freight Tunnel System Area as defined above in item C. This is applicable to all public right-of-way and private property.
- f. Private Developments which have excavations, foundations or earth retention system exploratory penetrations deeper than twelve (12) feet below adjacent public way grade or when excavations deeper than four (4) feet extend beyond the development's property lines and into public way.
- g. Any project, which requires issuance of a Harbor Permit, which involves below-grade excavations or penetrations.
- h. New directional borehole installation under public ways (parkways and sidewalks only) and waterways; and under private property when penetration is deeper than 12 ft.
- i. The perpendicular crossing of traffic involving new installations or relocations greater than two (2) feet from the existing facility will require an EFP submittal to the OUC, although may not require a full thirty (30) day calendar review period.

LICENSE: No person shall make an opening in, construct and repair any pavement in, any public way or other public place unless that person holds a Public Way Work License. This license can be issued at any time during a calendar year, but shall be effective only for the calendar year in which it is issued. The fee for the Public Way Work License is currently \$125.00.

NOTE: The licensee will be required to provide proof of insurance to the City prior to the issuance of the license. In addition, the licensee will be required to have established an irrevocable letter of credit, as required by the City, which must be maintained in conjunction with the license and any renewals. A licensee shall bear the cost of establishing, maintaining and renewing such insurance and letter of credit.

License Violations – Penalty:

In addition to any other penalties that may be imposed under applicable law, any person who makes an opening in, constructs and repairs any pavement in any public way or other public place without first obtaining the public way license as required, or who falsifies information in order to obtain such a license shall be subject to a penalty for each offense of not less than \$500.00 nor more than \$2,500.00 for each day that the opening exists or the construction and repairs are performed, and shall also be liable to the City of Chicago for any cost incurred by the city in arranging for or carrying out any restoration, repairs or other work necessitated by the acts or omissions of such person.

PERMITS: All work (construction and maintenance) in the public way of the City of Chicago requires a permit from the Department of Transportation, Bureau of Inspections, Division of Construction Compliance (Room 905, City Hall). Permits are required for work by all governmental agencies, utilities, not-for-profit associations, private contractors, private companies, individuals, etc. No pavement-opening permit will be issued for any work in the public way that has been resurfaced in the last seven (7) years or reconstructed in the last ten (10) years unless such work is determined to be an emergency repair or other work deemed necessary by the Commissioner of the Chicago Department of Transportation. All pavement cuts shall meet City of Chicago Standard guidelines for such work; in addition all cuts to recently resurfaced or reconstructed streets shall meet special City guidelines issued by the Construction Compliance Division. Permits are only issued to persons holding a Public Way Work License. Permittees are obligated to restore the pavement or other materials in accordance with public way restoration standards.

Permit Violations – Penalty:

Unless a specific penalty is otherwise provided, any person who shall injure or tear up any pavement, side or crosswalk, or any part thereof, dig any hole, ditch or remove any sod, stone, earth, sand or gravel from any public way or public ground in the city without first having obtained the necessary permit, or who violates the term or conditions of a permit for such work shall be subject, but limited to a penalty for each offense of not less than \$500.00 nor more than \$2,500.00.

License and Permit applications must be submitted to the Department of Transportation, Construction Compliance Division in Room 905, City Hall.
Reference: Municipal Code, City of Chicago, Chapter 10-20, Articles I through VIII

RESTORATION REQUIREMENTS: Immediately after the completion of work pursuant to the permit, the permittee shall forthwith restore any pavement or other material displaced by reason of the work, and shall restore the surface of any public way or other public place, which was opened or otherwise disturbed. All work shall be done to the satisfaction of and in accordance with the Chicago Department of Transportation's Public Way Restoration Standards. All work done under authority of the required permits will be inspected by field service specialist of CDOT.

Restoration Violations – Penalty:

Any permittee who fails to restore the pavement or other materials of any public way or public place, as required in the restoration standards, within the time established by CDOT, shall be subject to a fine of not less than \$1,000.00 nor more than \$2,500.00 for each day that such failure continues, and shall also be liable to the City of Chicago for any cost incurred by the city in arranging for or carrying out any such restoration upon expiration of the relevant deadline. *Reference: Municipal Code, City of Chicago, Chapter 10-20*

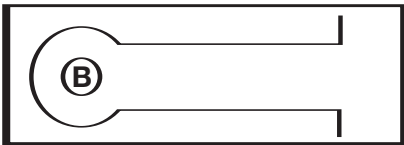
6. Definition of Marking Terms

The following definitions can be utilized on your locate request to help describe the area to be marked.

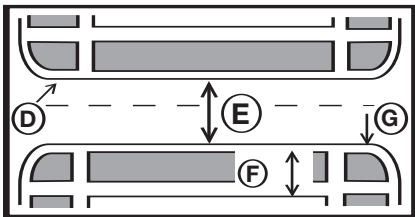
- A. CENTER LANE(S)** – In a four lane street, the two lanes at the center of the pavement.



- B. CUL DE SAC STREET** – A local street open at one end with a special provision for turning around.



- C. CULVERT** – Any pipe or structure under a roadway/driveway to facilitate drainage of surface water (not pictured).

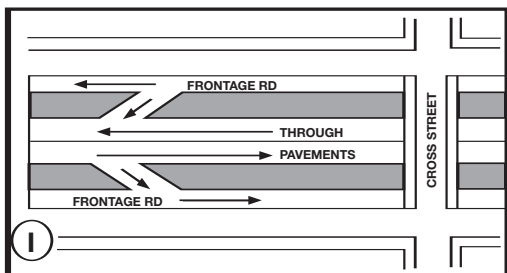


- D. CURB LANE(S)** – Traffic or parking lane immediately adjacent to the curb.

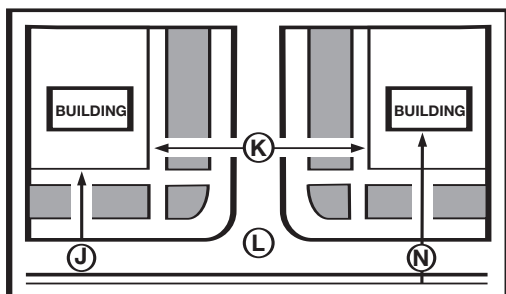
- E. CURB TO CURB** – The paved area of a road right-of-way between the two curb lines.

- F. CURB TO PROPERTY LINE** – The area between the curb and the front property line including terrace and/or sidewalk.

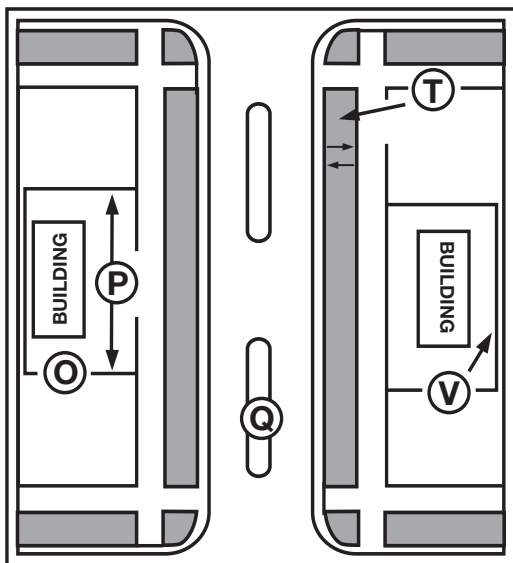
- G. CURB LINE** – The point where the curb meets the edge of the street pavement.
- H. EASEMENT** – A right to use or control the property of another for designated purposes (not pictured).



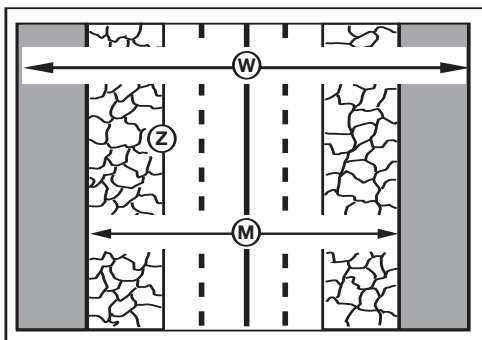
- I. FRONTAGE ROAD** – A local street or road auxiliary to and located on the side of an arterial highway for service to abutting property and adjacent areas and for control of access.
- J. FRONT LOT LINE** – (Same as the street right-of-way line.) The property line adjacent to the street right-of-way.
- K. HIGHWAY** – A public way for purpose of vehicular travel, including the entire area within the highway right-of-way.
- L. INTERSECTION** – The general area where two or more highways join or cross, within which are included the roadway and roadside facilities for traffic movements in that area.



- M. INTERCHANGE** – A system of interconnecting roadways in conjunction with one or more grade separations providing for the movement of traffic between two or more roadways on different levels (not pictured).
- N. LONG SIDE** – Indicates excavation on both sides of the pavement with probable bore of pavement.
- O. LOT LINE** – A line marking the legal limits of an individual's property.
- P. LOT LINE TO LOT LINE** – The area between the two side lot lines on private property, or the entire road right-of-way. See (W).
- Q. MEDIAN** – The portion of a divided highway separating the traveled ways for traffic in opposite directions.
- R. NEAR SIDE** – See Short Side (BB).
- S. ON SIDE** – See Short Side (BB).
- T. PARKWAY** – The area between the edge of pavement and the sidewalk or property line if no sidewalk exists.



- U. PROPERTY LINE** – See Lot Line (O).
- V. REAR LOT LINE(S)** – Property lot line at the rear of the lot (area opposite street) that connects the two side lot lines.
- W. RIGHT-OF-WAY** – Dedicated street area bounded by two generally parallel lines called right-of-way lines. Another name for these lines is front property lines.
- X. ROAD** – Highway in rural area (not pictured).
- Y. ROAD BORE** – See Long Side (N).
- Z. ROADSIDE** – A general term denoting the area adjoining the outer edge of the roadway. Extensive areas between the roadways of a divided highway may also be considered roadside.
- AA. ROADWAY** – The portion of a highway, including shoulders, for vehicular use.
- BB. SHORT SIDE** – The excavation to take place on same side of the road as the address listed.



- CC. SHOULDER** – The edge of a road (generally gravel) between normal traffic lanes and grass areas. The term normally used in areas where there is no curb.
- DD. SIDE LOT LINE(S)** – The two property lines which normally extend away from the street right-of-way at approximately 90 degree angles.
- EE. STREET** – Highway in an urban area (not pictured).
- FF. TERRACE** – See Parkway (T).

7. RECOMMENDATIONS OF STANDARDIZED UTILITY MARKINGS IN THE CITY OF CHICAGO

Marking Colors

Yellow	Gas, Oil, Petroleum
Red	Electric Power Lines, Cable, Conduit Lighting Cables & 911
Orange	Communication, Alarm of Signal Lines, Cables or Conduit & 911
Blue	Water
Green	Sewer
Pink	Temporary Survey Markings
White	Proposed Excavation (Black-when snow is on the ground)
Purple	Reclaimed Water

Notes:

911 System is an important function in the City of Chicago and is currently being marked in red or orange depending on the utility marking it.

Each member utility responsible for marking shall provide a one to three letter abbreviation that would accompany the marks. The abbreviation would be on file with DIGGER. This will help excavators to determine what utility needs to be notified if the excavator has a conflict or has a damage (i.e., Edison – E, Bureau of Electric – BOE).

Markings

Markings must be within (18) eighteen inches of actual facility location. Any markings, which vary in excess of the (18) eighteen inches, will be considered an incorrect marking. Location of markings (paint, flags, and/or stakes) shall be approximately ten (10) feet apart or as defined by the excavation area. Each mark should be the approximate width of the facility and twelve (12) inches long. In certain areas it is recommended that flags and stakes should be used. It is also recommended that offsets should be used if the excavator or locator feels they are necessary and mutually agreed upon.

Symbols

Cable and Conduit Packages.

ComEd Transmission Lines will also be marked this way with the voltage stated.



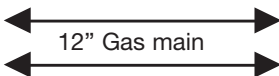
Single Cable, or pipe marked as below



Gas Lines



Gas main 2" - 8" shown with single line



Gas main 12" and above shown with double line

Offset Markings



Mark will be from line to centerline of package or pipe with denotation of above symbol.

EXHIBIT 1

DEPARTMENT OF TRANSPORTATION OFFICE OF UNDERGROUND COORDINATION

PROCEDURE FOR OBTAINING INFORMATION ON PUBLIC OR QUASI-PUBLIC UTILITIES WITH- IN THE PUBLIC WAY IN THE CITY OF CHICAGO

- **Address letter to:**

Department of Transportation
Office of Underground Coordination
121 North LaSalle St, Room 905
Chicago, Illinois 60602

Attention: Eitel Singleton
Manager

- Enclose a written request to determine whether there are any public utilities in existence at a particular location/site.
- Give reason for seeking utility information.
- Describe the location both by street address and street boundaries.
- Enclose 28 small drawings or sketches of the plat showing said location with corresponding dimensions. (Drawings larger than 8" x 14" must be folded individually.)
- A service fee of fifty dollars (\$50.00) is required. Fee must be paid by check or money order payable to: CITY OF CHICAGO, DEPARTMENT OF TRANSPORTATION.

- The Office of Underground Coordination will disseminate your request and compile utility information from the agencies listed below. Information received will be submitted to the requestor.

NOTE: Please allow 30 days for utility information to be returned.

AT&T—Local Network Services	JC Decaux
Bureau of Electricity	Level 3 Communications
Bureau of Streets	Looking Glass Networks
Bureau of Traffic	Lakeside Technology Center
Bureau of Forestry	MCI WorldCom (ATS)
CDOT—Quality Assurance	Metropolitan Water Reclamation District
Chicago Park District	Peoples Energy
Comcast	SBC
ComEd	RCN
CTA Traffic	MDE/Thermal Chicago
CTA Maintenance/Facilities	
Department of Water Management (Water & Sewer Divisions)	

For further information call (312) 744-4828

FORM:IR.REQ-REVISED 03/13/03

EXHIBIT 2

**CHICAGO DEPARTMENT OF TRANSPORTATION
DIVISION OF INFRASTRUCTURE
MANAGEMENT
OFFICE OF UNDERGROUND COORDINATION
121 N. LaSalle Street, Room 905
Chicago, Illinois 60602
NOTICE FORM**

1. Permittee Information

- Permittee Name: _____
Phone Number: _____
- Company Name: _____
- Current Address: _____
- Is Permittee a telecommunications provider:
 Yes No

Registration No.: _____

Retailer: Yes No

2. Is the Permit for another Company/Person for whom the work will be done?

- Yes, if yes fill out information below No
- Company/
Person Name: _____
Phone Number: _____
- Company/
Person Address: _____
- Is the company a telecommunications provider?
 Yes No

Registration No.: _____

Retailer: Yes No

3. Purpose of Review

- Information Retrieval Existing Facility Protection

4. Scope of Work

Describe Briefly: _____

5. Construction Document Submittal (Twenty eight (28) sets required)

- Yes No If not,

explain: _____

6. Location of Work

- Work Location Description: _____
- _____
- _____

- Legal Address: _____
- _____
- _____

- Any installation in the tunnels: Yes No

If yes, contact The Bureau of Bridges & Transit at (312) 744-3920 for information and permitting requirements.

Signature _____

Permittee Signature

Date _____

EXHIBIT 3

OFFICE OF UNDERGROUND COORDINATION DRAWING REQUIREMENTS FOR EXISTING FACILITY PROTECTION REVIEW

All plans should have the following sheets.
28 sets are required for distribution

1. COVER PAGE

- Company/Owner Name
- Project Name or Description
- Project Number (If Any)
- Site Location Map
- Legends
- Scale Info.
- CUAN/DIGGER Info.

2. GENERAL NOTES

- All Contact Information (Contractor, Owner, Engineer Etc...)
- Scope of Work
- General Specification and Instructions
- Existing Utility Notes
- Materials Used
- Etc...

3. PLAN VIEW

- Exact Location showing all utilities and property line
- Show distance from Property Line to location of installation (Both North-South-East-West Directions)
- Show what is being installed including length and Quantity
- North Arrow and Scale
- All pertinent Notes

4. ALL DETAILS

- Typical Trench, Manhole Details
- Profiles Etc...

EXHIBIT 4

CHICAGO DEPARTMENT OF TRANSPORTATION DIVISION OF INFRASTRUCTURE MANAGEMENT QUALITY ASSURANCE DIVISION

DEEP FOUNDATION REVIEW/REQUIREMENTS

Trigger Questions – Will any component of the new construction (either permanent or temporary) go to a depth of **12 ft. or deeper below existing grade.**

If yes, deep foundation review is required by Zenon Stuck (312) 742-3130. Schedule a review meeting with Joe Tallud at (312) 742-3138.

If no, check plans for indicators:

- Deep Foundations? Caissons, H-piles, pipe, auger-cast piles, mini-piles, underpinning, etc.
- Proposed Basement? New slab at 8 ft., 10 ft., 12 ft., below grade?
- Earth Retention System Proposed? Sheet piling, H-pile/lagging, slurry walls, etc.
- Earth Retention System Needed?
- Excavations deeper than adjacent foundations/structures require earth retention and/or underpinning.
- Sloped excavations (1¹/₂ horizontal to 1 vertical) that extend beyond the property lines (onto neighbors' property or too far into public way) may require earth retention.
- Excavation below the water table in sand requires sheet piling and/or dewatering.
- Piston elevators proposed?
- New Pits/Excavations within the basement of an existing building?

Drawings Required for Deep Foundation Review

Site Plan; Plat of Survey; Architectural Floor Plans, Building Elevations and Building Sections; Structural Floor Plans, Foundation Plan, Details and Sections; Civil Plans and Details; Landscaping Plans; Plumbing Plans; Logistics Plan; Earth Retention/Excavation Plans.

CCD=Chicago City Datum
ERS=Earth Retention System
ROW=right-of-way

EXHIBIT 4

CHICAGO DEPARTMENT OF TRANSPORTATION DIVISION OF INFRASTRUCTURE MANAGEMENT QUALITY ASSURANCE DIVISION

DEEP FOUNDATION REVIEW/REQUIREMENTS

Required Data and Info

Soils Report – Include written report, boring logs and location plan. Provide boring elevations to CCD. Need adequate number and depth of borings (min. 5 ft. below foundation-caissons: $1\frac{1}{2}$ to 2 x max. bell dia. Below bearing).

Logs must show ground water levels, Standard Penetration Test value (N), Unconfined Compressive Strength (Qu) values, Water Content values. Were pressure meter tests done (bearing Capacities > 21 ksf)? Were vane shear tests done (to design ERS and/or check for caisson squeeze)? Minimum of 2 borings with pressure meter and/or vane sheet, if required.

Pressure meter: 5 ft. max. intervals; 1 at bearing level + 2 (min.) below bearing level.

Architectural Floor Plans, Building Sections and Elevations – Column lines; floor elevations; pit elevations; elevator pistons located from column lines with diameter and tip elevations included; correlate building datum to CCD on all sheets; property lines.

Structural Floor Plans, Foundation Plan and Caisson/Pile Plan – Same as Architectural but including; any/all adjacent buildings/structures on plans with sections (caps, grade beams, caisson shafts and bells, piles, etc.); dimension of encroachments beyond property line (caisson bells must include overdig); encroachments may require City Council approval; caisson and/or pile detail with bearing elevation and bearing capacity.

Civil Plans and Details – Location of new sidewalks and driveways, (alleys, curb and gutter, street pavements/drop-off lanes); pavement details (sidewalks: 5” PCC + 4” Sand/CA-6, driveways: 8” PCC + 6” CA-6); new plumbing lines, structures and service connections; dimension all sewer and water connections to ROW of nearest cross street; underground storm water retention structures with locations, depth and typical sections.

Landscaping Plans – Planting locations; species tags and species schedule; section through planter boxes; irrigation system (City Council approval required?).

Plumbing Plans – (1st Floor Underground) – Underdrains, sewer and water lines with sizes; plumbing structures.

Logistics Plan – Property lines; streets, sidewalks; alleys; portions of street, alley, sidewalk to be closed; fences; barricades; pedestrian canopies; typical section along each side.

Earth Retention System/Excavation Drawings – Property lines; column lines; earth retention components (sheeting, piles, etc.), with locations from property lines; encroachments beyond property lines (City Council approval required?); adjacent structures; existing utilities; excavation limits; typical sections on all sides showing all conditions: include existing grades, bottom of excavation; excavation slopes, top and lower tip elevations of earth retention, bottom of adjacent foundation (underpinning required?), utilities.

ILLINOIS UNDERGROUND UTILITY FACILITIES DAMAGE PREVENTION ACT

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Illinois Underground Utilities Facilities Damage Prevention Act

220 ILCS 50/1 et seq. P.A. 86-0674 (01-01-91), Amended by P.A. 86-1195 (08-29-90), Further Amended by P.A. 87-125 (01-01-92), P.A. 88-578 (07-01-95), P.A. 88-681 (07-01-95), P.A. 90-481 (08-17-97), P.A. 92-149 (01-01-02), P.A. 92-179 (07-01-02) and P.A. 93-0430 (08-05-03).

An ACT relating to the prevention of negligent or unsafe excavation or demolition operations for the protection of persons and property and the preservation of utility services.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. This Act shall be known and may be cited as the Illinois Underground Utility Facility Damage Prevention Act. Amended, Sections 2.3, 4, 6 and 8 (09/30/91); Further Amended, Sections 4 and 10, P.A. 88-0681 (07/01/95); Further Amended, Sections 2, 2.2, 2.3, 2.6, 2.7, 2.8, 4, 5, 6, 7, 8, 10, 11, 11.3, 13, and 14, P.A. 92-179 (07/01/02); Further Amended Sections 4, 7 and 10, P.A. 93-0430 (08/05/03).

SECTION 2. As used in this Act, unless the context clearly otherwise requires, the terms specified in Section 2.1 through 2.8 have the meanings ascribed to them in those Sections.

SECTION 2.1. “Person” means an individual, firm, joint venture, partnership, corporation, association, municipality or other governmental unit, department or agency, utility cooperative, or joint stock association, and includes any trustee, receiver, assignee or personal representative thereof.

SECTION 2.2 “Underground utility facilities” or “facilities” means and includes wires, ducts, fiber optic cable, conduits, pipes, sewers and cables and their connected appurtenances installed beneath the surface of the ground by a public utility (as is defined in the Illinois Public Utilities Act, as amended), or by a municipality owned or mutually owned utility providing a similar utility service, except an electric cooperative as defined in the Illinois Public Utilities Act, as amended, or by a pipeline entity transporting gases, crude oil, petroleum products or other hydrocarbon materials within the State

or by a company described in Section 1 of “An act relating to the powers, duties and property of telephone companies,” approved May 16, 1903, as amended, or by a community antenna television system, hereinafter referred to as “CATS,” as defined in the Illinois Municipal Code, as amended.

SECTION 2.3 “Excavation” means any operation in which earth, rock, or other material in or on the ground is moved, removed, or otherwise displaced by means of any tools, power equipment or explosives; and includes, without limitation, grading, trenching, digging, ditching, drilling, auguring, boring, tunneling, scraping, cable or pipe plowing, and driving but does not include farm tillage operations or railroad right-of-way maintenance or operations or coal mining operations regulated under the Federal Surface Mining Control and Reclamation Act of 1977 or any State law or rules or regulations adopted under the federal statute, or land surveying operations as defined in the Illinois Professional Land Surveyor Act of 1989 when not using power equipment.

SECTION 2.4 “Demolition” means the wrecking, razing, rending, moving, or removing of a structure by means of any power tool, power equipment (exclusive of transportation equipment) or explosives.

SECTION 2.5 “Damage” means the contact or dislocation of any underground utility facility or CATS facility during excavation or demolition, which necessitates immediate or subsequent repair by the owner of such facility.

SECTION 2.6 “Emergency locate request” means a locate request for any condition constituting an imminent danger to life, health, or property, or a utility service outage, and which requires immediate repair or action.

SECTION 2.7 “Tolerance zone” means the approximate location of underground utility facilities or CATS facilities defined as a strip of land at least 3 feet wide, but not wider than the width of the underground facility or CATS facility plus 1-1/2 feet on either side of such facility based upon the markings made by the owner or operator of the facility. Excavation within the tolerance zone requires extra care and precaution including, but not limited to, as set forth in Section 4.

SECTION 2.8 “Approximate location” means a strip of land at least 3 feet wide, but not wider than the width of the underground facility or CATS facility plus 1.5 feet on either side of the facility.

SECTION 3. The owners or operators of underground utility facilities or CATS facilities that are not currently participants in the State-Wide One-Call Notice System shall, within 6 months of the effective date of this Act, join the State-Wide One-Call Notice System. This Section shall not apply to utilities operating facilities or CATS facilities exclusively within the boundaries of a municipality with a population of at least one million persons.

SECTION 4. Required activities. Every person who engages in non-emergency excavation or demolition shall:

(a) Take reasonable action to inform himself of the location of any underground utility facilities or CATS facilities in and near the area for which such operation is to be conducted;

(b) Plan the excavation or demolition to avoid or minimize interference with underground utility facilities or CATS facilities within the tolerance zone by utilizing such precautions that include, but are not limited to, hand excavation, vacuum excavation methods, and visually inspecting the excavation while in progress until clear of the existing marked facility;

(c) If practical, use white paint, flags, stakes, or both, to outline the dig site;

(d) provide notice not less than 48 hours (exclusive of Saturdays, Sundays and holidays) but no more than 14 calendar days in advance of the start of the excavation or demolition to the owners or operators of the underground utility facilities or CATS facilities in and near the excavation or demolition area through the State-Wide One-Call Notice System or, in the case of non-emergency excavation or demolition within the boundaries of a municipality of at least one million persons which operates its own one-call notice system, through the one-call notice system which operates in that municipality;

(e) Provide, during and following excavation or demolition, such support for existing underground utility facilities or CATS facilities in and near the excavation or demolition area as may be reasonably necessary for the protection of such facilities unless otherwise agreed to by the owner or operator of the underground facility or CATS facility;

(f) Backfill all excavations in such manner and with such materials as may be reasonably necessary for the protection of existing underground utility facilities or CATS facilities in and near the excavation or demolition area; and

(g) After February 29, 2004, when the excavation or demolition project will extend past 28 calendar days from the date of the original notice provided under clause (d), the excavator shall provide a subsequent notice to the owners or operators of the underground utility facilities or CATS facilities in and near the excavation or demolition area through the State-Wide One-Call Notice System or, in the case of excavation or demolition within the boundaries of a municipality having a population of at least 1,000,000 inhabitants that operates its own one-call notice system, through the one-call notice system that operates in that municipality informing utility owners and operators that additional time to complete the excavation or demolition project will be required. The notice will provide the excavator with an additional 28 calendar days from the date of the subsequent notification to continue or complete the excavation or demolition project.

At a minimum, the notice required under clause (d) shall provide:

- (1) the person's name, address, and (i) phone number at which a person can be reached and (ii) fax number;
- (2) the start date of the planned excavation or demolition;
- (3) the address at which the excavation or demolition will take place;
- (4) the type and extent of the work involved; and
- (5) section/quarter sections when the above information does not allow the State-Wide One-Call Notice System to determine the appropriate geographic section/quarter sections. This item (5) does not apply to residential property owners.

Nothing in this Section prohibits the use of any method of excavation if conducted in a manner that would avoid interference with underground utility facilities or CATS facilities.

SECTION 5. Notice of preconstruction conference. When the Illinois Department of Transportation notifies an owner or operator of an underground utility facility or CATS facility that the Department will conduct a preconstruction conference concerning new construction, reconstruction, or maintenance of State highways in and near the area in which such owner or operator has

placed underground utility facilities, such notification shall, except as otherwise provided in this Section constitute compliance by the Department or its contractors with paragraphs (a), (b), and (d) of Section 4 of this Act. In instances when notification of a preconstruction conference is provided to the owner or operator of an underground utility facility or CATS facility but no specific date is established at the preconstruction conference for the new construction, reconstruction or maintenance of State highways in and near the area in which the owner or operator has placed underground utility facilities or CATS facilities, then the Department or its contractors shall later comply with paragraph (d) of Section 4 of this Act.

SECTION 6. Emergency excavation or demolition.

(a) Every person who engages in emergency excavation or demolition outside of the boundaries of a municipality of at least one million persons which operates its own one-call notice system shall take all reasonable precautions to avoid or minimize interference between the emergency work and existing underground utility facilities or CATS facilities in and near the excavation or demolition area, through the State-Wide One-Call Notice System, and shall notify, as far in advance as possible, the owners or operators of such underground utility facilities or CATS facilities in and near the emergency excavation or demolition area, through the State-Wide One-Call Notice System. At a minimum, the notice required under this subsection (a) shall provide:

- (1) the person's name, address, and (i) phone number at which a person can be reached and (ii) fax number;
- (2) the start date of the planned emergency excavation or demolition;
- (3) the address at which the excavation or demolition will take place; and
- (4) the type and extent of the work involved.

A 2-hour wait time exists after an emergency locate notification request is made through the State-Wide One-Call Notice System. If the conditions at the site dictate an earlier start than the 2-hour wait time, it is the responsibility of the excavator to demonstrate that site conditions warranted this earlier start time.

(b) Every person who engages in emergency excavation or demolition within the boundaries of a municipality of at least one million persons which operates its own one-call notice system shall take all reasonable precautions to avoid or minimize interference between the

emergency work and existing underground utility facilities or CATS facilities in and near the excavation or demolition area, through the municipality's one-call notice system, and shall notify, as far in advance as possible, the owners and operators of underground utility facilities or CATS facilities in and near the emergency excavation or demolition area, through the municipality's one-call notice system.

(c) The reinstallation of traffic control devices shall be deemed an emergency for purposes of this Section.

SECTION 7. Damage or dislocation. In the event of any damage to or dislocation of any underground utility facilities or CATS facilities in connection with any excavation or demolition, emergency or non-emergency, the person responsible for the excavation or demolition operations shall immediately notify the affected utility and the State-Wide One-Call Notice System or, in the case of damage or dislocation in connection with any excavation or demolition within the boundaries of a municipality having a population of at least 1,000,000 inhabitants that operates its own one-call notice system, notify the affected utility and the one-call notice system that operates in that municipality. Owners and operators of underground utility facilities that are damaged and the excavator involved shall work in a cooperative and expeditious manner to repair the affected utility.

SECTION 8. Liability or financial responsibility.

(a) Nothing in this Act shall be deemed to affect or determine the financial responsibility for any operation under this Act or liability of any person for any damages that occur unless specifically stated otherwise.

(b) Nothing in this Act shall be deemed to provide for liability or financial responsibility of the Department of Transportation, its officers and employees concerning any underground utility facility or CATS facility located on highway right-of-way by permit issued under the provisions of Section 9-113 of the Illinois Highway Code. It is not the intent of this Act to change any remedies in law regarding the duty of providing lateral support.

(c) Neither the State-Wide One-Call Notice System nor any of its officers, agents, or employees shall be liable for damages for injuries or death to persons or damage to property caused by acts or omissions in the receipt, recording, or transmission of locate requests or other information in the performance of its duties as the State-Wide One-Call Notice System, unless the act or omission was the result of willful and wanton misconduct.

(d) Any residential property owner who fails to comply with any provision of this Act and damages underground utility facilities or CATS facilities while engaging in excavation or demolition on such residential property shall not be subject to a penalty under this Act, but shall be liable for the damage caused to the owner or operator of the damaged underground utility facilities or CATS facilities.

SECTION 9. When it is shown by competent evidence in any action for damages to underground utility facilities or CATS facilities that such damages resulted from excavation or demolition and that the person engaged in such excavation or demolition failed to comply with the provisions of this Act, that person shall be deemed prima facie guilty of negligence. When it is shown by competent evidence in any action for damages to persons, material or equipment brought by persons undertaking excavation or demolition acting in compliance with the provisions of this Act that such damages resulted from the failure of owners and operators of underground facilities or CATS facilities to comply with the provisions of this Act, those owners and operators shall be deemed prima facie guilty of negligence.

SECTION 10. Record of notice; marking of facilities. Upon notice by the person engaged in excavation or demolition, the person owning or operating underground utility facilities or CATS facilities in or near the excavation or demolition area shall cause a written record to be made of the notice and shall mark, within 48 hours (excluding Saturdays, Sundays and holidays) of receipt of notice, the approximate locations of such facilities so as to enable the person excavating or demolishing to establish the location of the underground utility facilities or CATS facilities. Owners and operators of underground sewer facilities that are located outside the boundaries of a municipality having a population of at least 1,000,000 inhabitants shall be required to respond and mark the approximate location of those sewer facilities when the excavator indicates, in the notice required in Section 4, that the excavation or demolition project will exceed a depth of 7 feet. "Depth," in this case, is defined as the distance measured vertically from the surface of the ground to the top of the sewer facility. Owners and operators of underground sewer facilities that are located outside the boundaries of a municipality having a population of at least 1,000,000 inhabitants shall be required at all times to locate the approximate location of those sewer facilities when: (1) directional boring is the indicated type of excavation work being performed within the notice; (2) the underground sewer

facilities owned are non-gravity, pressurized force mains; or (3) the excavation indicated will occur in the immediate proximity of known underground sewer facilities that are less than 7 feet deep. Owners or operators of underground sewer facilities that are located outside the boundaries of a municipality having a population of at least 1,000,000 inhabitants shall not hold an excavator liable for damages that occur to sewer facilities that were not required to be marked under this Section, provided that prompt notice of the damage is made to the State-Wide One-Call Notice System and the utility owner as required in Section 7.

All persons subject to the requirements of this Act shall plan and conduct their work consistent with reasonable business practices. Conditions may exist making it unreasonable to request that locations be marked within 48 hours. It is unreasonable to request owners and operators of underground utility facilities and CATS facilities to locate all of their facilities in an affected area upon short notice in advance of a large or extensive non-emergency project, or to request extensive locates in excess of a reasonable excavation or demolition work schedule, or to request locates under conditions where a repeat request is likely to be made because of the passage of time or adverse job conditions. Owners and operators of underground utility facilities and CATS facilities must reasonably anticipate seasonal fluctuations in the number of locate requests and staff accordingly.

If a person owning or operating underground utility facilities or CATS facilities receives a notice under this Section but does not own or operate any underground utility facilities or CATS facilities within the proposed excavation or demolition area described in the notice, that person, within 48 hours (excluding Saturdays, Sundays, and holidays) after receipt of the notice, shall so notify the person engaged in excavation or demolition who initiated the notice, unless the person who initiated the notice expressly waives the right to be notified that no facilities are located within the excavation or demolition area. The notification by the owner or operator of underground utility facilities or CATS facilities to the person engaged in excavation or demolition may be provided in any reasonable manner including, but not limited to, notification in any one of the following ways: by face-to-face communication, by phone or phone message, by facsimile, by posting in the excavation or demolition area, or by marking the excavation or demolition area. The owner or operator of those facilities has discharged the owner's or operator's obligation to

provide notice under this Section if the owner or operator attempts to provide notice by telephone or by facsimile, if the person has supplied a facsimile number, but is unable to do so because the person engaged in the excavation or demolition does not answer his or her telephone or does not have an answering machine or answering service to receive the telephone call or does not have a facsimile machine in operation to receive the facsimile transmission. If the owner or operator attempts to provide notice by telephone or by facsimile but receives a busy signal, that attempt shall not serve to discharge the owner or operator of the obligation to provide notice under this Section.

A person engaged in excavation or demolition may expressly waive the right to notification from the owner or operator of underground utility facilities or CATS facilities that the owner or operator has no facilities located in the proposed excavation or demolition area. Waiver of notice is only permissible in the case of regular or non-emergency locate requests. The waiver must be made at the time of the notice to the State-Wide One-Call Notice System. A waiver made under this Section is not admissible as evidence in any criminal or civil action that may arise out of, or is in any way related to, the excavation or demolition that is the subject of the waiver.

For the purposes of this Act, underground facility operators may utilize a combination of flags, stakes, and paint when possible on non-paved surfaces and when dig site and seasonal conditions warrant. If the approximate location of an underground utility facility or CATS facility is marked with stakes or other physical means, the following color-coding shall be employed:

Utility or Community Antenna Television System and Type of Product	Identification Color
Electric Power, Distribution and Transmission	Safety Red
Municipal Electric Systems	Safety Red
Gas Distribution and Transmission	High Visibility Safety Yellow
Oil Distribution and Transmission	High Visibility Safety Yellow
Telephone and Telegraph System	Safety Alert Orange
Community Antenna Television Systems	Safety Alert Orange
Water Systems	Safety Precaution Blue
Sewer Systems	Safety Green
Non-potable Water and Slurry Lines	Safety Purple
Temporary Survey	Safety Pink
Proposed Excavation	Safety White (Black when snow is on the ground)

SECTION 11. Penalties, Liability, Fund. (a) Every person who, while engaging in excavation or demolition, willfully fails to comply with the Act by failing to provide the notice to the owners or operators of the underground facilities or CATS facility near the excavation or demolition area through the State-Wide One-Call Notice System as required by Section 4 of this Act shall be subject to a penalty of up to \$5,000 for each separate offense and shall be liable for the damage caused to the owners or operators of the facility.

(b) Every person who, while engaging in excavation or demolition, has provided the notice to the owners or operators of the underground utility facilities or CATS facilities in and near the excavation or demolition area through the State-Wide One-Call Notice System as required by Section 4 of this Act, but otherwise willfully fails to comply with this Act, shall be subject to a penalty of up to \$2,500 for each separate offense and shall be liable for the damage caused to the owners or operators of the facility.

(c) Every person who, while engaging in excavation or demolition, has provided the notice to the owners or operators of the underground utility facilities or CATS facilities in and near the excavation or demolition area through the State-Wide One-Call Notice System as

required by Section 4 of this Act, but otherwise, while acting reasonably, damages any underground utility facilities or CATS facilities, shall not be subject to a penalty, but shall be liable for the damage caused to the owners or operators of the facility provided the underground utility facility or CATS facility is properly marked as provided in Section 10 of this Act.

(d) Every person who, while engaging in excavation or demolition, provides notice to the owners or operators of the underground utility facilities or CATS facilities through the State-Wide One-Call Notice System as an emergency locate request and the locate request is not an emergency locate request as defined in Section 2.6 of this Act shall be subject to a penalty of up to \$2,500 for each separate offense.

(e) Owners and operators of underground utility facilities or CATS facilities who willfully fail to comply with this Act by a failure to mark the location of an underground utility or CATS facility, after being notified of planned excavation or demolition through the State-Wide One-Call Notice System, shall be subject to a penalty of up to \$5,000 for each separate offense resulting from the failure to mark an underground utility facility or CATS facility.

(f) As provided in Section 3 of this Act, all owners or operators of underground utility facilities or CATS facilities who fail to join the State-Wide One-Call Notice System by January 1, 2003 shall be subject to a penalty of \$100 per day for each separate offense. Every day an owner or operator fails to join the State-Wide One-Call Notice System is a separate offense. This subsection (f) does not apply to utilities operating facilities or CATS facilities exclusively within the boundaries of a municipality with a population of at least 1,000,000 persons.

(g) No owner or operator of underground utility facilities or CATS facilities shall be subject to a penalty where a delay in marking or a failure to mark or properly mark the location of an underground utility or CATS facility is caused by conditions beyond the reasonable control of such owner or operator.

(h) Any person who is neither an agent, employee, or authorized locating contractor of the owner or operator of the underground utility facility or CATS facility nor an excavator involved in the excavation activity who removes, alters, or otherwise damages markings, flags, or stakes used to mark the location of an underground utility or CATS facility other than during the course of the excavation for which the markings were made or before completion of the project shall be subject to a penalty up to \$1,000 for each separate offense.

(i) The excavator shall exercise due care at all times to protect underground utility facilities and CATS facilities. If, after proper notification through the State-Wide One-Call Notice System and upon arrival at the site of a proposed excavation, the excavator observes clear evidence of the presence of an unmarked utility or CATS facility in the area of the proposed excavation, the excavator shall not begin excavating until 2 hours after an additional call is made to the State-Wide One-Call Notice System for the area. The operator of the utility or CATS facility shall respond within 2 hours of the excavator's call to the State-Wide One-Call Notice System.

(j) The Illinois Commerce Commission shall have the power and jurisdiction to, and shall, enforce the provisions of this Act. The Illinois Commerce Commission may impose administrative penalties as provided in this Section. The Illinois Commerce Commission may promulgate rules and develop enforcement policies in the manner provided by the Public Utilities Act in order to implement compliance with this Act. When a penalty is warranted, the following criteria shall be used in determining the magnitude of the penalty: (1) gravity of non-compliance; (2) culpability of offender; (3) history of non-compliance; (4) ability to pay penalty; (5) show of good faith of offender; (6) ability to continue business; and (7) other special circumstances.

(k) There is hereby created in the State treasury a special fund to be known as the Illinois Underground Utility Facilities Damage Prevention Fund. All penalties recovered in any action under this Section shall be paid into the Fund and shall be distributed annually as a grant to the State-Wide One-Call Notice System to be used in safety and informational programs to reduce the number of incidents of damage to underground utility facilities and CATS facilities in Illinois. The distribution shall be made during January of each calendar year based on the balance in the Illinois Underground Utility Facilities Damage Prevention Fund as of December 31 of the previous calendar year. In all such actions under this Section, the procedure and rules of evidence shall conform with the Code of Civil Procedure, and the rules of courts governing civil trials.

(l) The Illinois Commerce Commission shall establish an Advisory Committee consisting of a representative from each of the following: utility operator, JULIE, excavator, municipality, and the general public. The Advisory Committee shall serve as a peer review panel for any contested penalties resulting from the enforcement of this Act. The members of the Advisory Committee shall be immune, individually and jointly,

from civil liability for any act or omission done or made in performance of their duties while serving as members of such Advisory Committee, unless the act or omission was the result of willful and wanton misconduct.

(m) If, after the Advisory Committee has considered a particular contested penalty and performed its review functions under this Act and the Commission's rules, there remains a dispute as to whether the Commission should impose a penalty under this Act, the matter shall proceed in the manner set forth in Article X of the Public Utilities Act, including the provisions governing judicial review.

SECTION 11.3. Emergency telephone system outages; reimbursement. Any person who negligently damages an underground facility or CATS facility causing an emergency telephone system outage must reimburse the public safety agency that provides personnel to answer calls or to maintain or operate an emergency telephone system during the outage for the agency's costs associated with answering calls or maintaining or operating the system during the outage. For the purposes of this Section, "public safety agency" means the same as in Section 2.02 of the Emergency Telephone System Act.

SECTION 11.5. Limitation on Liability. (a) In joining the State-Wide One-Call Notice System, a municipality's liability, under any membership agreement rules and regulations, for the indemnification of (i) the entity that is in charge of or managing the system or any officer, agent, or employee of that entity or (ii) a member of the system or any officer, agent, or employee of a member of the system shall be limited to claims arising as a result of the acts or omissions of the municipality or its officers, agents, or employees or arising out of the operations of the municipality's underground utility facilities.

(b) Subsection (a) shall not be construed to create any additional liability for a municipality in relation to any member of the system with which the municipality may have entered into a franchise agreement. If a municipality's liability for indemnification under a franchise agreement is narrower than under this section, the franchise agreement controls.

SECTION 12. No action may be brought under Section 11 of this Act unless commenced within 2 years after the date of violation of this Act.

SECTION 13. Mandamus or Injunction. Where public safety or the preservation of uninterrupted, necessary utility service or community antenna television system service is endangered by any person engaging in excavation or demolition in a negligent or unsafe manner which has resulted in or is likely to result in damage to underground utility facilities or CATS facilities or is proposing to use procedures for excavation or demolition which are likely to result in damage to underground utility facilities or CATS facilities, or where the owner or operator of underground utility facilities or CATS facilities endangers an excavator by willfully failing to respond to a locate request, the owner or operator of such facilities or the excavator or the State's Attorney or the Illinois Commerce Commission at the request of the owner or operator of such facilities or the excavator may commence an action in the circuit court for the county in which the excavation or demolition is occurring or is to occur, or in which the person complained of has his principal place of business or resides, for the purpose of having such negligent or unsafe excavation or demolition stopped and prevented or to compel the marking of underground utilities facilities or CATS facilities, either by mandamus or injunction.

SECTION 14. Home rule. The regulation of underground utility facilities and CATS facilities damage prevention, as provided for in this Act, is an exclusive power and function of the State. A home rule unit may not regulate underground utility facilities and CATS facilities damage prevention, as provided for in this Act. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

Violations–Penalty

Any person who, while engaging in excavation or demolition, willfully fails to comply with the Illinois Underground Utility Facilities Damage Prevention Act (an act relating to the prevention of negligent or unsafe excavation or demolition operations for the protection of persons and property and the preservation of utility service) and damages any underground utility facility, shall be subject to stringent fines and possible prosecution and also shall be liable for the damage caused to owners or operators of the facility. Reference: Illinois Underground Utility Facilities Damage Prevention Act 220 ILCS 50/1 et seq. The Chicago Department of Transportation's Regulations for Openings, Construction and Repair in the Public Way.

NOTES

LIST OF EMERGENCY NUMBERS

COM ED	1-800-EDISON1
PEOPLES ENERGY	1-866-556-6002
SBC	1-888-611-4466
CHICAGO WATER MANAGEMENT ..	1-312-744-7038
BUREAU OF ELECTRICITY	1-800-924-1195