

# New Dig Law Legislation for Municipalities

2023 GUCC Annual Conference

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# What are we going to talk about today?

- Mission
- New state mandate
- Baseline terminology
- Current state: stats
- Current state: method
- The 811 gap
- What are the options?
- Pros and Cons
- What if we do nothing?
- Questions?



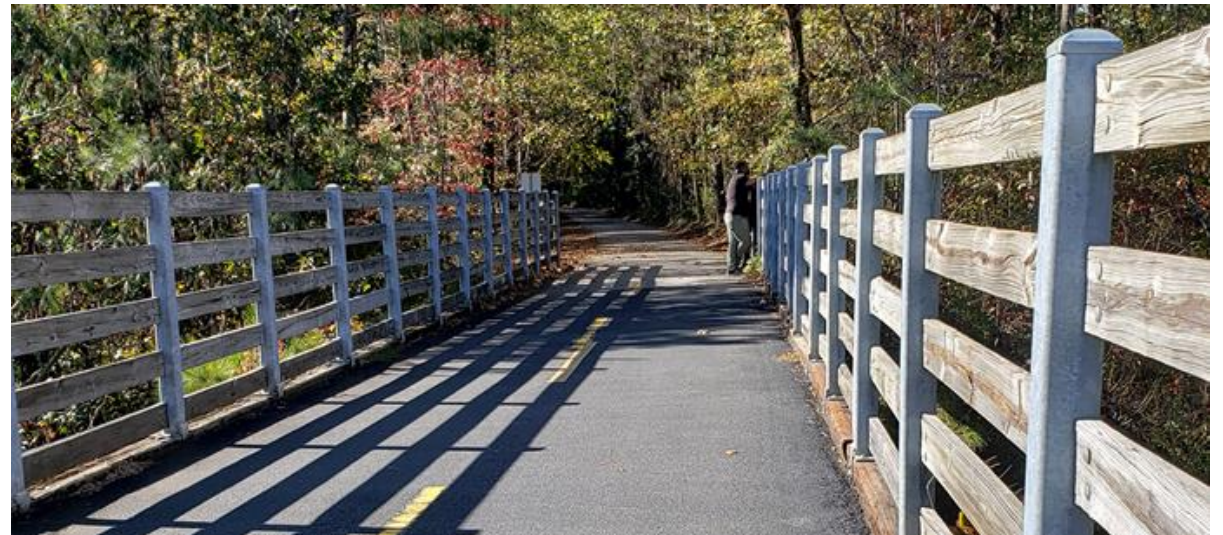


# Cobb County Department of Transportation

## Our Mission Statement:

Plan, design, construct, operate, and maintain a multi-modal transportation network in a fiscally responsible manner to promote safe and efficient travel throughout Cobb County

Cobb DOT maintains 2,426 lane miles of roadway, which is equivalent to a single lane stretching from your seat right now to Los Angeles, California.



## What started the ball moving?

The passing of the Georgia Underground Facility Protection Act (GUFPA) has led us to formulate potential responses

O.C.G.A. § 25-9-14

Enforcement on Locating Traffic Control Devices & Traffic Management Systems

In order to provide local governing authorities adequate time for initial budgeting and staffing, the start date for enforcement of the requirement to locate traffic control devices and traffic management systems is January 1, 2024



## Some definitions will help create a baseline of knowledge

### Underground Facility

An underground or submerged fiber, conductor, pipe, or structure used or installed for use in providing traffic control, traffic management, electric service, or communications service, or in carrying, providing, or gathering gas, oil or oil products, sewage, waste water, storm drainage, or water or other liquids. All underground facilities shall be considered to extend up to the connection to the customer's facilities. Such terms shall not include sewer laterals or publicly or privately owned railroad facilities.

### Traffic Control Devices

All electronic or electrically powered roadway signs, sign structures, or signals of a local governing authority or the Department of Transportation and all associated underground infrastructure on which the public relies for informational, regulatory, or warning messages concerning the public rights of way.

### Traffic Management System

A network of traffic control devices, monitoring sensors, and personnel of a local governing authority or the Department of Transportation, with all associated communications and power services, including all system control and management centers.





## The infrastructure under the new dig law is considerably large county-wide

Assets maintained by this group include approximately:

- 570 traffic signals
- 222 school zone flashing beacons
- 250 traffic surveillance cameras
- 30 dynamic message signs
- 225 miles of fiber optic cable



Cobb 101



# The current situation presents a gap in 811 compliance for CCDOT

- CCDOT not an 811 member
- Cartegraph Work Order software
- Signal Tech's locating 5% of anticipated demand
- 55 total locates for 2022
- Last three months of 2022 had over 5 infrastructure damages.

The screenshot displays a web application interface for managing requests. At the top, there are navigation tabs for 'Requests', 'Work', 'Assets', 'Resources', and 'Reports'. The main content area shows details for a specific request:

- Request ID:** 77638
- Issue:** Signal Locate
- Address:** PIEDMONT RD
- City:** PIEDMONT RD
- Priority:** Medium
- Days Open:** 1
- Entry Date:** 2/21/2023
- Close Date:** 2/22/2023

Below the details is a map showing the location of the request. The map includes a search bar and zoom controls. The location is marked with a red dot at the intersection of Sandy Plains Rd and E Piedmont Rd NE.

The interface also includes sections for 'Basic Information' and 'Request Setup'.

**Basic Information:**

- Address Number:
- Street: PIEDMONT RD
- Intersecting Street: SANDY PLAINS RD
- City:
- Location Description: SANDY PLAINS RD & PIEDMONT RD
- Utility Permit Number:

**Request Setup:**

- Issue: Signal Locate
- Priority: Medium
- Description: Name: John Piaro, Number: 770-450-1966, Company: Nestler, signal locate @ Sandy Plains rd & E Piedmont rd asap.
- Division: Signals
- Department: Transportation
- District: 3
- Client Type: Citizen
- Signal Number: 135
- Standard Operating Procedure:
- Request Notes:





# WARNING Call Before Digging!

- Not notified by 811
- No return ticket system
- Marking utilizing communications marking colors (orange)
- Marked within 72 business hours





# CCDOT 811 Requests

Mission of the locating plan:  
Safely Protecting  
Underground Infrastructure



# There are three primary options to consider with varying levels of delivery, risk, and cost

## Option 1

- Four factors (2 of which are the most important) are superior
- The only poor factor is worth only 5% in weight

## Options 2 and 3

- Have similar pros/cons and it is notable that the con is in the most important factor

Factor	Wt.	Option 1: In-House staffing of all aspects of 811 service delivery	Option 2: Some In-House staffing augmented with managed contract	Option 3: Utilize existing contract held by the Water Department
Security of Infrastructure	30%	Critical infrastructure only being accessed by county staff	Granting 3rd party access to traffic control systems	Granting 3rd party access to traffic control systems
Risk of Damage	20%	Lower damage risk due to locator being onsite during excavations	Locators only on site prior to work and refresh locates	Locators only on site prior to work and refresh locates
Cost over Time (2+)	15%	After initial start up costs, annual cost is cheapest option	Cost is variable due to 811 ticket volume	Cost is variable due to 811 ticket volume
Liability	15%	Quality and accuracy of locates solely rests with Cobb County	Risk is softened by contractor insurance	Risk is softened by contractor insurance
Quality of Locate	10%	Locators are trained at a higher standard (blueprints, etc.)	Industry standard	Industry standard
Cost Year 1	5%	Capital startup costs are incurred in year one	Initial startup costs are distributed uniformly across all years	Initial startup costs are distributed uniformly across all years
Tenure of Locators	5%	Cobb County has the ability to attract a longer term employee	Outside the control of Cobb County	Outside the control of Cobb County





# In-house management of utility locating services is a strong option despite high initiation costs

The recommendation is to create an in-house option for managing all 811 services

1. In-House excels in all areas vs. other options, except for initial cost and liability
2. DOT contractors gives the department the most cost-efficient option with some control of services, while minimizing liability risk
3. Leveraging the Water Department is similar to having contract management like that of Option 2, with slightly higher cost (locating request fee) and granted access to security cabinets to a 3<sup>rd</sup> party contractor

Factor	Factor Weight	1. In-House	2. DOT Contractor	3. Water Contractor
Security of Infrastructure	30%	10	5	1
Risk of Damage	20%	9	5	5
Cost over Time (2+)	15%	8	7	9
Liability	15%	5	9	9
Quality of Locate	10%	9	5	5
Cost Year 1	5%	1	8	9
Tenure of Locators	5%	8	5	5
		8.1	6.1	5.2

Note that scoring is based on a scale of 1 (worst) to 10 (best)



## Option 4: Do nothing.

### Safety Impact:

Owners that have not inventoried asset and damage occurs are liable for damage repair, fines, and injuries





## Question

# Can we build our own “call before you dig platform”? No.

25-9-5. (a) Except as otherwise provided by subsection (b) of this Code section, all facility owners or operators operating or maintaining utility underground facilities within the state shall participate as members in and cooperate with the UPC. No duplicative center shall be established. The activities of the UPC shall be funded by all facility owners or operators. (b) Persons who that install water and sewer facilities or who that own such facilities until those facilities are accepted by a local governing authority or other entity are not required to participate as members of the UPC and shall not be considered facility owners or operators. All such persons shall install and maintain permanent markers, as defined in Code Section 25-9-3, identifying all water and sewer facilities at the time of the facility installation. Notwithstanding the above, all owners or operators of water and sewer facilities that provide service from such facilities are shall be considered facility owners or operators and shall be members of the UPC.



# Connect with Cobb DOT

