

# Memorandum



CITY OF DALLAS

DATE November 21, 2018

TO Honorable Members of the Mobility Solutions, Infrastructure and Sustainability Committee

SUBJECT **Right of Way Management: Proposed Process and Code Revisions**

On Monday, November 26, 2018, Robert Perez, Interim Director of the Department of Public Works, will brief the Mobility Solutions, Infrastructure and Sustainability Committee on Right of Way Management and the proposed revisions to processes, codes, and ordinances governing work in the City's right of way. The briefing materials are attached for your review.

Please feel free to contact me if you have any questions or concerns.

A handwritten signature in blue ink, appearing to read 'M. Al-Ghafry'.

Majed A. Al-Ghafry, P.E.  
Assistant City Manager

[Attachment]

c: Honorable Mayor and Member of the City Council  
T.C. Broadnax, City Manager  
Chris Caso, City Attorney (I)  
Carol A. Smith, City Auditor (I)  
Biliera Johnson, City Secretary  
Preston Robinson, Administrative Judge

Kimberly Bizzor Tolbert, Chief of Staff to the City Manager  
Jon Fortune, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer  
M. Elizabeth Reich, Chief Financial Officer  
Directors and Assistant Directors

# **Right of Way Management Proposed Process & Code Revisions**

**Mobility Solutions,  
Infrastructure &  
Sustainability Committee  
November 26, 2018**

**Robert M. Perez, Interim Director  
Department of Public Works**



# Presentation Overview

- Background/History
- Purpose
- Implemented Actions
- Proposed Actions
- Next Steps

# Background/History

- Construction in the City's right of way (ROW) is governed by:
  - Chapter 43 of the Dallas City Code
  - Pavement Cut and Repair Standards Manual
  - City of Dallas Traffic Barricade Manual
- City Council has raised recent concerns regarding oversight of construction being completed in the right of way

# Background/History

- There is the need to:
  - Increase oversight of construction in the ROW
  - Maintain accessible walkways or pedestrian detours during construction
  - Enhance public notification of construction
  - Ensure more-stringent restoration requirements for streets with high Pavement Condition Index (PCI) ratings
  - Use Contractor Scoring Matrix in consideration of future contract awards for public projects

# Purpose

- To address the concerns raised, staff has evaluated existing processes, codes, and ordinances governing construction within the City's ROW
- The purpose of this briefing is to present and discuss actions that have been recently implemented or will be proposed for City Council consideration in the coming months

# Implemented Actions

- Concern – Increased oversight of construction in the ROW:
  - As of August 1, 2018, Public Works has issued 73 citations for violations while working within the ROW
    - Started with (4) staff members issuing citations
    - Through consolidating (9) Public Works ROW staff and (2) Transportation Traffic Coordination staff, (11) staff members will be licensed to issue citations by January 2019

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# Proposed Actions

- Concern – Maintain accessible walkways or pedestrian detours during construction:
  - Revise Chapter 43, Sec. 43-139 (c) (19) of the Dallas City Code (DCC) to require the following on traffic control plans:
    - Necessary pedestrian sidewalk detours
    - Crosswalk closures
    - Temporary covered walkways or scaffolding required when necessary
    - Maximum duration of permit, and upon expiration, a new permit will be necessary

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# Proposed Actions

- Concern – Enhanced public notification of construction:
  - Revise Chapter 43, Sec. 43-141 (i) (2) (A-E) of the DCC regarding Notice to Public
    - No notification needed if less than 24 hours without excavation and/or lane closure (example: AT&T vault inspection)
    - Notification is needed if lasting longer than 24 hours
    - Notification necessary if work involves excavation and/or lane closure

# Proposed Actions

- Concern – Enhanced public notification of construction:
  - Revise Chapter 43, Sec. 43-141 (i) (2) (A-E) of the DCC regarding Notice to Public
    - ROW work with excavation and/or a lane closure lasting more than 24 hours requires two separate construction notifications
    - Construction on a thoroughfare, arterial, or a community collector with extended traffic delays requires at least (2) portable Changeable Message Signs (CMS)

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# Proposed Actions

- Concern – More-stringent restoration requirements for streets with high PCI ratings:
  - Revise Chapter 43, Sec. 43-139 (b) (2) of the Dallas City Code (DCC)
    - PCI of 75 for Concrete Streets requires replacement of the entire concrete panel from joint to joint
    - PCI of 75 or higher for Asphalt Streets requires seal coat treatment for the entire block

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# Proposed Actions

- Concern – Use of Contractor Scoring Matrix in consideration of future contract awards:
  - Copy of scoring matrix provided
  - Matrix completed at the end of each capital project
  - Public Works staff is currently working with City Attorney's Office on how to incorporate matrix scores in awarding future work

# Next Steps

- Evaluate and recommend revised codes on steel plates (noise concerns) and traffic barricade removal (max. number of days)
- Incorporate feedback from MSIS Committee into final recommendations on code/process changes for working within the ROW
- Brief full City Council on recommended changes on January 16, 2019 during Infrastructure Briefing (ROW codes/processes and IMP)

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