DOTI CAPITAL PROJECT
REGULATORY REVIEW PROCESS

Department of Transportation and Infrastructure (DOTI) requires all Capital Project Engineering Plans (CPEP or CIP) to complete the regulatory review process prior to proceeding with bidding or construction as required by DOTI Manager directive issued 2/8/12. This document outlines only the Regulatory Review Process. Contact the Program Resource Office (PRO) for questions relating to initiating a new DOTI Capital Project or other Project Lifecycle Workflow elements.

Should you have any questions regarding regulatory reviews, contact DOTI Right-of-Way Services (ROWS) at:
DOTI ROWS Engineering & Regulatory (ER)
DOTI.Strategic@denvergov.org

What Projects Require Regulatory Review?

- Any DOTI capital project; includes conventional bid, on-call, or in-house construction
- Any Department of Parks & Recreation (DPR) capital project
- Any proposed new, amended, or repealed DOTI design guideline, standard, or Rule & Regulation
- Any non-conventional, external agency project that does not fit within an external review process
- Minimum 2-3 review cycles should be planned for, including Risk/Concept Reviews

Executive Summary of the Regulatory Review Process

1. Project Manager submits project to ER through Accela Citizens Access (ACA) online form
2. A review announcement is distributed to reviewers for a 10-day review period for each cycle
3. Regulatory agencies review project and submit comments in Accela/ACA by review deadline
4. ER compiles comments into a report and sends to PM 1-2 days after review period deadline
5. PM addresses comments/objections to the satisfaction of the reviewer and documents resolution in a comment response matrix
6. PM resubmits progressed plans and comment response matrix to ER through Accela Citizens Access (ACA) and repeats steps 2 – 5 above until plans are Final and all objections are lifted by reviewers
7. PM routes completed DOTI Sign-Off Sheet through Adobe Sign for appropriate signatures
8. Final execution of the DOTI Sign-Off Sheet concludes the regulatory review process

Capital Project Resources, including files associated with the Capital Project Regulatory Review Process, are available on Engineering Plan Review web site.
Regulatory Review Cycles

It is highly encouraged to submit projects at each design-phase milestone for regulatory review. This will allow regular and courteous review opportunities for affected agencies, a convenient central repository of comments and project status for the Project Manager throughout the course of the project’s design phase, and will provide ample opportunity to address regulatory issues at the earliest possible phase and not at final design with significant budget and schedule constraints.

Consultation Meetings
Request a meeting with an ER Strategic Reviewer/Case Manager at any design-phase to discuss critical questions, regulatory requirements, review comments, or any other project design concerns by emailing DOTI.Strategic@denvergov.org.

Risk Review (Highly Suggested)
Capital projects require Risk Review in accordance with the DOTI Project Lifecycle Workflow. ER offers this service at project scoping phase to assist PMs in identifying DOTI regulatory requirements and design matters that could benefit the project scope and budget. It is recommended that the PM submit for a Risk Review Cycle upon approval of the Project Management Plan. A Risk Review Meeting with the PM and ER Strategic Reviewers may be scheduled after review to discuss any potential project concerns.

REVIEW PERIOD: 10 WORKING DAYS

30% Concept Plan Review (Highly Suggested, if no Risk Review)
Recommended for more complex projects that will benefit from identifying critical design elements as early as possible in the project design phase.

REVIEW PERIOD: 10 WORKING DAYS

60% Preliminary Construction Plans - REQUIRED
Required regulatory review phase.

REVIEW PERIOD: 10 WORKING DAYS

95% Final Plan Review - REQUIRED
Required regulatory review phase. Reviewers perform a detailed review of final project design elements and verify resolution/responses to previously made comments and redlines. Final plan submittal SHALL NOT be the 1st regulatory review submittal made by the project.

REVIEW PERIOD: 10 WORKING DAYS

100% Final Construction Plans
Required if any review objections/denials remaining after 95% Final Plan Review to verify final compliance and resolve outstanding design requirements prior to submitting the project to PRO for Construction Bid Clearance.

REVIEW PERIOD: 10 WORKING DAYS

Regulatory Review Process Close-Out
Upon final resolution of all comments, projects are required to circulate the DOTI Capital Project Regulatory Sign-Off Sheet (or DOTI Sign-Off Sheet) for signature by the PM, Group Manager, ER, ROWS Development Engineering Services (DES) if applicable, and City Traffic Engineer. Executed DOTI Sign-Off Sheet concludes the DOTI Capital Project Regulatory Review Process. Note that the executed DOTI Sign-Off Sheet is required for submittal with the final construction plans and specifications to the PRO for Bid Clearance. The executed Sign-Off
Sheet is highly recommended for any on-call or in-house contract to be available in lieu of a Statement of No Objection. Executed DOTI Sign-Off Sheets are valid for 1 year. ER will sign the DOTI Sign-Off Sheet within 1-2 working days after all safety and design requirements are satisfactorily addressed. PM should allow more time to obtain other required DOTI Sign-Off Sheet Signatures for their project.

External Agency Project Review

If an external agency capital project is located within Denver and typical Right-of-Way Permits do not meet the project’s regulatory review needs, it may be submitted through the Capital Project Regulatory Review Process to ensure a widely distributed review and exposure to City agencies. This process does not necessarily approve an external agency capital project; ER will issue a Statement of No Objection to the project owner when comments are satisfactorily addressed.

Examples of external agency reviews include CDOT Plans; Large Diameter Utility Projects such as a Denver Water Conduit, Xcel Energy High Gas Main Pressure Main, and Aurora Transmission Main; Neighboring City Transportation Project with split ROW with Denver.

Review Period: 10 Working Days

Plan Submittal Requirements

Minimum plans requirements are provided in Capital Project Engineering Plan (CPEP) Review Submittal Checklist to ensure that sufficient information is presented for each design-phase submittal. Incomplete information may lead to plan objection or denial and a preventable extension of the regulatory review process. The Checklist is available on the Engineering Plan Review web site.

Regulatory Review Process

Initiating a Review Cycle

The 1st Regulatory Review submittal of a project SHALL NOT be a 100% submittal.

To initiate a review cycle, the PM must submit their project information and associated review materials in the City’s Accela Citizens Access (ACA) site: Accela Citizens Access (ACA)

Login Procedures

ACA Capital Project Review Login Procedures are available on the PRO SharePoint under ER Resources. Only City staff may submit projects for a capital project regulatory review. Projects submitted via email or any other means will be rejected. Email DOTIER@denvergov.org with questions regarding ACA Capital Project Review Login Procedures.

Login for External Agency Projects

A City representative must login an external agency project on behalf of the external agency using the ACA Capital Project Review Login Procedures because the capital project regulatory review is an internal process. Ideally, the City representative understands, or their work relates to the external agency project. The City representative will assign themselves as “PM” when logging the external agency project in ACA and will guide the external agency through the review process. The external agency continues to be directly responsible for meeting all applicable regulatory requirements and working with regulatory reviewers to resolve comments. Email DOTI.Strategic@denvergov.org with questions on external agency project reviews.
Regulatory Review Cycle

After the PM initiates a review cycle, ER will receive a notification that a project has been submitted for review. ER will review the project login information completeness and will initiate an autogenerated email notice to all agency reviewers the PM identified within their ACA login. The email notice will notify reviewers that a new project is ready for review and it will contain general project information, including the project name, CIP number, submittal phase, Accela location of all Project materials, how reviewers may enter their comments, and the review deadline. Reviewers will have the duration of the review period to review and submit comments to ER through Accela/ACA. The PM can preview submitted comments during the review period within Accela by selecting the specific reviewers with closed review tasks. At the end of the review period, ER will compile all received comments into a single comment report and deliver to the PM within 1-2 days after the review period deadline.

Instructions for Regulatory Reviewers

Reviewers must submit their comments and any associated “redlines” of the plans in Accela or ACA. If redlines are uploaded with comments, include a note that redlines are submitted within the comment field. If reviewers hold Design Review Meetings with the PM to discuss comments/questions, reviewers must still enter official comments into Accela to be included in the comment record for resolution.

If a reviewer needs to update their review status or comments between review cycles, the reviewer may submit a webmaster via the ER e-review website from the appropriate project link. ER will receive notification of the revised status and any comments and will update the Accela record accordingly.

Contact ER at DOTI.ER@denvergov.org if you experience difficulties submitting comments or redlines.

Resolving Review Cycle Comments

The PM is responsible for addressing all safety and design requirements and clearing reviewers’ objections or denials before progressing the project. PMs or their consultants should work directly with reviewers to address their comments and confirm their comment responses are satisfactory. Design advisories are not necessarily required to be incorporated into the project, but PMs are encouraged to consider.

After the first project submittal, a Comment Response Matrix is required to accompany every subsequent project submittal. The Comment Response Matrix must include the original reviewer information and verbatim comments provided in the comment report with an associated response describing how the comment is addressed. For the PM’s convenience, ER will provide a comment report in Excel format for PM’s use to add comment responses and use as the Comment Response Matrix. Detailed responses, in lieu of “Noted”, “Accepted”, or “Rejected” are highly encouraged.

It is not acceptable practice to defer comments as “Addendum” or “Change Orders” to bidding or construction phases. All comments will require either resolution and/or letter from PM stating how issues will be resolved. Written confirmation from each reviewer accepting the comment responses may also be required.

Late Comments

ER may receive comments after the review deadline. ER will forward any late comments to the PM and will record the late comment in Accela showing the received date. ER will not automatically compile and send a revised comment report for late comments; however, the PM may request a revised comment report by emailing DOTI.ER@denvergov.org. It is the PM’s discretion as to how late comments will be addressed and whether to defer to the next review cycle.
Review Cycle Consultation Meetings
To improve the quality of the regulatory review process, the ER Strategic Reviewer is available for a review cycle follow-up meeting with the PM after the comment report is provided. Send a request for a meeting to DOTI.Strategic@denvergov.org and include the CIP project number. The meeting will provide a comfortable forum for critical regulatory comment delivery, questions on required procedures and processes, and discussion of comments generated from the review cycle.

Regulatory Review Process Close-Out
Once the PM has cleared all reviewer objections and denials and/or the ER Strategic Reviewer agrees that all comments have been satisfactorily addressed, ER will endorse initiating the regulatory review process close-out indicating no further regulatory reviews are required. This process shall be followed for all City projects, regardless of construction method (conventional bids, on-call, or in-house).

Capital Project Regulatory Sign-Off Sheet
Final execution of the Capital Project Regulatory Sign-Off Sheet concludes the regulatory review process and signals the PM to progress their project. The Capital Project Regulatory Sign-Off Sheet (or DOTI Sign-Off Sheet) is available on the PRO SharePoint under ER Resources. Prior to routing the DOTI Sign-Off Sheet for signatures, coordinate with the ER Strategic Reviewer to confirm there are no outstanding comments/items requiring attention. Certain unresolved items may need to be noted on the DOTI Sign-Off Sheet under Design Requirements Not Met or Design Advisories Not Met. It is not acceptable practice to defer outstanding comments as “Addendum” or “Change Orders” during bidding or construction process. All outstanding comments will require either resolution and/or letter from PM stating how issues will be resolved prior to sign-off by ER. Written confirmation from each reviewer accepting the comment responses may also be required prior to ER sign-off.

Once there are no outstanding comments requiring resolution and/or applicable items are included on the DOTI Sign-Off Sheet as agreed upon by ER, the PM may proceed with obtaining necessary signatures. The PM will route the completed DOTI Sign-Off Sheet through Adobe Sign for signatures in the following order:

1. PM Signature
2. Group Manager Signature
3. ER Strategic Reviewer initials
4. ER Section Manager Signature
5. DES Transportation/Wastewater Reviewer initials, if applicable for facility projects out of ROW
6. DES Section Manager Signature, if applicable for facility projects out of ROW
7. City Traffic Engineer Reviewer initials
8. City Traffic Engineer Signature

Adobe Sign instructions are available on the PRO SharePoint under ER Resources.
Final execution of the DOTI Sign-Off Sheet concludes the regulatory review process and the PM may progress their project to next appropriate step.

Bid Clearance Process
The Program Resource Office manages the Bid Clearance process. Bid Clearance and other capital project management resources are available on the PRO SharePoint.

On-call or In-house Construction Process
These projects are not processed thru the PRO Office but are performed via on-call or in-house construction methods. The executed Sign-Off Sheet is highly recommended to be available in lieu of a Statement of No Objection.

External Agency Projects
This process does not approve or permit an external agency project. The acting PM will provide the executed DOTI Sign-Off Sheet to the external agency as their record of DOTI “Statement of No Objection” to the proposed work and the external agency may pursue City approvals and permitting as applicable.