



Local Programs Procedures

LPP 95-04

Temporary Residential Relocation Caused by Nighttime Construction Work

Reference: Local Programs Manual Volume I, Section 14 - Right of Way

Effective Date: March 9, 1995

Approved: _____
Chief, Office of Local Programs

This procedure establishes recommended guidelines to follow for temporary residential relocation in the event that a construction project causes unusually high nighttime noise levels that affect residents in close proximity to the construction work. These guidelines will be incorporated into the Local Programs Manual (LPM) during the next update.

BACKGROUND

Title 49 Code of Federal Regulations, Part 24, which details the intent of the Uniform Act, established a philosophy that people affected by federal-aid projects are to be treated fairly and consistently. This philosophy has been carried forward to include temporary residential relocation caused by nighttime construction work.

NEW PROCEDURE

Temporary residential relocation is now eligible for federal reimbursement when a federal-aid construction project causes unusually high nighttime noise levels that affect residents in close proximity to the construction work. Attached is the procedure that local agencies should follow when it is perceived that nighttime construction work will result in unusually high nighttime noise levels.

Reimbursement procedures shall follow those established in the LPM and "LPP 94-06, Revised Invoice Payment Process."

Attachment

Caltrans - Office of Local Programs
March 9 1995

**Recommended Procedure
for Temporary Residential Relocation
Caused by Nighttime Construction Work**

1. When nighttime construction work that will produce excessive noise is proposed near residential neighborhoods, the project manager should have projections made regarding noise levels and the effects on the immediate neighborhood. Once this is done, the project manager should establish parameters for temporary relocation such as:
 - a. What noise level will require temporary relocation?
 - b. Which residence(s) will be affected?
2. The project manager should determine temporary relocation cost estimates and make sure these costs are included in the construction cost estimate for federal authorization. Payments will consist of motel costs (room costs plus tax) for nights when unusually high noise levels are anticipated.
3. Once the construction contract is advertised the project manager should contact the resident engineer for the project to identify:
 - a. The construction area.
 - b. Projections of 24-hour construction periods, and
 - c. Anticipated noise levels.

Periodic meetings between the project manager and the resident engineer would be beneficial to maintain a coordinated effort throughout the project.
4. Contact prospective motels to establish rates for temporary housing and, if possible, enter into a contract with them. The contract should cover items such as:
 - a. Motel rates.
 - b. Payment to be made for room cost plus tax only.
 - c. Prior approval to be faxed to motel by the resident engineer. A list of those who are eligible for room cost is to be included.
 - d. Motels to provide the resident engineer with invoices for charges.
 - e. The local agency will process the invoices for payment.

5. **The resident engineer should contact households that will be affected and advise the occupants of the following:**
 - a. **The planned construction.**
 - b. **Anticipated nights of noisy construction.**
 - c. **Payment will be made for room cost plus tax only.**
 - d. **If a household decides not to use a contract motel, the resident engineer must authorize the motel cost prior to households staying at a motel with which there is no contract.**
 - e. **If a household chooses to stay at a contracted motel, the following shall apply:**
 - 1) **The resident engineer will fax to the motel a list of names and addresses of households authorized to utilize the motel at local agency expense.**
 - 2) **Households need to contact the contracted motel to confirm their reservations and to notify the motel of late arrival, if appropriate, or they may register at the motel on a room-available basis.**

Note: Rooms should be held in accordance with motel policy, but every effort should be made to avoid paying for "no shows."

6. **Method of payment:**
 - a. **Households may be reimbursed for preapproved motel room costs they incur, or they may stay at motels with which the local agency has a contract. The second option may work better for most residents because they won't have to pay costs up front and wait for reimbursement.**
 - b. **Reimbursement for households and motels should include documentation (such as a receipt or motel bill) and indication of prior authorization.**
 - c. **Reimbursements should be processed through the resident engineer to the local agency for payment.**
 - d. **The local agency will be reimbursed as part of its normal monthly progress payment through Caltrans Local Programs Accounting.**