

UTLC Paper No. 1/2021
Further Revised Time Period Allowed for Rectification of
Defective Utility Manhole and Drawpit Covers &
Workflow for Assigning Demerit Point Level 2E

I. Purpose

This paper sets out the further revised time period allowed for rectification of defective manhole and drawpit covers on footpath or cycle track, the time limit for utility undertakings (UUs) to respond and the workflow for assigning Demerit Point Level (DPL) 2E as provided in UTLC Paper No. 1/2018 which will be superseded upon endorsement of this UTLC Paper No. 1/2021.

II. Background

2. In August 2012, the demerit point system with sanctioning measures was formally implemented to enhance control on road opening works. The DPL assigned to respective UU's party-combination become an effective indicator of performance in road opening. In September 2017, DPL 2E for delayed rectifications of defective utility manhole and drawpit covers was introduced (see UTLC Paper No. 1/2017) to strengthen the control on road rectification works.

3. Under the mechanism for assigning DPL 2E for delayed rectifications of defective utility manhole and drawpit covers in accordance with the UTLC Paper No. 1/2018, when the responsible permittee fails to satisfactorily complete the rectifications within the specific period (see **Table 1** below) without any reason which is acceptable to the corresponding HyD Regional Office, a demerit point of "0.1" will be assigned for each case upon notification by the HyD Regional Office until the defect has been rectified to the satisfaction to the HyD Regional Office.

4. Any defects/damages which may cause immediate safety hazard, and/or relate to public complaints, or any situation the HyD Regional Office or their maintenance contractor appointed by the HyD Regional Office considers applicable, shall be regarded as "Severe Case"¹ and shall be arranged for rectification as early as possible; other defects/damages of manhole/drawpit covers due to wear and tear deterioration shall be considered as an "Ordinary Case"¹, the time allowed for rectification as detailed in **Table 1** below.

¹ HyD Regional Office would provide guidance to frontline inspectors and would regularly vet the cases to ensure the cases are classified in a reasonable manner.

Table 1 – Time period allowed for rectification of defective utility manhole and drawpit covers in accordance with the UTLC Paper No. 1/2018

	Defects	Time period allowed for rectification
(a)	Involve (i) replacement of the defective manhole/drawpit cover (ii) repair/replacement of the defective paving blocks in the manhole/drawpit cover (iii) repair/replacement of the defective frame of the manhole/ drawpit cover)	<u>For footpath or cycle track</u> <ul style="list-style-type: none"> • Severe case: 5 working days from the day of notification • Ordinary case: 14 working days from the day of notification <u>For carriageway other than Red Routes, Pink Routes and day-time ban roads</u> 45 calendar days from the day of notification <u>For roads other than above</u> A reasonable time period as determined by relevant HyD Regional Office
(b)	Other Special Situation	A reasonable time period as determined by relevant HyD Regional Office

III. Revision to the Time Period Allowed for Rectification of Defective Utility Manhole and Drawpit Covers on Footpath or Cycle Track

3. As the revised time period and mechanism under UTLC Paper no. 1/2018 had been implemented for nearly two years, HyD conducted a review on the subject taking into consideration the feedbacks from UUs and Regional Offices practices in notifying UUs on such defects. Taking into consideration the practicality issues and reasonableness of the time period set out in UTLC Paper No. 1/2018, a revised time period for rectification of “Ordinary Case” on footpaths and cycle tracks is proposed as **Table 2** below.

4. The revision aims to allow a more reasonable time period for UUs to plan their rectification works when such notifications were received from the HyD Regional Offices or their maintenance term contractor appointed under the current arrangement/practice. For

defective manhole and drawpit covers classified as “Severe cases” and cases other than those for footpath or cycle track, it is considered that the time period allowed for rectification should remain the same as specified in UTLC Paper No. 1/2018.

Table 2 – The Further Revised Time Period Allowed for Rectification of defective utility manhole and drawpit covers

	Defects	Time period allowed for rectification
(a)	Involve (i) replacement of the defective manhole/drawpit cover (ii) repair/replacement of the defective paving blocks in the manhole/drawpit cover (iii) repair/replacement of the defective frame of the manhole/ drawpit cover)	<p><u>For footpath or cycle track</u></p> <ul style="list-style-type: none"> • Severe case: 5 working days from the day of notification • Ordinary case: <u>21</u> working days from the day of notification <p><u>For carriageway other than Red Routes, Pink Routes and day-time ban roads</u></p> <p>45 calendar days from the day of notification</p> <p><u>For roads other than above</u></p> <p>A reasonable time period as determined by relevant HyD Regional Office</p>
(b)	Other Special Situation	A reasonable time period as determined by relevant HyD Regional Office

IV. Revised Workflow for Processing Defective Manhole and Drawpit Covers

5. In addition, under the existing workflow at Annex I of the UTLC Paper No. 1/2018, if UUs consider that rectification of the defective manhole/drawpit covers within the specified time period is not possible, UUs should respond with justification and proposed date of completion of rectification within 2 working days from the date of the notification for further agreement by the concerned HyD Regional Office. No request made beyond the 2-working-day time limit will be entertained.

6. Since the implementation of this workflow, it is observed that the records of defective manhole and drawpit covers are usually reported to UUs in batches. As such, it is considered that 2 working days may not be sufficient for UUs' assessment on the rectification feasibility especially if the number of cases in each batch is large. It is therefore considered pragmatic to extend this time limit from 2 working days to 9 working days. In such case, any late request made beyond the 9-working-day time limit will not be entertained. The revised details of the workflow for assigning DPL 2E using this platform are set out in **Annex I** of this Paper.

V. Way Forward

7. Subject to endorsement of this Paper, the above further revised time period allowed for rectification of defective manhole and drawpit covers and the workflow shall take effect 2 weeks after the notification from HyD. HyD will keep close monitoring the situation and will consider to make suitable adjustments if and when necessary.

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Research and Development Division, Highways Department

The Revised Workflow for Assigning Demerit Point for Delayed Rectification of Defective Utility Manhole and Drawpit Covers using the Common Platform (DPL 2E Platform)

Registering the case

1. For each case of defective utility manhole or drawpit covers observed, the respective HyD Regional Office or the maintenance contractor appointed by the HyD Regional Office will register the case on the DPL2E Platform. Once a case is registered, a notification email will be sent to the UU according to the contact list provided. The specified time period allowed for rectification shall begin on the next day of the notification email. It shall be the responsibility of the UU to regularly check the case register on the DPL 2E Platform. There may be situations that the notification could not be received by the UU (e.g. the UU did not properly register/update their contact details in XPMS, etc.). It should not be ground for denial of responsibilities based on such situations.

Acknowledgement

2. The UU shall acknowledge the case on the DPL 2E Platform within 2 workings days of the notification email. If the UU consider that the case is misassigned to them, they shall inform the relevant HyD Regional Office or the maintenance contractor appointed by the HyD Regional Office to void the case. If the UU fail to acknowledge the case within 2 working days of the notification email, a reminder email will be sent again.

Time period allowed for rectifications

3. The UU shall complete the rectifications within a time period which will be set according to Table 2 of the UTLC Paper No. 1/2021.

4. If permanent rectification of defective utility manhole and drawpit covers are not possible to be completed within rectification period as set according to Table 2 of the UTLC Paper No. 1/2021, the UU should response with justification and proposed date of completion of rectification on the DPL 2E Platform within 9 working days from the date of the notification. As such, any late request may beyond the 9 working day time limit will not be entertained. HyD Regional Office will assess whether the proposal is acceptable or not. If the proposal is accepted, the UU shall carry out temporary rectification, if practicable, according to the time limit specified in paragraph 3 and complete the permanent rectifications according to their proposed date of completion. Otherwise, the UU shall complete the rectification within the original time period.

Reporting the completion of rectifications

5. Upon completion of the rectification, the UU shall report to DPL 2E Platform within 2 working days after the expiry of the specified time period allowed for rectification. HyD Regional Office will arrange inspections of the rectifications.

6. If (i) the UU fail to report completion of rectifications to DPL 2E Platform within the time limit as stated in paragraph 5 above without any reason which is acceptable to HyD Regional Office or (ii) the UU fail to complete the rectifications to the satisfaction of HyD Regional Office within the specified time period without any reason which is acceptable to HyD Regional Office, the case will automatically be classified as delayed rectification of defective utility manhole and drawpit covers and a case confirmation email will be sent to the UU according to the contact list provided.

Request for review of confirmed case

7. The UU, who do not agree with the result, may notify HyD Regional Office at the DPL 2E Platform with justification within 9 working days from the date of the case confirmation email for review. Any late request made beyond the above time limit will not be entertained. HyD Regional Office will reply the result of their review at the DPL 2E Platform.

Assignment of DPL 2E

8. Where request for review has not been received within the specified time limit or HyD Regional Office maintains their decision after review, the AIT will sent notification to the email addresses of the UU according to the contact list provided when each DPL 2E is assigned. DPL 2E will not be assigned if the case is under request for review and/or pending HyD Regional Office's inspection.

9. Demerit point will be maintained until the defect has been rectified to the satisfaction of the HyD Regional Office and recorded as Completed Case at the DPL 2E Platform.

10. The UUs shall ensure that their contact details are always up-to-date. The contact details can be assessed at the DPL 2E Platform. The UUs shall update their contact details at the DPL 2E Platform. Outdated contact details should not be ground for the denial of responsibilities.