



# TOWN OF FREDERICK

323 5th Street Street • P.O. BOX 435 • Frederick, CO 80530-0435

Phone: (720) 382-5500 • Fax: (720) 382-5520

Website: [www.FrederickCO.gov](http://www.FrederickCO.gov)

Built On What Matters

## Right-of-Way Permit Application

Contractor Name: \_\_\_\_\_ Contractor License #: \_\_\_\_\_

Contact Name/Representative: \_\_\_\_\_

Contractor's Address: \_\_\_\_\_

Phone Number & Email: ( ) - \_\_\_\_\_

Owner of Project: \_\_\_\_\_

Address of Owner: \_\_\_\_\_

Phone Number & Email: ( ) - \_\_\_\_\_

Address of Work: \_\_\_\_\_

Summary of Proposed Work/Description of Proposed Repairs:

\_\_\_\_\_  
\_\_\_\_\_

Street Cut Area: \_\_\_\_\_ SF Pot Hole Quantity: \_\_\_\_\_ Horizontal Boring Distance: \_\_\_\_\_ FT

Attachments – Construction Drawings/Engineering Plans, ATSSA Traffic Control Plan, and a Proposed work schedule are required to be submitted with this application.

Drawings

Traffic Control Plan

Work Schedule

All construction activities will be completed in accordance with the Town of Frederick Design Standards and Construction Specifications, most recent version, and the Town's Land Use and Municipal Codes.

**Construction Inspector shall be notified a minimum of 48-hours in advance of any work at 720-382-5607.**

I hereby state that the above information is correct, that I have read and understand the Right-of-Way Requirements and Construction Guidelines and agree to comply with all Town, State, and Federal regulations that govern this project.

Signature of Applicant: \_\_\_\_\_

### OFFICE USE ONLY

Fee/Deposit: \$ \_\_\_\_\_ / \$ \_\_\_\_\_

Issue Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Approvals:

PERMIT NO.

\_\_\_\_\_  
Town Engineer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Building/Planning Department

\_\_\_\_\_  
Date



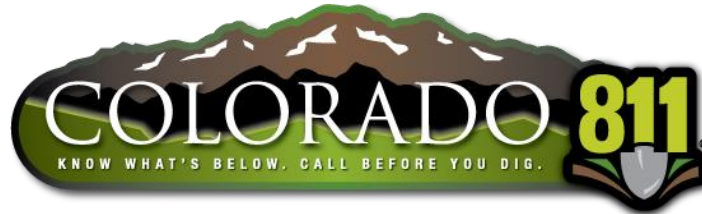
**Know what's below.  
Call before you dig.**

# RIGHT-OF-WAY PERMIT REQUIREMENTS AND CONSTRUCTION GUIDELINES

All individuals, contractors and public utility agencies must obtain a Right-of-Way Permit for any work performed within the public rights-of-way of the Town of Frederick. The storage of materials and equipment within the public rights-of-way also requires a Permit.

To preserve the investment of the Town of Frederick Right-of-Way, minimize the disruption and maximize the safety to the traveling public caused by construction, and reduce future maintenance problems. Applicants for Right-of-Way Permits must plan for adequate time for review and approval by the affected Local Entity and any other involved agencies. Generally, the greater the scope of work, the longer the permit review and approval process will take.

NOTE: THE TOWN OF FREDERICK RESERVES THE RIGHT TO VARY FROM THESE STANDARDS BASED UPON CONDITIONS SPECIFIC TO THE LOCATION, CONDITIONS, OR CIRCUMSTANCES OF WHERE THE WORK WILL OCCUR.



## DEFINITIONS AND ABBREVIATIONS

Wherever the following words, phrases, or abbreviations appear in these standards, they shall have the following meanings:

**AS-CONSTRUCTED DRAWINGS** – A set of construction drawings that has been red-penciled or otherwise marked to record all changes which have occurred during the construction.

**CDOT** – Colorado Department of Transportation.

**CONTRACTOR** – Shall mean a person, partnership or corporation duly bonded, licensed and insured to perform work within the public rights-of-way.

**DAYS** – Intended as calendar days and not normal working days unless stipulated as working days.

**DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS** – A set of regulations established by the Town of Frederick setting forth the details, specifications, instructions, and procedures to be followed in the planning, design, installation and construction of public or private improvements within the public rights-of-way or public easements.

**DRIVEWAY, RURAL** – The portion of gravel or hard surfaced roadway from the street, roadway or alleyway to the private property line to gain access to the private property.

**DRIVEWAY, URBAN** – The portion of Portland cement concrete or asphalt extending from the street gutter lip, roadway or alleyway to the property line for the full width of access from the public right-of-way to the private property.

**ENGINEER** – Shall mean the Town of Frederick Engineer or their authorized representatives acting on behalf of the Town.

**ENGINEERING PLANS** – Drawings, plans, profiles, cross sections and other required details for the construction of public or private improvements within the public rights-of-way or public easements, conforming with applicable improvement standards.

**FUNCTIONAL CLASSIFICATION** – The objective grouping of roads, streets and highways into integrated systems, each ranked by their relative importance to the general welfare, the motorists and land use.

**INSPECTOR** – Shall mean an authorized representative of the Engineer assigned to make inspections for contract performances, standards and contract compliance.

**MAY** – A permissive condition. No requirement for design or application is intended.

**MUTCD** – Manual on Uniform Traffic Control Devices (Federal Highway Administration).

**OSHA** – Occupational Safety and Health Administration.

**PAVEMENT** – Any hard surface constructed of asphalt, concrete or similar material.

# RIGHT-OF-WAY PERMIT REQUIREMENTS AND CONSTRUCTION GUIDELINES

RIGHT-OF-WAY (ROW) – Any strip or area of land, including surface, overhead, or underground, granted by deed, easement, dedication, prescription or lease, for construction and maintenance according to designated use, such as for streets, alleyways, sidewalks, drainage ditches, swales, irrigation canals, etc.

RIGHT-OF-WAY PERMIT – An official document issued the Town of Frederick authorizing the performance of a specified activity or work within public rights-of-way and public easements by a person, contractor, company, firm, corporation, or public utility.

SHALL – A mandatory condition. Where certain requirements in the design or application are described with the shall stipulation, it is mandatory that these requirements be met.

SHOULD – An advisory condition. Where the word is used, it is considered to be advisable usage, recommended but not mandatory. Deviations may be allowed when reasons are given which show intent of the standard is met.

STREET – A general term denoting a public way for purposes of vehicular, pedestrian and bicycle travel ways, including the entire area within the right-of-way (includes alleyways and sidewalks). This is any constructed facility within the right-of-way.

TRAFFIC CONTROL SUPERVISOR (TCS) – A well trained and knowledgeable individual assigned the responsibility for traffic control devices at work sites. The TCS must be ATSSA (American Traffic Safety Services Association) or CCA (Colorado Contractor’s Association) certified.

TRAFFIC ENGINEER – Shall mean the Traffic Engineer or person responsible for monitoring traffic.

## FEE SCHEDULE

### Chapter 11 - Streets, Sidewalks and Public Property

#### Section 11-22 Fee for Permits

##### Right-of-Way Fee Schedule

Permit Fee	\$150.00
Street Cuts	
Paved – per sq. foot (over 25-sq. ft)	\$5.00
Non-paved – per sq. ft	\$1.50
*Minimum	\$200
Potholing/Vacuum Excavation	
Streets – each	\$15.00
Non-paved Streets – each	\$5.00
Horizontal Boring/Tunneling – per linear foot	\$0.25

The Town of Frederick will collect a non-refundable Right-of-Way Permit fee of \$150, plus a refundable deposit based on the type and amount of work being done to ensure that the ROW is returned to its previous condition. The Permittee shall notify the Town’s Engineering Department for required inspections at least 24-hours in advance of work. These include, but are not limited to; the placement of asphalt, concrete, burying of Town utilities and upon completion of work for a follow-up inspection to close out the permit. Following repair of the public right-of-way to its original condition and required inspections, the deposit will be refunded. The permit fee covers the town’s cost of review of the permit application as well as inspection of the work in the ROW.

# RIGHT-OF-WAY PERMIT REQUIREMENTS AND CONSTRUCTION GUIDELINES

## PERMIT APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS

**1. Complete Application:**

Permittee must submit a complete Right-of-Way Use Application and include required submittals for review and consideration of its Project. If the Project is approved, a Right-of-Way Use Permit will be issued to the Permittee. It is the Permittee’s responsibility to inform its Contractor of all Permit requirements, Provisions, and attached Special Provisions.

**2. Drawing, Plan Set, and Map:**

A drawing, plan set and map are required to be submitted with the Application. Depending on the nature of the work, this could be a copy of a drawing from a plan set, engineering plans or simply a hand drawn picture of the work area. Contact the Town Engineering Department for specific project requirements. Detailed plan(s), sketch, and/or map(s) showing the work location and roadway, edge of roadway, Town ROW lines, at least one crossroad, dimensions within the work area and a legend. It is preferred, that drawings be 11-inch x 17-inch or capable of being printed out in 11-inch x 17-inch. All underground installations shall include plan and profile, and must include a cross section typical showing depth of line being installed per Town of Frederick Design Standards and Construction Specification requirements. Drawings at intersections must be in plan and profile, and shall be at a scale of 1:100 or as determined by the Town of Frederick Engineering Department.

**3. Traffic Control Plan:**

A Traffic Control Plan (TCP), also known as Method of Handling Traffic (MHT), must be submitted and approved prior to Permittee’s commencement of work. Permittee shall provide all necessary traffic control in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) in drawing form, narratives will not be accepted. This plan should be prepared and signed by an ATSSA certified individual.

NOTE: Full road closure requests must receive written approved of the Town Engineer.

Variable Message Boards (VMB) must be placed one-week in advance of any approved closure providing notification of work.

**4. Work Schedule:**

Permittee shall provide the anticipated schedule of the work occurring within the Right-of-Way; the start date of when work will begin and the expected duration for completion. The Applicant and/ or its Contractor shall notify the Town Construction Inspector a minimum of 48-hours in advance of any work at 720-382-5607.

**5. Insurance:**

Permittee and/or its Contractor shall secure and maintain insurance policies and/or provide proof of self-insurance that will protect itself, its sub-contractors, members of the public who use the right-of-way associated with the Project, and Frederick, Colorado, from claims for bodily injury, death, or property damage which may arise from the construction of the Project, or caused by the facilities which are constructed as permitted herein. The following insurance policies and amounts are required. Certificates of insurance evidencing such policies shall be made available upon request or if required as part the project.

a. Statutory Worker’s Compensation.

b. Contractor’s public liability and property damage in the following sums:

Bodily Injury:		Property Damage:	
Each Person	\$1,000,000	Each Accident	\$1,000,000
Each Accident	\$1,000,000	Aggregate	\$2,000,000

c. Automobile public liability and property damage in the following sums:

Bodily Injury:		Property Damage:	
Each Person	\$1,000,000	Each Accident	\$1,000,000
Each Accident	\$1,000,000		

## RIGHT-OF-WAY PERMIT REQUIREMENTS AND CONSTRUCTION GUIDELINES

### 6. **Bonding and Surety:**

If determined necessary by the Town Engineer, Permittee shall provide a surety bond or other security for the total amount required to restore the right-of-way under which the Project is to be installed or constructed, based upon current contract prices for the performance of such work. Whether or not covered by a bond, Permittee shall reimburse Town of Frederick for all expenses incurred by it as the result of, or related to, the failure by Permittee or its Contractor to perform all installation, construction, maintenance or other work pursuant to this Permit in a workmanlike manner.

### 7. **Geotechnical Submittals:**

The Town of Frederick Engineering Department reserves the right to request from the Permitted geotechnical submittals if deemed necessary.

### 8. **Review of Submittals:**

The completed submittals will be reviewed by the Town of Frederick Engineering Department. If additional information is needed, the Applicant will be contacted.

### 9. **Approval of Submittals:**

Once the permit form and all required submittals have been reviewed and found to be complete, the Permit may be approved by the Town of Frederick Engineering Department.

### 10. **Issuance of Permit and Payment of Fees:**

The approved Permit is issued to the Applicant at Frederick Town Hall, 323 5<sup>th</sup> Street Street, Frederick, CO 80530 or via electronic format. Permit payment is due prior to or at the time of issuance. An approved Right-of-Way Use Permit is valid only between the Issue Date and Expiration Date. Any modifications to the approved permit including any schedule or scope changes must be submitted in writing to the Town Engineer for their review and approval. Submission of a new Right-of-Way Use Application, including any additional fees, may be required the Town Engineer.

## **GENERAL PROVISIONS**

### 1. **Permit Issuance:**

Permittee must submit a complete Right-of-Way Application and include the required submittals for review and consideration of the proposed project. It is the responsibility of the Permittee to inform its Contractor of all permit requirements and provisions.

- a. The Contractor shall have an approved Right-of-Way Permit before the commencement of work.
- b. The Contractor must have a copy of the Right-of-Way Permit on site during construction of the project.
- c. For emergency work only – A Right-of-Way Permit must be submitted within 24-hours and marked “EMERGENCY”.

### 2. **Notification:**

The Permittee or Contractor are responsible for contacting parties potentially affected at least 24-hours prior to an excavation, interruption of service, or Right-of-Way closure. The Contractor shall notify the Town’s Public Works Department, 720-382-5800, a minimum of 24-hours prior to beginning work. If pipe is running within an easement, not Town owned Right-of-Way, permission must be obtained by the affected property owners.

### 3. **Protection of Existing Improvements:**

In the event Permittee or its Contractor damages an existing facility, Permittee shall first notify the owner and either immediately repair and replace the damaged facility or pay the owner to repair and replace the same in accordance with the desires of the owner. All disturbed areas shall be returned to pre-construction conditions or better, including drainage, surface improvements and vegetation. All trench, excavation backfill and all other related work, must follow the Town of Frederick Construction Specifications.

- a. The Contractor shall at all times take proper precautions and be responsible for the protection of existing street and alleyway surfaces, driveway culverts, street intersection culverts or aprons, irrigation systems, mail boxes, driveway approaches, curb, gutter and sidewalks and all other identifiable installations that may be encountered during construction.
- b. The Contractor, as part of the Right-of-Way Permit, may be required to pothole for existing utilities known to be in the project area at the Contractor’s expense.

## RIGHT-OF-WAY PERMIT REQUIREMENTS AND CONSTRUCTION GUIDELINES

- c. No culverts, irrigation structures, drain lines, utility lines, or any other projects or facilities within the Right-of-Way are to be cut or damaged.
- d. The Contractor shall at all times take proper precautions for the protection of existing utilities, the presence of which are known or can be determined by field locations of the utility companies. The Contractor shall contact the **UNCC (One Call) at 811 or 1-800-922-1987** for utility locates a minimum of two working days prior to start of work. Permittee must remove all utility locates such as flags and marker pins from the Right-of-Way once the construction is complete.
- e. Existing improvements to adjacent property such as landscaping, fencing, utility services, driveway surfaces, etc., that are not to be removed shall be protected from injury or damage resulting from the Contractor's operations.
- f. Existing improvements under warranty shall not be damaged or removed as part of the project without the express written consent of the Town Engineer.
- g. The Contractor shall at all times take proper precautions for the protection of property pins/corners and survey control monuments encountered during construction. Any damaged or disturbed survey markers shall be replaced by a registered land surveyor at the Contractor's expense.
- h. The repair of any damaged improvements as described above shall be the responsibility of the permit holder.
- i. The Contractor shall make adequate provisions to assure that traffic and adjacent property owners experience a minimum of inconvenience.
- j. Trees shall be protected from scarring. A sheet metal sheath is the minimum acceptable means of protection.

### 4. Inspection:

The Permittee shall notify the Town's Construction Inspector at 720-382-5607 a minimum of 24-hours in advance of any work requiring inspection including but not limited to water utilities, compaction, proof roll, or concrete form checks. The Permittee shall notify the Town's Construction Inspector upon completion of work to schedule a follow-up inspection with at least 24-hour notice and to close out the permit. Inspection of work is required for reimbursement of permit deposit. The Town of Frederick shall have the right to order the Permittee or its Contractor to stop work anytime the Town believes that a violation of this Permit has occurred or if there is a danger to the safety of the public if the work continues. A final inspection is required for a reimbursement of Right-of-Way Permit deposit and shall occur within 30-days of the permit's expiration. Failure to inspect the work and close out the permit will result in the forfeiture of any funds collected for the Right-of-Way Permit deposit.

### 5. Testing:

#### A. Description

The contractor is required to provide material testing for each phase of the work and at no cost to the Town of Frederick. The independent geotechnical testing firm chosen to perform this work for the Contractor must be qualified and identified on the Permit application.

#### B. Testing Frequencies

The number of density tests required may be increased if directed by the Engineer. The costs of any testing, as required, shall be borne by the Contractor. Proctors shall be determined prior to backfilling. Independent lab results shall be made available to the Town of Frederick Engineering Department as soon as possible.

The horizontal frequencies of density tests are as follows:

- a. Utility Mains – One test per 100-linear feet per lift.
- b. Service Lines – One test per each service per lift.
- c. Manholes and Valve Boxes, and Fire Hydrants – One per each lift, surrounding the appurtenance.

Following are the minimum number of tests required for each construction activity. These tests must be submitted to the Engineer on a daily basis as acquired and shall be made available to the Town of Frederick Engineering Department.

- a. Native or Imported Backfill – One test for every two vertical feet and every 150-feet horizontally, or some fraction thereof with at least one test per each lift.
- b. Concrete: Pavement, Curbs, Gutters and Sidewalks – Testing to be conducted for every 100-cubic yards
- c. or portion thereof, with a minimum of one. Air, slump and 6 cylinders shall be the minimum testing.
- d. Asphalt Pavement
  - Asphalt Content – One test per 500-tons or fraction thereof of mix produced, minimum of one test per job.
  - Gradation-Aggregate – One test per 500-tons or fraction thereof, of mix produced, minimum of one test per job.
  - In-place Density – One test per 500-tons or fraction thereof of mix placed, minimum of one test per job.
- e. Aggregate Base Course Materials – One test per 400-lane feet. No less than two tests per excavation.

## RIGHT-OF-WAY PERMIT REQUIREMENTS AND CONSTRUCTION GUIDELINES

### 6. Suspension of Work:

The Town of Frederick Public Works Department, Engineering Department or Construction Inspector shall have the authority to suspend work, wholly or in part, because of the failure of Permittee or Contractor to properly execute the work in accordance with this Permit. Notwithstanding the issuance of this Permit, the Town of Frederick reserves the right to make or to require Permittee or Contractor to make any changes, additions, repairs or required relocation of any facilities within the dedicated Right-of-Way at any time.

### 7. Traffic Control Plan (TCP) or Method of Handling Traffic (MHT):

Contractor is responsible for placing traffic signs and maintaining the approved traffic control plan, consistent with the Manual on Uniform Traffic Control Devices (MUTCD) standards, at all times during the period of this permit. The liability for any injury or damage that occurs as a result of improper signage in conjunction with this work falls completely on the Contractor. Routing and safety measures in the event of pedestrian traffic within the work area is the responsibility of the contractor. Full road closures will only be allowed with the written approved of the Town Engineer.

### 8. Additional Permits and Inspections:

Permittee shall be responsible for obtaining all other State, Federal, or Local permits which may be required of Permittee and/or its Contractor to install and/or maintain its Project. Permittee shall provide evidence of such other permits upon request by the Town of Frederick Public Works Department or Engineering Department. Permittee shall comply with all inspection requirements of other affected governing authorities or utility providers.

### 9. Emergencies:

Permittee shall report all emergency repairs to the Town of Frederick Public Works Department immediately upon being advised that an emergency exists. During such repairs, Permittee shall utilize proper traffic control measures. Permittee shall apply for a Right-of-Way Permit and make the required repairs as soon as practicable after the Town of Frederick Public Works Department is notified of the emergency situation and the need for such repairs. In no event shall such repairs be completed later than 24-hours after receiving such notification, unless adverse weather conditions prohibit the repair process.

### 10. Permittee Responsibility for All Project Related Expenses and Warranty:

The Permittee or its Contractor understand that all backfilling, patching and related work that is performed on Town Right-of-Way are bound by a **two-year warranty** period. If defects, cracks, potholes, or other imperfections shall appear within two-years of the expiration of this permit, the Permittee or Contractor shall be required to make repairs at the Permittee or Contractor expense. The construction, operation, maintenance and repair of the Project installed by Permittee, and all other improvements described in this Permit, shall be at its own expense and without the aid or use of Town of Frederick funds. Permittee (or its successors and assigns), remains solely responsible for all matters pertaining to the Project. These responsibilities include, but are not limited to the following: repair and maintenance of the physical components of the Project; removal of the physical components of the Project upon abandonment of the use or following the request of the Town of Frederick to remove the Project; cooperation with the Town of Frederick and other Permittees whose projects are placed in the Town's Right-of-Way.

### 11. Successors and Assignees of Permittee:

It is mutually understood and agreed that this Permit and all the terms and conditions hereof shall extend to and be binding upon the Permittee and its successors, and assigns.

### 12. Licensing Requirements:

All applicants shall acquire a Town of Frederick contractor's license prior to the issuance of a permit and commencement of any construction.

### 13. No Waiver of Immunity:

No term or condition of this Permit shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections or other provisions, of the Colorado Governmental Immunity Act §§24-10-101 et seq., as applicable now or hereafter amended.

# RIGHT-OF-WAY PERMIT REQUIREMENTS AND CONSTRUCTION GUIDELINES

## CONSTRUCTION REQUIREMENTS

### 1. Daily Construction Requirements:

At the end of each day during the installation and construction of the Project, Permittee shall observe the following requirements:

- a. Working hours under this Permit are from 7:00AM until 7:00PM.
- b. No open trenches or excavations will be allowed to exist overnight or weekend.
- c. Proper safety measures must be in place during the entirety of the project.
- d. Access to the Project location from the Town's Right-of-Way shall remain clear and free of debris.
- e. All traffic signs must be in place per the approved Traffic Control Plan (TPC) or removed or covered if not applicable to nightly activities.

### 2. Future Line Location:

The installation of non-ferrous lines in the Right-of-Way shall require a suitable means to facilitate future line location such as, but not limited to, metallic warning tape installed above the line and/or the installation of tracer wire per Town of Frederick Design Standards and Construction Specifications. Such lines shall be required to extent, at minimum, to the center of the Right-of-Way or as required by the Town Engineer.

### 3. Minimum Cover:

Installation shall meet all requirements of the Town of Frederick Design Standards and Construction Specifications or those of the governing authority. All bores must be at a minimum depth of 36-inches plus the diameter of the line below the lowest point of the Right-of-Way to avoid problems with frost heave. Culverts or storm drain pipe must have a minimum cover of 18-inches and be constructed of reinforced concrete pipe (RCP).

### 4. Site Access:

The Town of Frederick has minimum standards for oil and gas access roads, including privately owned access roads. Generally stated, the standards are that the roadways must be built such that they will drain properly and the oil and gas facilities will always be accessible by emergency vehicles and other vehicles of similar weight.

### 5. Excavation:

Excavation shall consist of removal of all material necessary for the construction of the roadway section to the subgrade elevation, line, and grade shown on the plans or as specified in the contract documents. Unacceptable material defined as any earthen material containing vegetable or organic silt, topsoil, frozen material, trees, stumps, certain man-made deposits, or industrial waste, sludge or landfill, or other undesirable materials will be categorized as unclassified excavation and removed from the site and disposed of in accordance with applicable Town, State and Federal requirements.

Excavation shall be performed in a careful and orderly manner with due consideration given to protection of adjoining property, the public and workmen. Any damage to streets, parking lots, utilities, irrigation systems, plants, trees, building or structures or private property, or the benchmarks and construction staking due to the negligence of the Contractor, shall be repaired and restored to its original conditions by the Contractor at his expense. Those areas that are to be saved will be clearly fenced off by the Contractor per the owner's instructions and it will be the Contractor's responsibility to ensure that these areas are not damaged during the construction process. Following completion of construction, should any of these trees, shrubs or irrigation facilities, etc. require replacement, it shall be done at the Contractor's expense.

All excavated material shall be stockpiled in a manner that does not endanger the work or workers and that does not obstruct sidewalks, streets and driveways. No stockpiled materials shall be allowed on the asphalt surface or adjacent walkways. The work shall be done in a manner that will minimize interference with traffic and/or drainage of the street. The Contractor at the end of each day shall barricade all excavations and ditch lines, remove excess material from travel ways, and thoroughly clean all street, alleyways and sidewalks affected by the excavation. If it becomes necessary to accomplish this, all streets, alleyways (if asphalt or concrete) and sidewalks shall be swept or washed as required by the Engineer.

Materials encountered during excavation such as rubbish, organic, or frozen material, and any other material that is not satisfactory for use as backfill in the opinion of the Engineer, shall be removed from the site and disposed of daily by the Contractor at his expense. Stones, concrete or asphalt chunks larger than six-inches or frozen material shall be considered unsatisfactory backfill and removed by the Contractor.



# RIGHT-OF-WAY PERMIT REQUIREMENTS AND CONSTRUCTION GUIDELINES

All excavation, shoring and trenching, and the like shall comply with OSHA's "Construction Industry Standards" as well as all applicable Federal and State regulations.

No tracked vehicles shall be allowed on asphalt or concrete unless approved by the Engineer.

Grading shall be done as necessary to prevent surface water from entering the excavation; any other water accumulation therein shall be promptly removed. Surface drainage, driveways, fire hydrants, manholes, water valves, etc. of adjoining areas shall be unobstructed. Water pumped from the excavation may require special handling prior to reentry into and river.

When soft or unstable material or rock is encountered in the trench subgrade that will not uniformly support the pipe, such material may be excavated to additional depths directed by the Engineer and backfilled with Type B material. An acceptable alternative for bedding is pea gravel or washed rock up to 1.5-inches. This material shall not exceed 12-inches above the installation, or half the trench depth without the Town's approval. Vibration, water and compaction may be required for sand backfill if directed by the Town.

## 6. Dewatering:

Where ground water is encountered in the excavation, it shall be removed to avoid interfering with the work. It is the Contractor's responsibility to comply with all Federal, State and local permitting requirements prior to beginning any dewatering operations.

## 7. Removals:

### A. Streets, Paved

Bituminous pavement shall be saw cut to clean, straight lines and shall be perpendicular or parallel to the flow of traffic. For original excavation roll cutting or jack hammering is an acceptable means of removal. However, saw cutting to meet these standards shall be required prior to asphalt patching.

In existing pavement, all excavations within 36-inches of the edge of the asphalt shall require removal and replacement of that asphalt from the edge of road to the excavation.

Concrete pavement, cross pans, driveways, streets and alleys shall be removed to neatly sawed edges cut to full depth.

### B. Streets, Gravel

When trenches are excavated in streets or alleys which have only a gravel surface, the contractor shall replace such surfacing on a satisfactory compacted backfill with gravel conforming to CDOT Class 5 or Class 6 aggregate base course. Gravel replacement shall be 1-inch greater in depth to that which originally existed, but not less than four-inches. The surface shall conform to the original street grade. Where the completed surface settles, additional gravel base shall be placed and compacted by the Contractor immediately after being notified by the Local Entity, to restore the roadbed surface to finished grade.

Some streets may have been treated with a special surface treatment to control dust and/or bind the aggregates together. In these cases, the Contractor is responsible for installing the gravel surface in the same manner as what was existing. Such surface treatments shall be of the same chemical composition as what existed prior to the excavation.

### C. Concrete Curb, Gutter, and Sidewalks

Concrete shall be removed in neat sawed edges, cut in straight lines either parallel to the curb or perpendicular to the alignment and to the full depth of the sidewalks or curb and gutter. Any removal shall be done to the nearest joint. Replaced sections shall require doweling connections as required by Town Code.

## 8. Backfill Requirements:

All paved roadway street cuts shall be backfilled with flowfill concrete unless otherwise approved by the Town Engineer. Compaction of backfills and road surfaces shall be compacted in accordance with the Town of Frederick Design Standards and Construction Specifications. If any wet or non-compactable materials are produced from excavations, they shall be completely removed from the Right-of-Way and replaced with compactable materials. The Right-of-Way shall then be returned to the original grades and cross sections. Town of Frederick Public Works Department shall have the authority to determine what materials shall be discarded and what materials shall be acceptable as replacement.

# RIGHT-OF-WAY PERMIT REQUIREMENTS AND CONSTRUCTION GUIDELINES

## 9. Pavement Patches

Paving shall be performed by an approved contractor. All material quality and installation shall meet the standards of the Town of Frederick Design Standards and Construction Specifications. All permanent pavement patches and repairs shall be made with "in kind" materials. For example, concrete patches in concrete surfaces, full depth asphalt patches with full depth asphalt, concrete pavement with asphalt overlay patches will be expected in permanent overlaid concrete streets, etc. In no case is there to be an asphalt patch in concrete streets or concrete patch in asphalt streets. Pavement patches in asphalt or concrete surfaces shall be filled with a cement/grout to existing thickness plus 1-inch or filled with a compactable base material and the final placement a HMA or concrete material of existing thickness plus 1-inch. Any repair not meeting these requirements will be removed and replaced by the Contractor at his expense.

The asphalt patch area for street excavations that fall within the wheel path of the vehicular travel lane shall be increased in size to the center of the lane or adjacent lane. In no circumstance will the edge of a patch area be allowed to fall within the wheel path.

NOTE: In pavements that are less than five-years old or under warranty the Town of Frederick reserves the right to deny any work or require repairs that are over and above these specifications. Owner and Engineers are expected to use common sense and project forecasting to avoid additional requirements when working in newly paved streets.

## 10. Work to be Done in an Expedient Manner:

All work shall be done in an expedient manner. Repairs shall be made as rapidly as is consistent with high quality workmanship and materials. Use of fast setting concrete and similar techniques are encouraged whenever possible without sacrificing the quality of repair. Completion of the work including replacement of pavement and cleanup shall normally be accomplished within two-weeks after the repair work or activity involving the cut is done. Extension of time for completion shall be with the written approval of the Engineer. If the repairs are not completed in the allotted time, the Town of Frederick has the right to repair the street at the Contractor's expense.

## 11. Removal and Replacement of Unsatisfactory Work:

**Removal and replacement of unsatisfactory work shall be completed within fifteen-days of written notification of the deficiency unless deemed an emergency requiring immediate action.** In the event the replacement work has not been completed, the Town of Frederick will take action upon the Contractor's bond or establish a lien against the Contractor to cover all related costs.

## 12. Reseeding:

Permittee shall reseed, with a seed mix approved by Town of Frederick Planning Department, all areas within the Right-of-Way in which vegetation was removed or disturbed during the installation of its Project.

## 13. Survey Monuments:

Permittee or its Contractor shall preserve or replace all survey monuments or benchmarks at each work site. If such monuments or bench marks are destroyed, Permittee shall hire a Registered Land Surveyor to replace destroyed monuments or bench marks. If Permittee chooses to preserve such monuments or benchmarks, it shall also hire a Registered Land Surveyor to complete such preservation.

## 14. Permittee's Obligation Regarding the Project Completion:

Permittee shall complete road restoration including, but not limited to, clean-up (including utility markers), repair of damaged facilities, trench compaction, and replacement of gravel. All disturbed portions of the Right-of-Way or damaged road surfaces are to be returned to their original condition prior to demobilizing. If the Right-of-Way is not returned to original conditions, the Town of Frederick may perform or contract such remedial work and Permittee shall pay for all work or forfeit its surety bond in order to pay for all work done.

## SPECIAL PROVISIONS

\*\*\* This Permit may be subject to additional Special Provisions. Such Special Provisions are attached hereunto. \*\*\*