

**CITY OF BENICIA
DEPT. PUBLIC WORKS
ENCROACHMENT OR GRADING PERMIT**



City Hall
250 East L Street
Benicia, CA 94510
(707) 746-4240 (General Information)
(707) 746-4229 (Inspection)

PERMIT NO. _____
Application NO. _____

APPLICANT TO COMPLETE THIS AREA ONLY

Check Type of Activity:

- Grading Cubic Yards _____
- Annual Agency Permit _____
- Utility Undergrounding
- Driveway
- Sidewalk
- Other

Issue Date: _____

Permit Expiration Date: _____

Permit Fee \$ _____ Receipt Number _____

Permittee: _____ Telephone _____

Mailing Address: _____

Project Name: _____

Work Site Address: _____

Contractor's Name: _____ Contractor's Lic. No. _____

City of Benicia Business License No. _____ Bond # _____ Bond Exp. _____

Bond Amount: _____

Insurance Co. _____ Policy # _____ Policy Exp. _____

ENCROACHMENT REQUEST (PLEASE PRINT)

Address or Location of disposal sites of excavated material: _____

Describe the work or activity and attach a sketch or plan(s) showing the proposed work: _____

Requested Starting Date: _____ Project Duration or Completion Date: _____

Permittee agrees to accept all responsibility for loss or damage to any person or entity and to indemnify, hold harmless, and defend and release the City of Benicia, its agents, and employees from and against any and all liability actions, claims, damages, costs, or expenses which may be asserted by any person or entity, including Permittee, arising out of or in connection with the willful act or negligence of Permittee performing the work associated with the Encroachment Permit, whether or not there is concurrent negligence on the part of the City, but excluding liability due to the sole active negligence or sole willful misconduct of the City.

THE UNDERSIGNED AGREES THAT THE WORK WILL BE DONE IN ACCORDANCE WITH AND SUBJECT TO THIS PERMIT'S TERMS AND CONDITIONS, THE STATE VEHICLE CODE, FOR AN ENCROACHMENT PERMIT, THE STATE STREETS AND HIGHWAYS CODE, FOR A GRADING PERMIT THE BUILDING CODE, AND IS SUBJECT TO INSPECTION AND APPROVAL.

Permittee Signature: _____ Date: _____

City File Copy	Inspector Copy	Permittee Job Site Copy
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This permit is to be strictly construed and no work other than that specifically mentioned above is authorized hereby. Whenever the City Engineer or Public Works Director or designee concludes persons performing encroachment work are not complying with the provisions of this permit, the City Engineer or Public Works Director may revoke permit. Subject to all the terms, conditions and restrictions written hereon or attached hereto, permission is hereby granted to Permittee:

APPROVED: _____ / ____ / ____
City of Benicia

- Attached: Permittee Plans
Special Conditions, if applicable
Traffic Control Diagrams, if applicable
Standard Conditions
Standard Drawings, if applicable

Cc: PW Inspector
File

City of Benicia
Public Works Department
Encroachment Permit Application Procedures

The City of Benicia requires an Encroachment Permit for **all work being done in the public right-of-way**. Accordingly, the City has specific requirements with respect to the processing an Encroachment Permit. The City also requires a Grading Permit for all grading except as exempted by the Building Code, is subject to a grading permit.

If you are interested in applying for an encroachment permit from the City of Benicia Public Works Department, please be advised that you will need certain items as part of your completed *Encroachment Permit Application*, as described in the following sheets (see attached):

- Part A: Filing Instructions
- Part B: Insurance Requirements
- Part C: Property Owner's Certification In-Lieu of Workers' Compensation Insurance
- Part D: Policy Guidelines for Temporary Traffic Control Plans

No fees are required at the time of permit application. The City shall review the required information, determine the conditions of permit issuance, permit fee and if any additional information is required. The applicant shall be notified of the fees required once the permit is ready for issuance. The minimum permit fee is \$35, and the minimum bonding amount is \$2000. The fees are reviewed and may change each fiscal year. A current fees schedule can be found in the City of Benicia's Master Fee Schedule, available on line.

For inspections, the applicant shall notify the City of Benicia 48 hours prior to the first needed inspection and 24 hours prior to subsequent inspections. These inspections can be scheduled by calling: City engineer's office at (707) 746-4240.

BONDING REQUIREMENTS

The applicant shall be required to post approved security of a bond using the City's form or cashier's check. No exceptions to City forms shall be accepted. The security shall be for 100% of the work within the right-of-way as shown on the approved Engineer's Estimate, however in no case it shall be less than \$2,000. Please note that checks will be cashed and a written request for reimbursement upon completion of the work is required.

If after reading the attached sheets completely, more information or clarification is needed, City of Benicia Public Works Department staff can provide information of the appropriate items pertinent to your specific permit application. The Public Works Department, located at 250 East L Street, is open to the public Monday through Friday, from 8:30 AM - 12:00 noon and from 1:00 - 5:00 P.M. Permits can be processed between 8:30 – 9:30 a.m. or 1:00 – 2:00 p.m. Monday through Friday. You can also contact our staff by telephone at (707) 746-4240 to schedule an appointment for technical assistance outside of counter hours.

**City of Benicia
Public Works Department
Encroachment Permit Application Procedures**

**Part A
Filing Instructions**

Encroachment permit applications shall be submitted to the Public Works Department to allow sufficient time to process the application. A minimum of 24 hours is needed to process a complete routine permit.

Complex permit applications with traffic control plans may take a week. Grading permit applications may require several resubmittals of revised plans.

I. Contractor Filing Instructions

Encroachment permit applications shall be submitted by the Contractor who is going to perform the work. The application shall contain the following information:

1. Encroachment or Grading Permit form
2. Contractor's State license number and expiration date
3. Contractor's City business license number and expiration date
4. Proof of insurance (see Part B: Insurance Requirements, Section I)
5. Three sets of plans showing the proposed improvements
6. Description of the work or activity to be performed, the estimated starting date and estimated completion date
7. Engineers Estimate or contractors bid for work within the public right-of-way
8. Temporary Traffic Control Plan

II. Property Owner Filing Instructions

A property owner may apply for an encroachment permit to perform work in the public right-of-way in front of his/her property. The application shall include a copy of all documents required in Part B: Insurance Requirements, Section II, covering all persons proposed to be employed by the property owner.

In-lieu of submitting the document required in Part B: Insurance Requirements, Section II, a property owner may sign the certification form, Part C: Property Owner's Certification In-Lieu of Workers' Compensation Insurance, stating that he/she will not employ any person or contractor in any manner so as to become subject to the workers' compensation laws of California in performing the work in the public right-of-way. This in-lieu document does not eliminate the need for General Liability Insurance and the required endorsement.

**City of Benicia
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Encroachment Permit Application Procedures**

**Part B
Insurance Requirements**

I. Insurance Requirements For Contractors

Contractor shall provide a Certificate (or Certificates) of Insurance, documenting the following insurance, covering the activities of the Contractor, its employees, agents and subcontractors relating to the encroachment permit, and a dated and signed copy of specific endorsements. The Encroachment Permit cannot be granted without this insurance documentation.

Applicant shall take out and maintain at all times during the life of the permit personal injury and property damage insurance for all activities of Applicant arising out of or in connection with this permit, written on a Comprehensive General Liability form including, but not limited to, Applicant's activity, contractual coverage, contractor's protective (if applicable) and auto in an amount no less than \$1,000,000 Combined Single Limit Personal Injury and Property Damage for each occurrence.

The dated and signed policy endorsements to be submitted by Applicant shall contain the following specific language:

1. The City of Benicia, its officers, and employees is named as additional insured for all liability arising out of the operations which are subject of this permit.
2. The insurance provided herein is primary coverage to the City of Benicia with respect to any insurance or self-insurance programs maintained by the applicant.
3. Coverage provided by this policy shall not be reduced or cancelled without providing thirty (30) days written notice [ten (10) days for non-payment of premium] to the Town Engineer.
4. The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverage's afforded shall apply as though separate policies had been issued to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the Company's liability.
 - a. Commercial General Liability insurance in the amount of \$1,000,000 per occurrence/\$2,000,000 annual aggregate. The City of Benicia shall be named as an additional insured and be provided with 30 days prior written notice of policy cancellation (10 days for non- payment of premium).
 - b. Automobile Liability insurance in the amount of \$1,000,000 per occurrence.
 - c. Workers' Compensation insurance with statutory limits as required by the State of California Labor Code, or a copy of Contractor's Certificate of Consent to Self-Insure, issued by the Director of Industrial Relations. If the Contractor has no employees, in lieu of this requirement, the Contractor may sign and file a letter with the following certification:

**City of Benicia
Public Works Department
Encroachment Permit Application Procedures**

"I am aware of the provisions of the California Labor Code Section 3700 which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code before commencing with and during the performance of the work of this encroachment permit."

d. If applicable, course of construction insurance covering for "all risks of loss".

II. Insurance Requirements For Small Low Risk Projects Involving Homeowners NOT Using A Contractor

Homeowner shall provide a Certificate (or Certificates of Insurance) documenting the following insurance, covering the activities of the Homeowner and any employees relating to the encroachment permit. The Encroachment Permit cannot be granted without this insurance documentation.

- a. General Liability insurance in the amount of \$300,000 per occurrence for work in the public right-of-way estimated to be \$2500 or less, or \$500,000 per occurrence for work estimated to be over \$2500. The City of Benicia named as an additional insured and shall be provided with 30 days prior written notice of policy cancellation (10 days for non-payment of premium).
- b. Automobile Liability insurance in the amount of \$300,000 per occurrence for work in the public right-of-way estimated to be \$2500 or less, or \$500,000 per occurrence for work estimated to be over \$2500. *This requirement can be deleted if the homeowner certifies in a letter that vehicles will not be used for any of the work.*
- c. Workers' Compensation insurance with statutory limits as required by the State of California Labor Code. *This requirement may be deleted if the homeowner certifies that no employees or contractors will be used for the work.* The Part C form must be used for this certification.

**City of Benicia
Public Works Department
Encroachment Permit Application Procedures**

**Part C
Property Owner's Certification In-Lieu of Workers' Compensation Insurance**

I, the undersigned, hereby certify that I am the owner/co-owner of the property located at _____, Benicia, CA; and I am planning to perform construction in the City public right-of-way in front of the above listed property.

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California. I understand that if I become subject to the worker's compensation provisions of the law of California, I shall forthwith comply with the provisions of Labor Code S3700, or my permit will be deemed revoked.

The construction work is scheduled to begin on _____ and should be completed by _____.

(Type or print name clearly)

Signature Date

Address

City State Zip Code

**City of Benicia
Public Works Department**

**Part D
Policy Guidelines:
Temporary Traffic Control (TTC) Plans**

INTRODUCTION:

The City of Benicia Public Works Department issues road encroachment permits throughout the City for a variety of reasons (construction activities, utility work, special events, etc.). Therefore, the Director of Public Works hereby adopts these guidelines for temporary traffic control plans as of the effective date set forth herein.

BACKGROUND:

Currently, contractors in the City of Benicia use a variety of means to provide an acceptable TTC plan. In order to avoid ambiguity and maintain consistency, a uniform policy and a set of guidelines should be provided to contractors with the encroachment permit application or upon request. Such guidelines identify the exact measures to be taken. Those measures comply with the California Manual on Traffic Control Devices (MUTCD), the California Vehicle Code, and Caltrans Traffic Manual.

This policy is not meant to be comprehensive. Additional measures may be required by the City Engineer/ Public Works Director based on his or her judgment and discretion. The additional measures may be required under the circumstances to protect the public health, safety, or welfare. A TTC plan must comply with all other laws, regulations, and ordinances applicable to the site.

1. All Temporary Traffic Control (TTC) plans shall be approved by the City of Benicia City Engineer or his/her authorized representative. All references in these guidelines to the City Engineer shall mean the City of Benicia City Engineer or his or her authorized representative.
2. TTC plans shall be submitted to the City of Benicia for review no less than one week prior to commencement of activities unless a different timing requirement is established by a City ordinance or resolution.
3. A detailed outline of TTC plans can be found in the Manual on Uniform Traffic Control Devices (MUTCD) which could be found at:
<http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/pdf/camutcd/CAMUTCD-Part6.pdf>
4. The basic safety principles governing the design of permanent roadways should also govern the design of TTC zones. The goal should be to route road users through such zones using roadway geometrics, roadside features, and TTC devices as nearly as possible comparable to those for normal road situation.

5. The needs and control of all road users (motorists, bicyclists, and pedestrians including persons with disabilities in accordance with the Americans with Disabilities Act of 1990) through a TTC zone shall be an essential part of roadway construction, utility work, maintenance operations, and the management of traffic incidents.
6. A TTC plan should be prepared and understood by all responsible parties before the site is occupied.
7. A TTC plan shall be provided on a clean 8.5 X 11 or 11 X 17 or 24 X 36 sheet of paper that includes the dates and name of the event and the name(s) and phone number(s) of person(s) in charge of implementing it. The plan shall label the streets, show a North arrow, and shade or cross-hatch the streets to be closed and show the work zone. The plan shall also delineate the locations of the proposed signs and messages, locations of cones and their spacing, and the distance of transition from the full width of the travel way to the narrowed section if applicable.
8. If the City Engineer determines, after the second submittal, that the proposed TTC does not meet the requirements of these guidelines, the City Engineer shall have the authority to either reject the proposed TTC plan or prepare a TTC plan for the applicant. All costs incurred by the City in review or preparation of the TTC plans shall be charged to the applicant.
9. All TTC plans must include the phasing plans if applicable. Phasing plans shall depict the sequence of the proposed work and its location.
10. A TTC plan should be designed on the assumption that drivers will only reduce their speeds if they clearly perceive a need to do so. Therefore, three signs should be provided at each approach to a street closure:
 - a. A sign advising motorists that there is a roadway activity ahead. This sign shall be placed at least 1-2 blocks ahead of location.
 - b. A sign explaining what sort of activity taking place (Construction, Street Festival, Lane Closure ahead, etc.), shall be placed midway between the first and the third signs.
 - c. A sign at the location of the activity itself advising motorists and pedestrians of what action needs to be taken (Stop, Detour, Slow Down, Road Closed, etc.)
11. To heighten motorists' awareness to street closures during construction/special events, City Public Works Streets Division may convert all signals in the immediate vicinity to flashing red until the street closure is lifted.
12. For City-sponsored events, staff will coordinate with the Police Department and street crew for any intersection control that maybe needed, such as barricades, cones, signs, etc.
13. Frequent and abrupt changes in geometrics such as lane narrowing, dropped lanes, or transitions that require rapid maneuvers, should be avoided.

14. Road users should be encouraged to use alternative routes that do not include TTC zones.
15. Bicyclists and pedestrians, including those with disabilities, should be provided with access and reasonably safe passage through the TTC zone.
16. Roadway closures should be scheduled during off-peak hours and, if necessary, night work should be considered.
17. Signs that are no longer applicable through TTC zones should be covered.
18. Flaggers shall be used if one lane of the roadway is used for both directions of traffic or if the City Engineer deems it necessary.
19. Emergency vehicles access to the site shall be planned for and provided at all times.
20. Contractor shall identify the person responsible for implementing and enforcing the TTC plan and provide the name and telephone number to the City as well as post such information at the site.
21. Channelization of road users should be accomplished by the use of pavement markings, signing, and crashworthy, detectable channelizing devices.
22. Detours and diversion routes shall be clearly identified on the TTC plan for both vehicles and pedestrians.
23. If a pilot car is deemed necessary, "Follow Me" G20-4 sign shall be mounted at a visible place in the rear of the vehicle.
24. TTC devices used to delineate a TTC zone pedestrian walkway shall be crashworthy and, when struck by vehicles, present a minimum threat to pedestrians, workers, and occupants of impacting vehicles.
25. When barricades are used in TTC zones, there shall be no gaps between the many segments that form the barrier, but rather a continuous barrier from beginning to end.
26. When existing pedestrian facilities are disrupted, closed, or relocated in a TTC zone, the temporary facilities shall be detectable and include accessibility features consistent with the features present in the existing pedestrian facility. The appropriate sign to be used is (R9-11a) "Sidewalk Closed Cross Here".
27. All workers at a construction site should be trained on how to work next to motor vehicle traffic in a way that minimizes their vulnerability. Workers having specific TTC responsibilities should be trained in TTC techniques, device usage, and placement.

28. All signs used for TTC shall be standard signs placed where specified on the TTC plan. No makeshift signs are allowed unless authorized by a City official. Signs that are used at night shall be reflective and/or illuminated to be clearly visible.
29. Signs shouldn't be placed in a location that may obstruct the roadway. Place signs off the travel way whenever possible.
30. Signs in TTC zones during floods shall be black and white (regulatory signs) and shall read "Road Closed: Subject to Section 409.5 of the California Penal Code".
31. TTC warning signs shall conform to the Standards for warning signs presented in the Federal Highway Administration's "Standard Highway Signs" manual.
32. For major road closures that block or detour at least one direction of traffic, and which will last for more than two days, the Contractor shall display closure notifications two weeks in advance to alert the public. Contractor may also be required to hand-deliver such notices to businesses in the immediate vicinity of the closure.
33. Contractor shall notify City staff immediately if any changes to the approved TTC plan have occurred.

Checklist for Temporary Traffic Control (TTC) Plans

	YES	NO
1. Street Closure required?	_____	_____
2. On-Street Parking will be impacted?	_____	_____
3. Sidewalks will be closed?	_____	_____
4. Driveways fronting street will be closed?	_____	_____
5. Crosswalks will be impacted?	_____	_____
6. Bike lanes will be impacted?	_____	_____
6. Temporary Construction Easement needed?	_____	_____
7. Will there be detours?	_____	_____
8. TTC devices have been purchased?	_____	_____
9. Flagmen will be provided?	_____	_____
10. Pilot vehicle will be provided?	_____	_____
11. Fee has been paid?	_____	_____

Provide name and dates of event:

Provide Contact Info. Of person(s) in charge of implementing and enforcing the TTC plan during the event:

CITY OF BENICIA ENCROACHMENT PERMIT

STANDARD CONDITIONS



Permit
Number: _____

Permittee
Name: _____

ENCROACHMENT CONSTRUCTION WITHIN THE CITY RIGHT-OF-WAY

A. GENERAL

1. Encroachment - The term encroachment is used in this permit as defined in Section 1450, Sub. (b) of the Streets & Highways Code of the State of California. This permit is issued in accordance with and subject to the provisions of City of Benicia Municipal Code, Chapter 12.12.
2. Engineer - The Engineer is the person holding the position of City Engineer or personnel acting either directly or indirectly through the properly authorized agents, such agents acting as inspectors or otherwise.
3. Permittee - The Permittee is as named above and/or as named on the Encroachment Permit, and/or the Permittee's authorized agent(s), or the Permittee's contractor.
4. Acceptance of Provisions - It is understood and agreed by the Permittee that the doing of any work under this permit shall constitute an acceptance of the provisions.
5. No Precedent Established - This permit is granted with the understanding that this action is not to be considered as establishing any precedent on the question of the expediency of permitting any certain kind of encroachment to be erected within the right-of-way of any Town street.
6. Start of Work - This permit is void unless the proper notification is given to the Engineer. Note: Twenty-four (24) hour prior notice is required before work may commence.
7. Control of Work - All work accomplished and all materials furnished under this permit shall be subject to the inspection and approval of the Engineer. Such inspection and approval of work and materials shall not relieve the Permittee of any obligations to complete the work as specified; and work and materials not meeting these requirements shall be made good, and unsuitable work and materials may be rejected notwithstanding that such work and materials have been previously inspected and approved by Engineer.

The Engineer, at all times, shall have access to the work, and shall be furnished every reasonable facility for ascertaining that the methods, materials, and workmanship are in accordance with the requirements and intent of this permit.

The Engineer may reject defective work and shall require its repair, replacement, or removal by the Permittee at the Permittee's expense. The Permittee or Permittee's authorized agent shall be in charge of all phases of work while it is in progress, and shall receive and obey any such orders as the Engineer shall give.

Approval of all work shall be necessary at the completion of each of the following stages of work, and such approval must be obtained before subsequent stages of work may be commenced. The Engineer shall be notified at least one working day in advance before any of the following stages of work are commenced. Only that work which is done in the presence of the Engineer, or lacking such presence at this option, or done with the Engineer's knowledge, will be approved. In addition to the following, the Engineer may require additional notification on these and other stages of work.

- Stage 1: Compaction and preparation of embankments, excavations and subgrade.
- Stage 2: a. Construction of forms for all concrete structures, including curbs and gutters and sidewalks.
- b. Excavation for storm drains, culverts, and utilities.
- Stage 3: a. Placing of concrete in structures.
- b. Placing of bedding materials, and bedding material over pipes
- c. Placing of storm drains, culvert pipes, water or sewer mains and services.
- Stage 4: Backfilling of structures, pipes, and utilities.
- Stage 5: Construction of roadside ditches and other drainage ways.
- State 6: Placing and compacting base material.
- If more than one course or type of base or subbase is to be used, approval shall be necessary for each course and/or type.
- Stage 7: Placing of pavement or surfacing material.
- Stage 8: Placing of signage, striping, or markings.
- Stage 9: Final clean up.

- 8. Revoked Permit – This permit may be immediately revoked for reasons in the best interest of the City, for violation of permit conditions or for the creation of a nuisance upon notice given by the Director of Public Works, City Manager, or their authorized representative.
- 9. In the event of a permit revocation, applicant shall immediately cease all operations and restore City right-of-way as directed by the City inspector or authorized representative. After

notification, City may take full possession of the area. Applicant shall pay to the City all costs incurred by the City to restore the worksite to a safe condition in the event the contractor fails to do so in a timely manner.

10. Keep Permit on the Work Site - This permit shall be kept at the site of the work and must be shown to Engineer or any law enforcement officer on demand.
11. Standards - Work shall comply with the latest edition of the Standard Plans and Specifications of the State of California Department of Transportation, City Code, City Engineering Design Standards, Standard Plans, and the requirements herein.
12. Future Moving of Installation - It is understood by the Permittee that whenever construction, reconstruction, or maintenance work in the City right-of-way (ROW) may require the installation provided for herein to be moved, it shall, upon request of the Engineer, be immediately moved by and at the sole expense of the Permittee.
13. Ownership of Land under City Streets - In many instances, the City does not own the land which its streets traverse, its interest being limited to easement only. Therefore, this permit covers surface operations only at all locations where the City has no subsurface rights and in such cases does not purport to authorize any excavation, laying of pipe lines, setting of poles, or other operations below the surface of the right-of-way. In all such cases, it is the responsibility of the Permittee to obtain the consent of the owner or owners of the underlying fee before undertaking any of the below-surface operations. (Note: Public Utility companies are afforded certain underground rights in the public road right-of-way by Section 790 of the Public Utilities Code.)
14. Storage of Material - No material shall be stored in the street or within eight (8) feet from the edge of traveled way, unless allowed by the Engineer. Materials in the right-of-way will be removed by the City and back charged to the Permittee.
15. Clean Up Right-of-Way - Upon completion of the work, all brush, timber, scraps, temporary signage, and other material shall be entirely removed and the right-of-way in as presentable conditions as before work started. Sweeping or washing of loose soils from the roadway is required.
16. Maintenance - The Permittee agrees by the acceptance of this permit to exercise reasonable care to maintain public property during encroachment by Permittee. Reasonable care is exercised in inspecting for and immediately repairing and making good any injury to public owned property, including: street, curb, gutter, sidewalk, landscaping, irrigation, etc. An injury may occur as the result of the maintenance of the encroachment in the right-of-way or as a result of the work under this permit. This includes any and all injury to public property, which would not have occurred if such work had not been done or such encroachment had not been placed therein.
17. Making Repairs - If the Permittee does not repair, upon being directed to do so by the Engineer, existing street facilities within the time period the Engineer has specified, then the City forces may perform the repair work and the cost thereof plus 100 percent for administration and overhead shall be paid by the Permittee within 30 days of Permittee's

receipt of invoice of such repair cost.

18. Conflicting Construction - When construction of this encroachment falls within the limits of a City of Benicia construction project, the construction project has precedence. Work on this encroachment will have to be coordinated with the City of Benicia construction project so as not to cause any conflict with the said project or this permit will be revoked.
19. PERMITTEE TO PAY DEFICIENCY: If any deposit is insufficient to pay all fees and costs herein provided, the permittee shall, upon demand, pay to the City of Benicia the amount equal to the deficiency.

B. LIABILITY AND BONDING

1. Liability for Damages - The Permittee is responsible for all liability for property damage which may arise out of work herein permitted, or which may arise out of failure on the Permittee's part to perform the obligations under this permit in respect to maintenance. In the event any claim of such liability is made against the City of Benicia, or any department officer, or employee thereof, Permittee shall defend, indemnify and hold them and each of them harmless from such claim.
2. Bonding - This permit shall not be effective for any purpose unless and until the above-named Permittee files with the Engineer a surety bond in the form and amount established by the Engineer, unless specifically exempted by applicable codes.

C. TRAFFIC CONTROL

1. Permittee shall furnish and install all traffic and warning signs, barricades, etc., as per the California Manual of Uniform Traffic Control Devices (MUTCD), Standard Specifications, and plans of the State of California Department of Transportation. Attention is directed to Section 7-1.08, "Public Convenience", Section 7-1.09, "Public Safety", and Section 12, "Construction Area Traffic Control Devices".
2. No work shall commence until the Engineer approves traffic control signing at the work site.
3. Permittee shall obtain any State or County encroachment permit, and/or public utility or private property permission for the placement of signs as necessary.
4. One 10-foot-wide lane of traffic shall be kept open at all times and two full-width lanes of traffic during the non-working hours, Saturdays, Sundays, and holidays. Flaggers are required any time traffic is reduced to one lane.
5. Any detouring of traffic shall receive prior approval from the Engineer. Additionally, notice shall be given to the Engineer 48 hours prior to the detour.
6. All signs shall be to MUTCD or State of California standards concerning size, reflectorization, color, et cetera.

7. Any stenciled construction signs shall be six-inch (6") black letters on orange background.
8. All signs to be post mounted unless Engineer approves otherwise. Attaching signs to existing Town signs is not permissible.
9. Engineer may require the Permittee to install additional signs as required for public safety.
10. Permittee shall notify the Engineer and all fronting property owners no less than 24 hours prior to posting "NO PARKING" signs in the proposed work site.
11. Permittee shall maintain access to all fronting properties at all times and shall not disrupt mail delivery or garbage pickup.

D. BORING, EXCAVATION, BACKFILL, AND PAVEMENT

1. Pavement Cuts - Any existing pavement, curb, gutter and sidewalk to be removed shall be saw cut unless the Engineer approves an exemption.
2. Boring - Boring to be done at a minimum depth of three feet below the edge of traveled way. For private utilities (water, sewer, etc.) see the attached Special Provisions, if any.
3. Crossing Roadway - Service and other small diameter pipes shall be jacked or otherwise forced underneath pavement without disturbing the pavement. Pavement or roadway shall not be cut unless specifically permitted on the face thereof. Service pipes will not be permitted inside of any culvert pipes used as drainage structures.
4. Tunneling - No tunneling will be permitted except on major work, as may be specifically set forth in the permit.
5. Notice Before Backfilling - No backfill within the traveled way shall be placed without one working day prior notice to the Engineer. The Engineer reserves the right to inspect and test backfill and surfacing.
6. Cover Over Buried Utilities - Minimum depths of cover over buried pipes, conduits, transmission lines and cables shall be either 18 inches, 6 inches below the road's structural section improvements, or the following depths, whichever is greater:

<u>Item</u>	<u>Minimum Depth of Cover to Top of Pipe</u>
Storm drainage conduits	18 inches
Sewer service laterals	
Water service laterals	
Water lines	30 inches

Sewer mains

Gas lines and service laterals 36 inches
Electrical transmission cables
Telephone and television cables

Private Utilities (Water, Sewer, etc.) See the attached
Special Provisions

7. Trench Backfill - Trench backfill shall conform to the requirements shown on ST-7 attached hereto:

- a. Aggregate base backfill and trench surfacing shall be used when the excavation is within the existing pavement and on all driveways.
- b. Select backfill and trench surfacing shall be used within sidewalk path and shoulder areas not covered by 7a above.
- c. Select backfill shall be used between back of sidewalk, path and shoulder and right-of-way line.

8. Backfill Materials - Structure backfill materials shall have a:

- a. Sand equivalent of not less than 30 (pea gravel not acceptable);
- b. Percentage composition by weights as determined by laboratory sieves shall conform to the following grading. No material shall be over 3 inches.

<u>Sieve Sizes</u>	<u>Percent Passing Sieves</u>
3"	100
No. 4 (1/4")	35 - 100

- c. Use of 2 sack slurry back fill shall receive prior approval by the Engineer.

9. Relative Compaction (field density) ASTM D 2922-81 amended as follows:

- a. Gage calibration will be based on the six California Transportation Laboratory Master Standard Density Blocks (CTLMSDB), located in Sacramento, California. These blocks are the Standard Reference blocks for the California Department of Transportation.
- b. Percent Relative compaction shall be calculated using lab curves run for each individual test location unless otherwise permitted by the Engineer. If permitted by the Engineer, composite samples may be taken for certain manufactured or otherwise uniform materials according to California test method 231 - Part II "METHODS OF APPLYING THE AREA CONCEPT AND DETERMINING PERCENT RELATIVE

COMPACTION".

The use of the sand cone methods (such as ASTM 1557 or CAL 216) for determining field densities will not be allowed as a substitute.

10. Driveway Trench Crossings - Trench backfill within driveway crossings shall conform to ST-7.

When existing driveway approach material is other than asphalt concrete or aggregate base, the following shall apply. The driveway approach shall be restored with the same finish material in kind and thickness as the existing conditions before construction of permit. Relative compaction of subbase shall be a minimum of 90%.

11. Temporary Patching - Any trench within the paved roadway left without final paving shall have cold patch material or trench plates with cold patch around the edges added at the end of each day. At the Permittee's expense, the Permittee shall continually maintain the cold patch as directed by the Engineer until the final pavement is placed. Temporary paving shall be completely removed prior to final paving.
12. Final Paving - Final paving shall be applied no later than ten (10) working days after traffic is allowed to pass over work area or City Forces will perform the paving work and the cost thereof plus 100 percent for administration and overhead shall be paid by Permittee within thirty (30) days of Permittee's receipt of invoice of such paving costs. NOTE: Permittee shall restore the roadway to its pre-construction condition (see Special Provisions).
13. COST OF FUTURE REPAIRS TO BE PAID BY PERMITTEE: If at any time subsequent to the first repair of a surface of a road damaged or destroyed by any excavation or obstruction in such highway, it becomes necessary again to repair such surface due to settlement or any other cause directly attributable to such excavation or obstruction, the permittee shall pay to the City the cost of such additional repairs made by the City. The City Engineer shall compute the cost.

E. PUBLIC SAFETY

1. Excavations - In addition to any other measures taken by the Permittee pursuant to the provisions of Section 7-1.09, "Public Safety", of the Standard Specifications, the Permittee shall install temporary railing (Type K) between any land carrying public traffic and any excavation when the near edge of the excavation is 12 feet or less from the edge of the lane, except:
 - a. Excavations covered with sheet steel or concrete covers of adequate thickness to prevent accidental entry by traffic or the public.
 - b. Excavations less than one foot deep.
 - c. Trenches less than one foot wide for irrigation pipe or electrical conduit or

excavations less than one foot in diameter.

- d. Excavations in side slopes, where the slope is steeper than 4:1.
 - e. Excavations protected by existing barrier or railing.
2. Existing Public Signs - Relocation or removal of existing public signs shall not occur until approval has been obtained by the Engineer.

F. DRAINAGE

1. Care of Drainage - Drainage shall not be impaired. If the work herein contemplated may interfere with the established drainage, ample provision shall be made by the Permittee to provide for it to the satisfaction of the Engineer.
2. Maintenance of Drainage - The Permittee shall maintain drainage through the work area. Such work shall include but not be limited to keeping all culverts and inlets clean and open. Natural drainage entering the work site shall not be obstructed in any way.
3. Pollution, Silt, and Debris - The Permittee shall take any and all measures necessary to prevent the flow of pollutants, silt, and debris from leaving the work site due to the Permittee's operations. Any silt and debris accumulating in drainage facilities off the work site due to the Permittee's operations shall be removed immediately.
4. See the City's Municipal Code for seasonal grading restrictions.

G. REMOVAL OR TRIMMING OF STREET TREES

1. Removal of Trees - Tree removal is subject to approval by the Parks and Community Services Department and their approval must be granted prior to issuance of an encroachment permit. When permit is granted for removal of a tree, as an independent operation or as a part of other work, the entire stump shall be taken out for a depth of at least two (2) feet below the ground surface unless otherwise specified in the permit. The hole left by the stump shall be backfilled and thoroughly tamped, and the site shall be left in a presentable condition.
2. Trimming of Trees - In general, only light trimming of branches two (2) inches or less in diameter will be permitted unless specifically allowed in the permit. The shapeliness of the trees must be preserved. Scars resulting from the removal of branches shall be treated with a heavy coat of an approved tree sealant. Pruning of branches or roots larger than two inches shall have prior approval from the City Arborist.

H. WORK HOURS

1. Working hours shall be between 8:00 a.m. and 5:00 p.m., but in no case from one-half hour

before sunset to one-half hour after sunrise.

2. Inspections are available from 8:00 a.m. to 4:00 p.m. with 24-hour prior notice required.
3. No work shall be performed on weekends or holidays without approval from the City Manager.
4. Deviations from the above must be obtained in writing from the City Manager. Requests to work on a weekend shall be submitted by noon on the Thursday before the weekend.

City of Benicia Encroachment Permit

Special Conditions

The following are special conditions for the Encroachment Permit _____ for the

_____.

1. Traffic control for a lane closure of _____ shall be per California Manual of Uniform Traffic Control Devices (CA MUTCD) Typical Application 10 attached. Any full closures require a detour plan and prior approval from the Public Works Director.
2. The "Traffic Control Plan" for the closure of the shoulder of _____ shall be per the attached CA MUTCD Typical Application 3 with "Work on Shoulders". If a lane closure is required, then shall be per the CA MUTCD Typical Application 10 with "Lane Closed on a Two-Lane Road Using Flaggers".
3. Traffic control for the closure of _____ shall be per the attached CA MUTCD Typical Application 20 with "Road Closed to Thru Traffic" (R11-4), "Detour" arrow (M4-10) and "End Detour" (M4-8A) signs.
4. The "Traffic Control Plan" for the closure of the sidewalk on _____ shall be per the attached CA MUTCD Typical Application 29 with "Cross Walk Closures and Pedestrian Detours", which will detour pedestrians at the cross walks at _____.
5. If street closure is left overnight, then lighted barricades and cones with reflective tape shall be placed.
6. If the sidewalk or shoulder is closed overnight, then lighted barricades and cones with reflective tape shall be placed.
7. The sidewalk shall be replaced per City Standard Drawing ST -1,2 and 3 with concrete with two pounds of lamp black per cubic yard of concrete.
8. The new concrete curb shall be placed per City Standard Drawing with two pounds of lamp black per cubic yard of concrete. The face of curb shall be at least 18" from the face of the trees.
9. Any damage shall be repaired to pre-project conditions.
10. No parking signs must be placed with a time and date at minimum of 24 hours in advance.
11. If the plants must be removed, then the plants shall be replaced and they shall be the same size.
12. Sewer lateral shall be with a tap tight fitting to main.
13. Pavement failures and depressed pavement between _____ shall be repaired during the paving.
14. The contractor shall work with AT&T and PG&E to adjust utility vaults to grade.
15. All USA markings will be power washed off concrete or painted over with black paint or slurry seal on asphalt concrete when they are no longer needed.

16. Any subcontractor shall submit an encroachment permit application, insurance and bond information, and obtain a business license.
17. Work is not permitted on _____.
18. Saw cutting, jack hammering, and other high decibel operations shall be limited to 8 AM to 5 PM Monday through Friday unless given special permission by the City per City of Benicia Municipal Code 8.20. No disruption of traffic is allowed on other City streets after 4:00 PM and before 8:00 AM unless specifically approved for these hours per Benicia Municipal Code, Chapter 8.20.
19. The water line shall be cast iron and wrapped in polyethylene per Standard Specification City staff shall be onsite during the hot tap.
20. The fire service line is within five feet of the sewer lateral, so the water line shall be in a plastic pipe sleeve.
21. The storm drainage crossing shall be RCP and the drainage inlet shall be "Type D", per ST-11.
22. The street has been recently resurfaced, so the gas lateral shall be inserted inside the existing pipe casing crossing under the street or directionally drilled under the street to the bell hole.
23. Work will not be allowed on weekends or holidays unless prior written approval is granted by the Town Manager per Standard Condition #H3.
24. Work will not block the fire station driveway without prior written approval of the Battalion Chief.
25. Six inches of reinforcing bar dowels shall be epoxied into the existing curbs and six inches of the bar shall be poured in the new curb. If the existing asphalt concrete is too damaged to be a form for the new curb, then a two-foot width of existing asphalt concrete shall be removed and replaced in front of the new curb.
26. Contractors shall comply with the Caltrans Encroachment Permit when doing work in the Caltrans Right-of-Way.
27. _____ Street is an arterial street and _____ is a regional truck route. Traffic closure of _____ or _____ is not permitted. Any revisions to the detour plan shall be in compliance California Manual of Uniform Traffic Control Devices (MUTCD) and shall be submitted to the Public Works Director / City Engineer for approval.
28. There are inadequate pedestrian paths on the east side of _____, so a safe pedestrian path of travel will be available each night. Any sidewalk closure on _____ shall be per the attached CA MUTCD Typical Application 29 "Crosswalk Closure and Pedestrian Detour".
29. The multiuse path along _____ is a section of the Bay Area RidgeTrail, has users going in two directions, and shall not be closed for more than two weeks. Any closures of the path for utility trenching or similar short duration work shall include proper signing and flagging for bike riders and pedestrians.

Closures shall not affect special events in the City and should be on a Monday, Tuesday or Wednesday when the path is used the least. A \$5,000 per day penalty will be charged for any closure after _____ at 5 PM.

30. The plans show capping the old sewer lateral. Please include text that the contractor has the option to make a slip line point repair at the opening for the old lateral in Exhibit B.
31. Two sac slurry "digable" trench backfill with hot mix asphalt concrete (HMAC) shall be used. If HMAC is used, then the air temperature needs to be 50 degrees and rising. If not, then the HMAC will need to be removed and replaced at a later time.
32. The contractor shall pay a deposit of _____ and submit a .PDF file of the plans to attach to the encroachment permit.
33. The contractor shall submit a bar chart schedule with the duration of each major activities prior to beginning work and submit an updated schedule every two weeks, if there are changes in the schedule.
34. Saw cutting, jack hammering, and other high decibel operations on _____ shall be limited to 9 AM to 4 PM Monday through Friday unless given special permission by the City. Staging and setting up traffic control devices is permitted before 9 AM.
35. For projects lasting six days or longer, the contractor shall post notices and provide notices to property owners along the affected route and the Public Works Director.
36. Work will not be allowed on weekends or holidays unless prior written approval is granted by the City Manager and City Engineer. See attached list of holidays and special events when work is not permitted.
37. No work shall take place on First Street on Fridays.

Attachments: List of Holidays and Special Events

Prepared by: Graham Wadsworth