



Engineering Division
 211 Williams Street
 Royal Oak, Michigan 48067
 P: 248.246.3260
 F: 248.246.3008

PERMIT FOR RIGHT-OF-WAY BLOCKAGE OR CONSTRUCTION

APPLICANT TO PROVIDE ALL INFORMATION IN BLANK AREAS

PERMIT NUMBER: PENG-_____			
A. PERMITTEE: (____Property Owner/Developer, ____ Contractor or ____ Utility Company)			
_____ (COMPANY NAME)	_____ (OFFICE TELEPHONE NUMBER)		
_____ (ADDRESS)	_____ (OFFICE FAX NUMBER)		
_____ (CITY, STATE, ZIP CODE)	_____ (24 HOUR EMERGENCY PHONE)		
_____ (CONTACT PERSON)	_____ (E-MAIL ADDRESS)		
B. DETAILED WRITTEN DESCRIPTION OF RIGHT-OF-WAY CONSTRUCTION OPERATION(S): <i>(Include Size, Dimensions, Type of Facility and Restoration, blockage, traffic control, parking meters, etc.)</i>			
C. ADDRESS LOCATION OF CONSTRUCTION OPERATION(S): <i>(BE SPECIFIC)</i>			
D. START DATE:		E. EXPIRATION DATE:	

TO SCHEDULE INSPECTIONS CALL (248) 246-3260 48-HOURS PRIOR

TO BE COMPLETED BY CITY:			
F.	ESTIMATED INSPECTION FEE:	\$	(HRS @ \$* /HR)
	1. Additional Inspection Fees Due City (See Permit General Requirement 6a)	\$	(HRS @ \$* /HR)
	2. Inspection Fee Reimbursement (See Permit General Requirement 6b)	\$	(HRS @ \$* /HR)
*Refer to the City of Royal Oak Fee Schedule at: http://www.ROMI.GOV/portal/webfm_send/1599			
G.	PERMIT FEE:	\$	
	Large Format Document Scanning and Storage Fee	\$	(SHEET(S) @ \$2/SHT) ACCOUNT NO. 101.000.47820.____
H.	TOTAL PERMIT & INSPECTION FEE:	\$	
	(To be determined when permit work is completed)		ACCOUNT NO. 101.000.47820.____
I.	CASH BOND:	\$	
	OR		ACCOUNT NO. 101.000.28308.____
	IRREVOCABLE LETTER OF CREDIT:	\$	[# _____]
	SURETY BOND (when applicable):	\$	[# _____]
J.	FEE PROVIDED BY:		
	(If different than Permittee)	NAME:	
		ADDRESS:	
K.	CHECK LIST:		
	<input type="checkbox"/> APPROVED PLAN	<input type="checkbox"/> LETTER OF CREDIT # _____	EXP. DATE _____
	<input type="checkbox"/> ESTIMATED INSPECTION FEE	<input type="checkbox"/> CASH BOND	
	<input type="checkbox"/> PERMIT FEE	<input type="checkbox"/> CERTIFICATES OF INSURANCE	
	<input type="checkbox"/> EXECUTED EASEMENTS	<input type="checkbox"/> STANDARD SPECIFICATIONS FOR CONSTRUCTION	
	<input type="checkbox"/> PERMIT FOR PRIVATE PROPERTY PAVING	<input type="checkbox"/> AS-BUILT DRWG TO CITY ENGINEER	

The Permittee hereby agrees that it will diligently prosecute the above described operations in the City of Royal Oak Right-of-way authorized by this permit in accordance with the following general and Construction Requirements and Special Instructions as stipulated in this contract.

Permittee: Signature

City Engineering Department

Permittee: Printed Name

Date

Date

COPIES: 1-ENG, 2-PERMITTEE, 3-TREASURER
Cc: **Police Department, Fire Department, Department of Public Services**

City of Royal Oak Right-of-Way Permit

The following requirements of the City of Royal Oak, Michigan, for all work done under the Right-of-Way (ROW) Permit shall be met. General permit requirements are supplemented by the “Work Description” and “Stipulations” sections of the issued ROW Permit. This ROW Permit is valid only when executed by the City of Royal Oak Engineering Division, and the Permittee.

All ROW construction operations shall be performed in accordance with the current edition of the City of Royal Oak Standard Specifications for Construction, which are available on the City of Royal Oak website:

<http://www.ci.royal-oak.mi.us/departments/engineering>

The following instructions, general requirements and construction requirements are additional requirements intended to supplement the City of Royal Oak Standard Specifications for Construction.

ROW permits will expire on the noted permit expiration date or on the insurance expiration date, whichever occurs first. The Engineering Division will not perform inspections for addresses with an expired permit. Permits can be renewed at the Engineering Division.

Instructions for obtaining ROW Permits for the following circumstances are provided on the subsequent pages:

- A. ROW Permit for Commercial Projects and Utility Company Work
- B. ROW Permit for New House / Major House Reconstruction
- C. ROW Permit for Sewer Tap or Sewer Line Repairs
- D. ROW Permit for Private Water Service Repairs
- E. ROW Permit for Sidewalk, Curb Cut and/or Driveway Approach Work

A. Commercial Projects and Utility Company Work

1. Complete the Site Plan Review process as stipulated on the city website:

http://www.ci.royal-oak.mi.us/webfm_send/1603

2. When the Site Plan has been approved, an engineer will provide you with the ROW Permit fees and 125% ROW Performance Guarantee amounts.
3. Print and fill out the ROW Permit Application Form.
4. Call the Engineering Division at 248-246-3260 to make an appointment to obtain the ROW Permit, or visit during permit hours for commercial / utility ROW permits:

8:00 - 10:00 a.m. Mondays, Wednesdays, Thursdays, Fridays

1:00 - 3:00 p.m. Tuesdays

5. Bring the following to your appointment:
 - ROW Permit Application form
 - Insurance certificate (refer to insurance requirements herein)
 - Check or cash for permit fees
 - Check, cash, irrevocable letter of credit or surety bond in accordance with city requirements for ROW Performance Guarantee
6. As ROW work progresses, call the Engineering Division at least 24-hours in advance to schedule inspections as required:
 - Open form inspection
 - Open excavation inspection (if applicable)
 - Final inspection
7. When work is complete and the ROW is restored, call the Engineering Division to schedule a final inspection and submit the permit closeout form. If the final inspection is approved, the Performance Guarantee monies will be released. If the final inspection does not meet city requirements, the Permittee will be notified of all deficiencies that require repair.

B. New House / Major House Reconstruction

Note: Because the ROW Permit for this work must remain in effect throughout all work within the ROW, only the Builder may pull the ROW Permit.

1. Print and fill out the ROW Permit Application Form.
2. Bring the following to the Engineering Division:
 - ROW Permit Application form
 - Plot plan or mortgage survey of the property, with all ROW work drawn and dimensioned, all construction fencing shown, locations of “sidewalk closed” signage, proposed drive approach, sidewalk and curbing work, and location of proposed tree(s) where required (see attached example).
 - Insurance certificate (refer to insurance requirements herein)
 - Check or cash for permit fees (permit fee + 4 hours of inspection at the rates provided in the Engineering Division’s annual Fee Schedule). In an effort to minimize disruption and closures to the public sidewalk, the ROW Permit for new house / major reconstructions has a **maximum duration of 90 days**. Additional 90-day extensions must be obtained at the Engineering Division (permit fee + 2 hours of inspection).
 - Check or cash for pavement cut (if applicable):
 - If roadway pavement removal is necessary, the Builder may elect to have the city replace the pavement for an additional fee. The fee correlates to each 30-sf section of pavement to be removed as provided in the Engineering Division’s annual fee schedule. Sidewalk can also be replaced for a fee correlating to each flag of sidewalk.
 - Alternately, the Builder may replace the roadway (allowed on local streets only) pavement in accordance with the city specifications. The Builder must provide compaction density reports, concrete batch ticket(s), and concrete compressive strength test results for the concrete placed. This also requires an additional 2-hour inspection fee.
 - Check or cash for ROW Performance Guarantee:
 - \$5,000 for 60-foot wide or smaller lots
 - \$7,500 for wider than 60-foot lots or corner lots
3. As ROW work progresses, call the Engineering Division at least 24-hours in advance to schedule inspections as required. Note that any excavation in the right-of-way greater than 9 inches deep will require a compaction density report showing that the backfill material was compacted to city requirements.
 - Open form inspection
 - Open excavation inspection (if applicable)
 - Final inspection (submit density report to city inspector if applicable)
4. Once the final inspection is approved, the Performance Guarantee monies will be released. If the final inspection does not meet city requirements, the Permittee will be notified of all deficiencies that require repair. **Note that the Builder is required to replace all public sidewalk along the property frontage. Deficient curbing will also require replacement.**

C. Sewer Tap or Sewer Line Repairs

Note: For ROW Permits with sewer lead work, only the city may replace the roadway pavement. The permittee is responsible for compacting the backfill material per city requirements, and must provide compaction density reports at the final inspection. The Performance Guarantee monies will not be released until the city completes pavement restoration.

1. Print and fill out the ROW Permit Application Form.
2. Bring the following to the Engineering Division:
 - ROW Permit Application form
 - Street-view image, plot plan or mortgage survey of the property, with all ROW work drawn and dimensioned (including pavement cuts), all construction fencing shown, locations of “sidewalk closed” signage, and temporary pavement patching materials shown (see attached example).
 - Insurance certificate (refer to insurance requirements herein)
 - Check or cash for permit fees (permit fee + 1 hour of inspection at the rates provided in the Engineering Division’s annual Fee Schedule)
 - Check or cash for pavement cut (if applicable):
 - If pavement removal is necessary, only the city may replace the pavement. The fee correlates to each 30-sf section of pavement to be removed as provided in the Engineering Division’s annual fee schedule. Sidewalk can also be replaced for a fee correlating to each flag of sidewalk.
 - Check or cash for \$2,000 ROW Performance Guarantee. If work is not performed within the roadway, the amount may be reduced to \$1,000.
3. As ROW work progresses, call the Engineering Division at least 24-hours in advance to schedule inspections as required.
 - Open excavation inspection
 - Final inspection (submit density report to city inspector)
4. Once the final inspection is approved and the city has replaced all pavement cuts, the Performance Guarantee monies will be released. If the final inspection does not meet city requirements, the Permittee will be notified of all deficiencies that require repair.

D. Private Water Service Repairs

This type of work is for private water service repairs (between the curb stop box and the private building) that require work within the public right-of-way. **For ROW Permits with private water service work, only the city may replace the sidewalk. The permittee is responsible for compacting the backfill material per city requirements, and must provide compaction density reports at the final inspection. The Performance Guarantee monies will not be released until the city completes sidewalk restoration.**

1. Print and fill out the ROW Permit Application Form.
2. Bring the following to the Engineering Division:
 - ROW Permit Application form
 - Street-view image, plot plan or mortgage survey of the property, with all ROW work drawn and dimensioned (including sidewalk removals), all construction fencing shown, and locations of “sidewalk closed” signage (see attached example).
 - Insurance certificate (refer to insurance requirements herein)
 - Check or cash for permit fees (permit fee + 1 hour of inspection at the rates provided in the Engineering Division’s annual Fee Schedule)
 - Check or cash for \$1,000 ROW Performance Guarantee.
 - Check or cash for pavement cut (if applicable):
 - If sidewalk removal is necessary, only the city may replace the sidewalk. The fee correlates to each flag of sidewalk to be replaced.
3. As ROW work progresses, call the Engineering Division at least 24-hours in advance to schedule inspections as required.
 - Open form inspection
 - Final inspection (submit density report to city inspector)
4. Once the final inspection is approved, the Performance Guarantee monies will be released. If the final inspection does not meet city requirements, the Permittee will be notified of all deficiencies that require repair.

E. Sidewalk, Curb Cut and/or Driveway Approach Work

1. Print and fill out the ROW Permit Application Form.
2. Bring the following to the Engineering Division:
 - ROW Permit Application form
 - Street-view image, plot plan or mortgage survey of the property, with all ROW work drawn and dimensioned (see attached example).
 - Insurance certificate (refer to insurance requirements herein)
 - Check or cash for permit fees:
 - 1 Curb Cut: permit fee + 1 hour of inspection at the rates provided in the Engineering Division's annual Fee Schedule
 - 2 or more curb cut locations: permit fee + 1 hour of inspection + 0.5 hours of inspection for each additional curb cut at the rates provided in the Engineering Division's annual Fee Schedule
 - Sidewalk: Cost per square foot of sidewalk at the rate provided in the Engineering Division's annual fee schedule.
 - Check or cash for \$1,000 ROW Performance Guarantee. If curb cut / approach and sidewalk work is being performed, the Performance Guarantee will be \$2,000.
3. As ROW work progresses, call the Engineering Division at least 24-hours in advance to schedule inspections as required.
 - Open form inspection
 - Final inspection
4. Once the final inspection is approved, the Performance Guarantee monies will be released. If the final inspection does not meet city requirements, the Permittee will be notified of all deficiencies that require repair.

Right-of-Way Permit – General Requirements

1. Secure an executed ROW Permit from the Engineering Division prior to the commencement of any ROW construction or blockage operations including but not limited to, utility installation; pavement installation, repair, removal or replacement; landscaping; blocking of public property, roads, sidewalks, parks, etc.
2. All ROW construction operations shall be performed in accordance with the plans approved by the Engineering Division.
3. The Permittee agrees to make any and all modifications to the construction operation(s) deemed necessary by the Engineering Division while working in the City of Royal Oak.
4. **For construction and blockage operation(s) that will require closure of a portion of a road for more than 24 hours, the Permittee shall provide written notice of the closure to the occupants of all properties within 500 feet of the portion of the road that is to be closed at least seven (7) calendar days prior to commencing operation(s). Prior to commencing any operation(s), the Permittee shall provide the Engineering Division with written confirmation that notice has been provided consistent with this Policy. The Permittee shall also notify the Fire Department, Police Department and Department of Public Service of all road closures at least 48 hours in advance of the closure.**
5. The Engineering Division shall be notified by the Permittee **forty-eight (48) hours** in advance of any and all construction operation(s) to arrange for inspection of the construction operation(s) by the Engineering Division.
6. The Permittee shall pay a permit fee, prior to execution of this Permit, to the City of Royal Oak, for review of plans and preparation of the ROW Permit in the amounts listed in the City of Royal Oak Engineering Division Fee Schedule which is updated annually.
7. The Permittee shall pay the City of Royal Oak for all costs associated with the inspection of the construction operations by the Engineering Division for all work authorized under this permit. Inspection fees shall be in accordance with the City of Royal Oak Engineering Division Fee Schedule, which is updated annually. An estimated inspection fee amount, as determined by the Engineering Division, shall be paid to the city prior to execution of this permit.

a.) Additional Inspection Fees Due City

Additional inspection fees may be required, as determined by the Engineering Division, during the progress of the construction operation(s) authorized under this permit. When notified by the Engineering Division, the Permittee shall pay additional inspection fees to the City of Royal Oak within three (3) calendar days or the construction operation(s) authorized under this permit shall be suspended until the additional inspection fees are paid to the city. The Permittee shall suspend work immediately after restoring the work site to a safe condition and shall maintain the work site in a safe condition until the work is resumed under the terms of the ROW Permit.

If after the final inspection by the Engineering Division, additional inspection fees are due for construction operation(s) already completed, the Permittee shall pay this balance of inspection fees due to the City of Royal Oak.

b.) Permittee Inspection Fee Reimbursement

If, after final inspection, the inspection fee paid by the Permittee exceeds the actual costs incurred by the city for inspection of the construction operation(s), the excess funds shall be returned to the Permittee.

8. Only the Permittee may schedule inspections under the ROW Permit. The Permittee must be present for all inspections performed by the Engineering Division under the ROW Permit.
9. The Permittee shall provide the City of Royal Oak all **Certificates of Insurance** in accordance with the attached Insurance Requirements for ROW Permits prior to execution of this permit for construction.
10. **The Permittee shall provide a Performance Guarantee to the City of Royal Oak.**
 - A. The **Performance Guarantee** shall cover **125% of the value** of the traffic control and construction operation(s) authorized under this ROW Permit, as specified in the City of Royal Oak Standard Specifications for Construction which shall be held for the duration of the permit.
 - B. The minimum amount is \$1,000.00;
 - C. **The first \$100,000.00 of Performance Guarantee shall be in the form of Cash or Irrevocable Letter of Credit;**
 - D. Any remaining portion of Performance Guarantee over the initial \$100,000.00 may be in a Cash, Irrevocable Letter of Credit or Surety Bond issued by a reputable American bonding company or bank.
 - E. **Irrevocable Bank Letter of Credit** (ILOC) shall include the following provisions:
 - i. Expiration: The ILOC **shall** be valid for a period of one (1) year minimum and “automatically renewing” and be valid for the duration of the Contract or Permit until closed out; and with a “minimum 30 day advance written notice of **Renewal** or **Non-Renewal**”. Any issuance of a Notice of Non-Renewal prior to the close out of the Contract or Permit may be cause for an immediate draw by the City of Royal Oak without notification to the applicant.
 - ii. Partial Draws: The ILOC **shall** “allow partial draws”; however the City may draw the maximum amount;
 - iii. Transferability: The ILOC **shall** list the Contract or Permit(s) the Performance Guarantee is covering in the draw statement but NOT any specific operation, location or project; (*i.e. ROW and/ or Private Property Paving Permit, etc.*);
 - iv. Transmittal: The ILOC **shall** include provisions for draws to be made “**via mail, courier or fax**”; a contact person and fax number shall be listed on the Letter.
 - v. Conflicts: The ILOC **shall not** include any language that conflicts with any provision of the Contract or Permit.
11. The valid/executed permit for ROW construction or a copy thereof, with approved plan shall be in the possession of the Permittee's employee or representative on the permit job site at all times.
12. This permit for ROW construction grants to the Permittee only those rights specifically stated. Any operation not listed on the permit is prohibited. All requests to add operations shall be in writing and if allowed, added to a revised and re-executed permit. A ROW permit fee will be charged for re-executed permits.
13. Issuance of this permit for ROW construction does not relieve the Permittee from meeting any and all requirements of Federal, State, County, or City of Royal Oak law, or of other Public Bodies or Agencies. The Permittee shall be responsible for securing any other permits or authorization necessary from the City of Royal Oak or any other Governmental Agencies.

Right-of-way work on Woodward Avenue falls under the jurisdiction of MDOT, and requires an MDOT permit. The Royal Oak ROW Permit must also be obtained if sidewalk or curb work is proposed, and the MDOT permit must be provided prior to execution of the city ROW permit. Note that asphalt patching work within the ROW does not require a Royal Oak permit.

Right-of-way work on roads under Oakland County jurisdiction will require a permit from the Road Commission for Oakland County (RCOC).

The city will not issue ROW Permits until permits from other agencies have been obtained by the Permittee.

14. No work shall be done between the hours of 8:00 p.m. and 7:00 a.m., nor on holidays or Sundays, except as is necessary for the proper care and protection of work already performed or, in the case of an emergency.
15. The Permittee shall provide and maintain all necessary precautions to prevent injury or damage to persons and property from construction operation(s) authorized under this permit.
16. The Permittee shall furnish, install and maintain all necessary traffic controls and protection during Permittee's operations in accordance with the current edition of the **Michigan Manual of Uniform Traffic Control Devices** and any special instructions set forth herein. Work and signage shall also be in accordance with the provisions of Section 8.12 of the MDOT 2012 Standard Specifications for Construction.
17. The Permittee shall advise the Engineering Division at the completion of construction operations and restoration authorized by this permit so that final inspection may be made. Performance Guarantee monies shall not be released until the final inspection is performed and the work is approved by the Engineering Division.
18. Any change or alteration in this permit requires prior approval of the Engineering Division and may require a new permit.
19. The Permittee shall complete all operations for which this permit is issued by the specified completion date. Requests to extend the duration of the permit shall be in writing and will require a revised and re-executed permit. A ROW permit fee will be charged for re-executed permits.
20. The construction, operation, and maintenance of the facility authorized by this permit shall be performed without cost to the City of Royal Oak.
21. The Permittee shall be responsible for the restoration of the ROW to the same or better condition as existed prior to any construction operation(s), or as directed by the Engineering Division.
22. This Permit is not assignable and not transferable.
23. The Permittee, upon request by the City Engineer, shall immediately remove, cease operation and surrender this permit, or alter or relocate, at the Permittee's own expense the facility for which this permit is granted. Upon failure to do so the City Engineer may take any necessary action to protect the ROW and the Permittee shall reimburse the City of Royal Oak for its costs in doing so. The Permittee expressly waives any right to claim damages or compensation in the event this permit is revoked. The Permittee further acknowledges that it shall immediately reimburse the City of Royal Oak in full for all such costs incurred by the city upon receipt of billing.
24. The Permittee hereby acknowledges and agrees that in accordance with the Performance

Guarantee requirements, the City Engineer has the right to demand completion by the Permittee of any necessary maintenance or uncompleted activity authorized by this permit which adversely affects the operation and/or maintenance of the ROW or which is not maintained during construction or completed by the completion date of the permit including:

- A. The replacement of all pavements, sidewalks and driveways and/or driveway approaches within 5 days of removal, completion of infrastructure installation or as dictated by the City of Royal Oak. This may require holding off on removals until final restoration can be made within the 5 days.
- B. Daily removal and disposal of all construction materials, debris and soils, including contaminated materials as well as any materials or elements that prohibit normal use **including snow and ice removal.**
- C. Restoration or replacement of all lawn areas including any tree installation, miscellaneous plantings or landscaping within 10 days of final pavement or infrastructure installation.
- D. Daily maintenance and restoration of the ROW as necessary for the reasonably safe and efficient operations of vehicular traffic and pedestrian movement.
- E. Repair and restoration of all areas of ROW and any private property damaged or disturbed by the Permittee's operations.

25. Notices:

- A. The Permittee shall give notice to Public Utilities in accordance with Act 53, Public Act of 1974, as amended, and comply with all applicable requirements of the act.
- B. The Permittee shall give **written notice** to all property owners adjacent to the work being performed and/or along the route of the work at least 7 days prior to commencing the work. The notice shall include name, address and contact information for the Permittee as well as a brief description of the work and the intended time frame.
- C. The Permittee shall give **written notice** to all property owners within 500 feet of a road closure, or as directed by the City Engineer at least 7 days prior to commencing the work. The notice shall include name, address and contact information for the Permittee as well as a brief description of the work and the intended time frame.

26. The Permittee shall coordinate his work so as not to delay or interfere with other Contractors, Utility Companies and City of Royal Oak forces working in the ROW. No compensation whatsoever shall be sought from the City of Royal Oak because of delays due to constructing around known or unknown utilities or coordinating with other Contractors, Utility Companies or City of Royal Oak forces working in the ROW.

27. All materials supplied by the Permittee installed in the ROW shall be certified in writing by the Manufacturer showing that the materials supplied meet the City of Royal Oak Standard Specifications for Construction.

28. As-built drawings of work performed shall be developed by the Permittee and furnished to the Engineering Division within thirty (30) days after completion of the work.

29. The Permittee shall comply with the requirements of Act 347, Public Act of 1972, as amended, controlling **soil erosion and sedimentation**. A copy of Soil Erosion and Sedimentation permit or documentation for the responsible authority waiving the requirements for a permit shall be on file with the city prior to issuance of this ROW Permit. Silt fencing installations are prohibited on city owned property unless specifically approved as part of this permit.

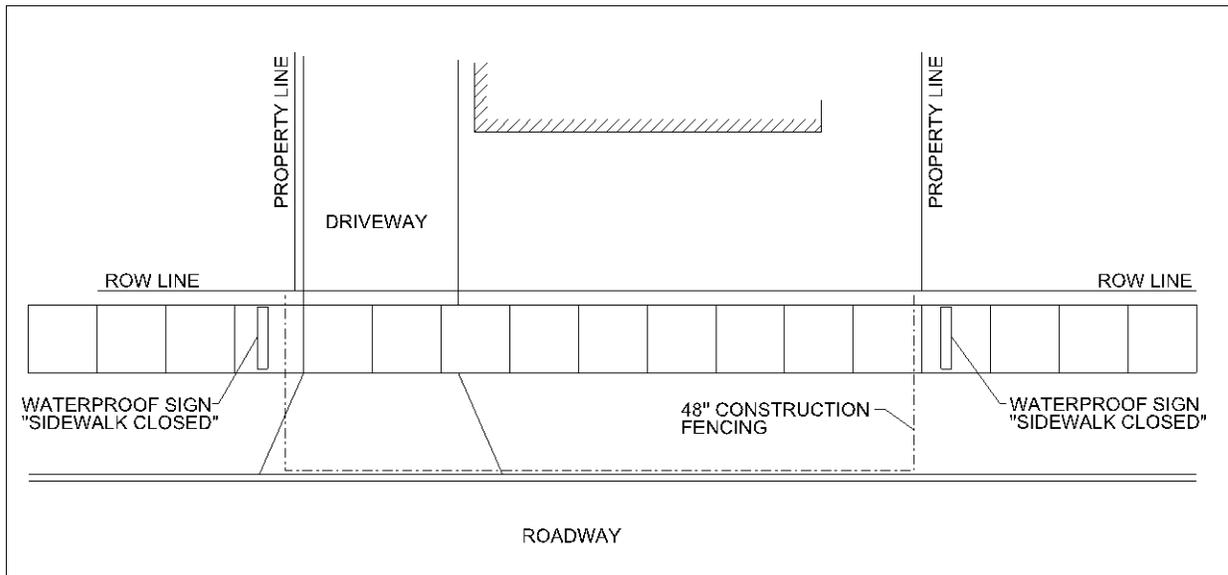
30. The Permittee is not permitted on private residential or commercial property without written consent of that property owner and is prohibited from using private residential or commercial water for any reason.

31. The Permittee shall provide a 24-hour emergency telephone number prior to execution of this permit. In the event the Permittee is contacted by the City of Royal Oak Police Department or the Engineering Division regarding an violation or emergency, the Permittee shall respond immediately or the City of Royal Oak forces will proceed with the necessary violation rectification or emergency response and take all action necessary and the Permittee shall reimburse the City of Royal Oak for all expenses incurred and action by the City of Royal Oak forces.
32. The Permittee shall be responsible to resolve all property damage or personal injury claims made against the Permittee during construction operation(s) authorized by this permit. All property damage or personal injury claims shall be processed with the insurance company listed on the Certificate of Insurance for the ROW permit in a timely manner.

General Construction Requirements

1. Construction Fencing and Sidewalk Closure

For all new home / major renovation work and all work affecting access to the public sidewalk, the Permittee is required to erect temporary construction fencing to close the sidewalk from pedestrian use. The fencing shall be orange plastic fencing, 48 inches tall, with anchor posts installed as needed to maintain a taut fence. The fencing shall be installed to allow access for construction equipment as needed. The fencing shall be closed off at the end of each business day.



2. Excavation:

Where any utilities, water, sewer, gas, electric, telephone, or any other either public or private, are encountered, the Permittee shall provide adequate protection for them, and shall be responsible for any damages to such utility or utilities arising from his operations. When it is apparent that construction operations may endanger the foundation of any utility, or the support of any structure in the ROW, the Permittee shall notify the utility owner of this possibility and shall take such steps as may be required by the Engineering Division, such as sheeting, shoring and bracing to provide temporary support of utilities or structures.

Construction equipment and excavated material shall be stored in such locations that it does not

obstruct vision on the traveled portion of the ROW and in such a manner that it will not interfere with the flow of traffic. The Permittee shall dispose of all broken concrete, reinforcing steel, unsuitable material and surplus, outside the limits of the City of Royal Oak the same day it is generated.

3. Backfill and Compaction:

The complete trench, holes, pits and areas around structures shall be backfilled with sand or other approved granular backfill material, approved by the Engineering Division, placed in successive layers not more than nine (9) inches in depth, loose measure, and each layer shall be thoroughly compacted by tamping to 95% Modified Proctor Density. Backfill shall be tested using the Nuclear Gauge Method for Controlled Density. The density testing shall be provided by the Permittee. Test reports shall be given to the Engineering Division inspector at the final inspection. All expenses associated with the density testing shall be borne by the Permittee. Any excavation within the ROW shall be maintained by the Permittee until backfill and compaction is complete. On gravel roads, the top twelve (12) inches within the roadbed shall be backfilled with 22A road gravel and stabilized with road oil or as otherwise directed by the city.

4. Pavement Removal and Replacement:

Removal of existing curbing, sidewalks and pavement shall be to the nearest joint of an existing, acceptable pavement slab or curb and gutter in the opinion of the Engineer. **The City reserves the right to dictate the limits of curb, curb and gutter, sidewalks and pavement removal or restoration** when alterations are proposed or required as part of a development or installation. The alteration limits shall be set to achieve a proper, durable restoration that will integrate with existing and future improvements. Deficient pavement, in the opinion of the Engineer, includes sunken, cracked, broken, and scaled pavements; curbing, sidewalks and pavement, not meeting the standard dimensions, slope or thickness or causing the ponding of water. The limits of removal will be determined by the city for replacement at the time of plan review or site visit. All existing curbing, sidewalks and pavement or portions thereof, along the frontage of a development that is substandard or deficient will be reviewed for replacement when a proposed cut is made into any of the curb or pavement. Alterations of road and curbing on public ROW shall be installed to current standards, widths, cross sections and slopes as dictated by City Code, City of Royal Oak Standard Specifications for Construction or City Engineer.

The existing pavement, curbing, and curb and gutter shall be saw cut full depth prior to removal of the pavement. The pavement shall be cut so that the opening is a minimum of five **(5) feet wide** and at least one (1) foot wider on each side than the trench. In no case shall an open cut result in a remaining slab width of less than five (5) feet from the pavement removed to an existing joint. The pavement to be removed shall be broken along the edges with air hammers to prevent cracking, chipping or spalling of the adjacent remaining pavement. The pavement and curb and gutter replacement shall be standard concrete mixes (MDOT P1, 6-sack) unless high early concrete is specifically approved. The mix design for the P1 and high early concrete shall meet the requirements of the M.D.O.T. 2012 Standard Specifications for Construction and shall be approved by the Engineering Division prior to use in the work. The 2012 Standard Specifications for Construction are available online at <http://mdotcf.state.mi.us/public/specbook/2012>.

Pavement and curb and gutter replacement shall match existing thickness and shall be anchored to the existing pavement with expansion-anchored lane-ties (3/4" for 8" or thicker pavement and 5/8" for pavement less than 8") located at the center of the pavement and shall be spaced at 36" center to center. The pavement replacement elevation of concrete base course shall match existing with a bituminous cap to match the thickness of the existing bituminous cap. A minimum 2-foot wide butt joint is required wherever concrete pavement, curb or gutter abuts bituminous pavement or cap. The bituminous cap mixture shall meet M.D.O.T. No. 4C. The joint pattern of the new pavement shall match the existing pavement. The pavement area shall be **temporarily**

patched and maintained with 4" of compacted smooth cold patch bituminous material placed level with adjacent pavement at the completion of each and every day if permanent pavement is not installed the same day.

The permanent pavement replacement shall be completed within five (5) working days of completion of the underground work. The pavement shall be open to vehicular traffic at the end of each and every working day, unless otherwise approved by the Engineering Division.

5. Sidewalk and Driveway Approach Removal And Replacement:

The sidewalk and driveway approach shall be removed to the closest joint, saw cutting at the joint prior to removal. The sidewalk and driveway approach replacement shall be transit mix concrete and shall meet all the requirements of the (Michigan Department of Transportation (M.D.O.T.) 2012 Standard Specifications for Construction for Grade P1, 6-sack concrete and shall be approved by the city prior to use in the work. Concrete finish shall be as required in the current version of the City of Royal Oak Standard Specifications for Construction.

The joint pattern of the sidewalk and driveway approaches shall match the existing joints or those approved on plans for the work. All sidewalks and driveway approaches shall be **temporarily patched** and maintained with stone base and 3" of compacted smooth cold patch placed level with adjacent pavement/sidewalk at the completion of each and every working day if permanent sidewalk and driveway approaches are not installed the same day. The permanent sidewalk and driveway approach replacement shall be completed within five (5) working days of completion of the underground work or after removal. **All handicap ramps affected by the work shall be upgraded to be compliant with Federal Law and City Standards which includes adjacent road and curb as determined by the City of Royal Oak.**

6. Restoration of Landscape Areas:

A. Lawns:

The Permittee shall be responsible to restore all lawn areas disturbed in conjunction with the construction operation(s) authorized under this permit. Restoration of lawn areas on local streets shall be with 2" (minimum) of topsoil and **Class A Sod**. When allowed, restoration of lawn areas on major streets shall consist of 3" of topsoil and seeding by means of hydro-seeding and shall have the following composition of seeds

30% Park Kentucky Blue;	30% Dawson Red Fescue;
30% Fults Pucinellia;	10% Pennfine Perennial Rye, minimum purity 97%

*This seed composition shall be certified by the supplier of the seed mixture.

The Permittee shall be responsible to establish and maintain the growth of lawn areas for a period of 90 days after sod is installed or 90 days after the lawn seed has germinated and has started to grow. All sod shall be watered twice daily for a minimum of 2 weeks.

B. Trees, Shrubs and other Landscaped Areas:

For commercial work and new home / major reconstruction work, the Permittee is required to have at least one healthy tree along the property frontage (two trees required for a corner lot). If at least one healthy tree does not exist, one of the following types of trees must be installed under the ROW Permit:

Bradford Pear	<i>(Pyrus calleryana)</i>
Flowering Crab	<i>(Malus hybrids)</i>
Ginko	<i>(Ginko Bilboa)</i>
Little Leaf Linden	<i>(Tilia cordata)</i>
Honey Locust	<i>(Gleditsia triacanthos)</i>
Norway Maple	<i>(Acer platanoides)</i>
Red Maple	<i>(Acer Rubrum)</i>
Sycamore	<i>(Platanus occidentalis)</i>

New trees shall be minimum 3-inch caliper. Trees shall be installed as specified in the Royal Oak Standard Specifications for Construction – Restoration and in Section 815 of the MDOT 2012 Standard Specifications for Construction.

If the greenbelt width is less than 4.5 feet wide, a new tree is not required.

The Permittee is responsible for obtaining permission, permits and instructions from the City of Royal Oak Parks and Forestry Department prior to trimming or cutting of any trees in the ROW. When installing any utility, no open trenching will be allowed adjacent to trees within a radius of ½ foot for each inch of tree diameter measured from the center of the tree. Trees eight (8) inches in diameter or less shall require a boring eight (8) feet long. Trees over 8 inches in diameter, as measured four (4) feet above the ground surface, shall require a utility boring the length of one (1) foot for each inch of tree diameter.

This work shall be done with an approved boring machine. The boring will be done with or without casing as needed, and the diameter of the auger shall not exceed four (4) inches of the outside diameter of the pipe to be installed. The cavity between the outside of the pipe and undisturbed ground shall be sealed at both ends of the bore with 2500 p.s.i. unconfined compressive strength concrete a minimum of eight (8) inches thick.

All vegetation which is in the construction operation(s) area shall be carefully protected from damage or injury during all construction operations. The Permittee shall replace, at the Permittee's expense, all dead or dying trees or other plantings damaged by the work, as directed by the Engineering Division. The tree or planting replacement shall be equal in size and species to those damaged by the work.

City of Royal Oak Insurance Requirements

Insurance Policy Adopted By the Royal Oak City Commission on 8/14/89

The Permittee shall not commence work under this permit until he has obtained the insurance required under this paragraph. All coverage shall be with insurance companies licensed and admitted to do business in the State of Michigan. All coverage shall be with insurance carriers acceptable to the City of Royal Oak, Michigan.

➔ 1. **General Liability Insurance:** The Permittee shall procure and maintain during the life of this permit, Commercial General Liability Insurance, on an "Occurrence Basis" with limits of liability not less than **\$500,000** per occurrence and/or aggregate combined single limit Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions, or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable. General Liability shall be "**Per Project**" or an **Owner's & Contractor's Protective Liability** policy will be required as noted in item 6 below.

➔ 2. **Automobile Liability:** The Permittee shall procure and maintain during the life of this permit, a Motor Vehicle Liability Insurance rider on their general liability insurance to include Michigan No-Fault Coverage, with limits of liability not less than **\$500,000** per occurrence combined single limit Bodily Injury and Property Damage. The required coverage shall include:

All OWNED Vehicles*: *or applicants whom **do not own** or **lease** vehicles on their company name can forgo providing coverage for owned vehicles by submitting a signed and notarized affidavit stating "____ (Applicant) neither owns nor leases any vehicle in its registered company name." and must also provide coverage for:
All **NON-OWNED** vehicles; **SCHEDULED** and **HIRED** vehicles.
The city can notarize documents for a fee of \$10.

➔ 3. **Worker's Compensation Insurance*:** The Permittee shall procure and maintain during the life of this permit, Worker's Compensation Insurance, including Employers' Liability Coverage, in accordance with all applicable Statutes of the State of Michigan. *Applicants that **are not required to provide Workman's Compensation Insurance as required by State Law** must submit a signed and notarized affidavit stating "____ (Applicant) has ____ number of employees and is therefore exempt from providing Workman's Compensation Insurance in accordance with State Law." The city can notarize documents for a fee of \$10.

➔ 4. **Description of Operations, Locations / Vehicles / Exclusions added by Endorsement / Special Provisions**

A. **Additional Insured:** Commercial General Liability Insurance and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating:

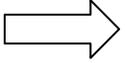
For the City of Royal Oak ROW Permit the following are listed as additional insured by way of endorsement: The City of Royal Oak, all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof with respect to the Commercial General and Automobile Liability policies

B. Other information and operations referencing Permits issued by the City of Royal Oak may be added to this area specifically and separately from the additional insured statement. It is NOT recommended to state the permit or type of permit, location or address of the proposed operation.



5. Cancellation:

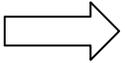
A. The policy for Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance, as described above, shall include **Thirty (30) days Advance Written Notice of Cancellation**, Non-Renewal, and/or Material Change in Coverage will be sent to: City Engineer, Royal Oak City Hall, 211 Williams Street, P.O. Box 64, Royal Oak, Michigan, 48068-0064."



6. Owner's and Contractor's Protective Liability: The Permittee shall procure and maintain during the life of this permit, Owner's and Contractor's Protective Liability with the limits of liability not less than **\$500,000** per occurrence and/or aggregate, combined single limit, Bodily Injury and Property Damage. The City of Royal Oak, Michigan shall be "Named Insured" on said coverage. Thirty (30) days notice of cancellation shall apply to this policy. For construction costs over \$100,000, see Table I for required liability amount.

Table I

<u>Construction Cost</u>	<u>Required Liability Amount</u>
\$ 100 - 500,000	\$ 500,000
\$ 500,000 Up	\$ 1,000,000

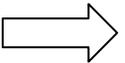


7. Proof of Insurance Coverage: The Permittee shall provide the City of Royal Oak, Michigan at the time of the permit application, a certificate summary and policies as listed below:

- A. ONE (1) ORIGINAL copy of Certificates of Insurance for: (Original=directly received from insurer) on an ACORD form:
 - 1. Commercial General Liability Insurance;
 - 2. Vehicle Liability Insurance;
 - 3. Worker's Compensation Insurance
- B. Original Policy, or original Binder pending issuance of policy, for Owner's & Contractor's Protective Liability Insurance shall be transmitted directly from the agent to the City of Royal Oak;
- C. If so requested, Certified Copies of all policies mentioned above will be furnished.



8. Renewal: If any of the above coverage's expires during the term of this permit, the Permittee shall deliver renewal certificates and/or policies to the City Engineer of Royal Oak **at least ten (10) days prior to expiration date.**



9. Certificate Holder:

The certificate holder shall be as follows:

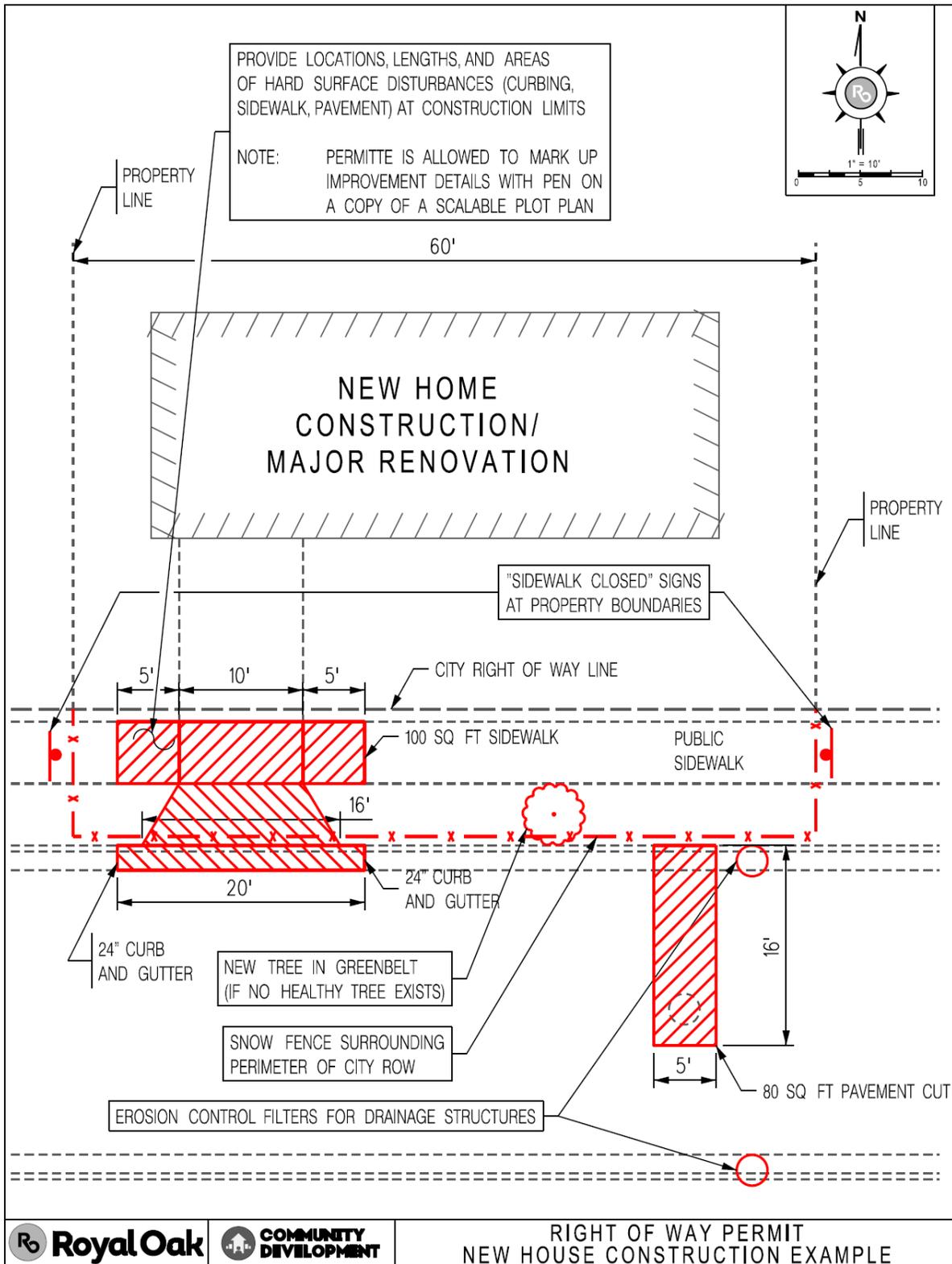
**The City of Royal Oak
City Engineer
211 Williams St.
Royal Oak, MI 48067**



10. The City of Royal Oak reserves the right to DENY or VOID any permit due to any unauthorized change or expiration of any required insurance coverage, inclusion of conflicting, confusing or unauthorized language inclusion.

Example: Plot Plan Work Description

(acceptable for all ROW applications except Commercial/Utility work)



Example: Street-View Image Work Description
(acceptable for sewer tap)



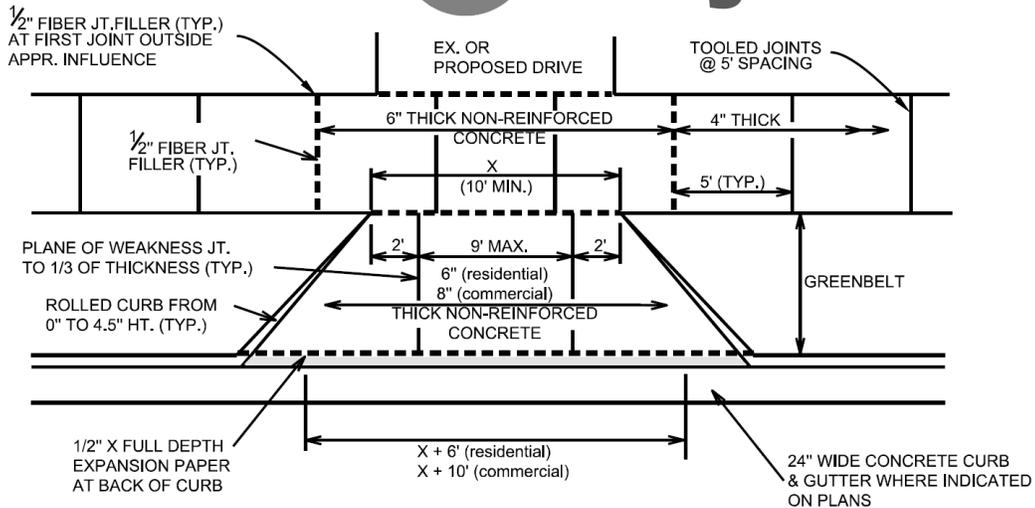
Example: Street-view Work Description
(acceptable for sidewalk, curb cut, and/or approach work)



RIGHT OF WAY PERMIT
CURB/APPROACH/SIDEWALK SUBMITTAL EXAMPLE

Driveway Approach and Sidewalk Requirements

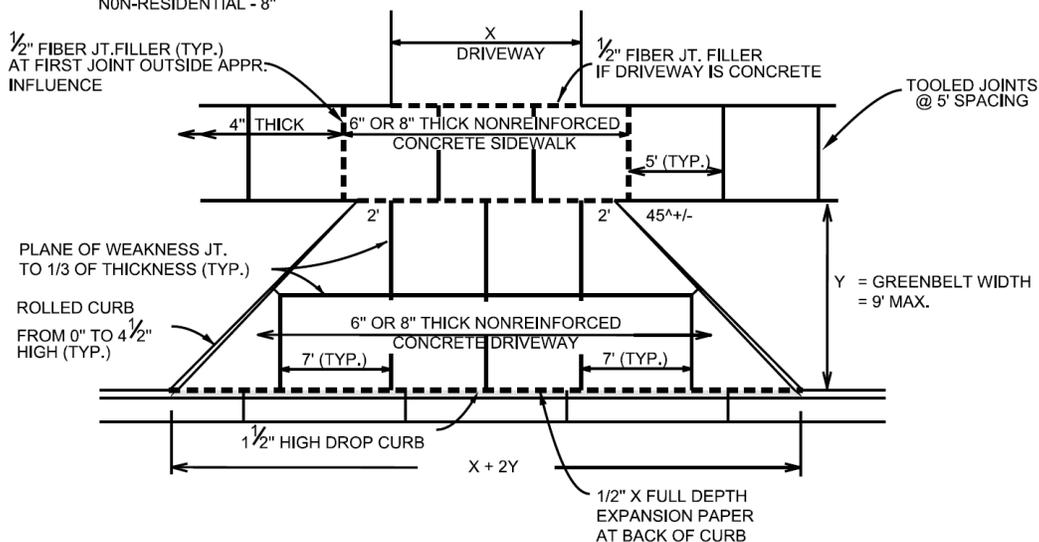
NOTE:
 1. CONCRETE APPROACH THICKNESS SHALL BE AS FOLLOWS:
 RESIDENTIAL - 6"
 NON-RESIDENTIAL - 8"



**DRIVEWAY APPROACH & SIDEWALK DETAIL
 RESIDENTIAL STREETS**

NO SCALE

NOTE:
 1. CONCRETE APPROACH THICKNESS SHALL BE AS FOLLOWS:
 RESIDENTIAL - 6"
 NON-RESIDENTIAL - 8"



**DRIVEWAY APPROACH & SIDEWALK DETAIL
 MAJOR ROADS**

NO SCALE