



# City of East Palo Alto Public Works Department

1960 Tate Street, East Palo Alto, CA 94303  
Phone (650) 853-3189 Fax (650) 853-3179

## Standard Encroachment Conditions

Effective 07/2018

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### THE PERMITTEE AGREES TO ABIDE BY ALL THE CONDITIONS LISTED BELOW.

#### **I. NOTIFICATION PROCEDURES**

No Permit is valid until the following notification procedures are performed by the applicant:

-No access or work shall be performed within the City right-of-way without the full knowledge of the assigned City Public Works Inspector who shall be given no less than two (2) working days advance notice of the initiation of Permittee use at (650) 853 3179.

No excavation or concrete removals shall be performed without first obtaining a "USA"-Ticket Number by contacting the "Underground Service Alert" (USA 811) at least two (2) working days in advance. The City Public Works Inspector may revoke any permit started without a "Ticket Number" number without refund of fees paid to the City.

-For work within a City arterial street that requires lane closure(s)\*, the Permittee must notify Public Safety Services at least (4) hours prior to any lane closure by doing the following:

- Contact EPA Police Dispatch Center (650)321-1112. Inform them of lane closure(s) occurring.
- Give the exact location of work including the following; nearest cross streets; the hours and/or days of work; a contact number.
- Contact the Menlo Fire Dispatch (650)323-2404. Inform them of lane closure(s) occurring. Give the exact location of work including nearest cross street with the days and hours of work.

\*NOTE: Lane closures require prior approval by the City. See Section VI Traffic Control/Lane Closure Procedures.

For major construction work on local streets or collector streets the permittee must provide the following; *Written Public Notice; door hangers; or other forms of public outreach notice prior to intended work*. This shall be posted by the Permittee to each affected residence, forty (40) hours prior to commencement of work.

For excavation within (100) feet of a signalized intersection; permittee shall take additional precaution measures to not impact traffic signal equipment such as, detector loops, conduits, etc. permittee shall assume cost and responsibility for maintaining existing and temporary electrical systems or any other item or portion of work, as may be deemed necessary or advisable for protection of highway and traveling public. Payment of all costs will be incurred by the City of East Palo Alto in repairing facilities damaged during all phases of construction. Permittee shall immediately repair or replace any damaged traffic control devices and/or replace any thermoplastic or painted striping.

For work involving the removing or replacing of survey monuments, it is imperative that the Permittee notify the City and/or the San Mateo County Office (650) 496-6374 at least (48) hours prior to removing or replacing any survey monuments. All monuments shall be replaced at Permittee's expense and must be replaced in kind within 0.01 feet of their original horizontal and/or vertical location. This work must be performed by a licensed land surveyor, unless otherwise specified by the Public Works Director or the City Engineer.

## **II. ADDITIONAL TERMS OF THE PERMIT**

-The Permittee agrees to defend, indemnify, protect and hold harmless the City of East Palo Alto; its officers, officials, employees, agents, and/or volunteers from and against all claims, burdens, losses, defense costs or expenses, including any attorney's fees, or liability of any kind or of nature, which the City of East Palo Alto, its officers, employees and agents and/or volunteers may sustain or incur or which may be imposed upon them in any manner or form arising in consequence of the issuance of this Permit or any work performed in consequence thereof.

-If any deposit is insufficient to pay all fees and costs herein provided, the Permittee shall upon demand, pay to the City an amount equal to any deficiency.

-Protection of the public is paramount; In the interest of public safety, the City reserves the right to make any changes and prescribe such additional conditions to any approved Encroachment Permit as he may deem necessary for the protection of the public. The City will contact the Permittee by telephone as soon as practically possible and follow-up with a written letter notifying the Permittee of such changes.

-If the Engineering Division deems work done under any Encroachment Permit is unsafe, dangerous, or otherwise not in the best interest of the public, the Public Works Director may immediately revoke and/or VOID the Permit without refunding the fees paid to the City of East Palo Alto.

-Any conditions shown in regulations, attachments, and/or provisions of Codified Ordinances and all applicable laws, rules and/or regulations of the City of East Palo Alto or any other regulatory governing agency pertinent to work on the face of this permit shall be complied with. Section 6424 of the California Labor Code requires contractors planning excavation or trench work to obtain a permit for such work from the State of California, Department of Industrial Relations, and Division of Industrial Safety.

## **III. HOURS OF WORK – ALL STREETS & RIGHT-OF-WAY**

**-NO work shall be performed:-**

a) **On local and collector streets:** Before 7:00 a.m. or continue after 4:00 p.m. unless the City Inspector has been notified (No Exceptions)

b) **On arterial streets:** Before 9:00 a.m. or continue after 3:00 p.m., unless the Public Works Inspector has been notified. (No Exceptions)

c) **For all streets:** On weekends and City designated holidays. (No Exceptions)

d) On rainy days whereas during erosion of materials cannot otherwise be controlled by use of Best Management Practices (BMPs)

## **IV. ENCROACHMENT PERMIT DOCUMENTATION PROCEDURES**

-A copy of the approved Encroachment Permit and approved plans, if any, must be kept on the job site at all times. Permittee agrees that it shall be his or her responsibility to provide the contractor, subcontractor, or any other agent responsible for construction of the Permittee use within the City right-of-way, with a copy of the Encroachment Permit and a complete set of approved plans.

## **V. CONTRACTOR / PERMITTEE COORDINATION WITH CITY AND OTHERS**

-Public counter staff shall, to the extent practical, verify that the proposed project and/or lane closure(s) does not conflict with an on-going City project, or another, previously Permittee operation. --In the event of multiple contractors working in the same area, it shall be the responsibility of the Permittee to coordinate all work in order to avoid a potential conflict in the field.

-This permit does not give Permittee permission to delay or interfere with the construction of City projects. If proposed work will occur within limits of any City project, installation shall be subject to the approval of and at the convenience of the City's Engineering Div. Prior to any excavation or work within limit to any City project, the Contractor for the city must be informed and written permission must be obtained from the City's Contractor. Written permission must be presented to the City Engineering Div. stating that the installation **will not delay** or interfere with the City operations. If permission is denied by the City, regardless of Contractor's written permission, then the work proposed within the City limits of its contracted work shall be delayed until completion of the City's operations are completed.

## **VI. TRAFFIC CONTROL / LANE CLOSURE PROCEDURES**

-A copy of the approved Traffic Control Plan, if applicable, must be kept on the job site at all times. If traffic control is not performed according to the approved Traffic Control Plans or if the Traffic Control Plan is not available for inspection by the City Public Works Inspector upon request or if, upon request, the traffic control is not corrected to the satisfaction of the Public Works Inspector, the permit will be voided and no refund of fees will be provided.

-For arterial streets, all work must have an approved Traffic Control Plan unless waived by the Engineering Division in which case, the Permittee shall follow the CA MUTCD. Traffic Control Plans shall be prepared in accordance with the Work Area Traffic Control Handbook (WATCH) and prepared, stamped, and signed by a Licensed Civil Engineer/Traffic Engineer. Traffic control within the construction area shall be done in accordance with the approved Traffic Control Plan. No obstructions (i.e. lane closures) of arterial traffic lanes or sidewalks are allowed between 7:00 a.m. and 9:00 a.m. and after 3:00 p.m., Monday through Friday. Restrictions shall apply to vehicles, equipment, material, traffic control devices, excavation, stockpile, or any other form of obstructions. No obstructions may be left overnight. Any exceptions must be approved prior, and will be noted on the Encroachment Permit at the time of issuance.

-For arterial and collector streets, a changeable message board advising the public of project duration is required to be installed 72 hours in advance of a project that affects traffic for two (2) weeks or more.

-For local and collector streets, the work site MUST be flagged and barricaded to the satisfaction of the Public Works Inspector and shall be in compliance with the latest edition of the Work Area Traffic Control Handbook (WATCH) or the Work Area Protection and Traffic Control Manual. If the Permittee is a public utility governed by the Public Utilities Commission, and two-way traffic shall be maintained at all times. Written notice of intended work shall be posted by the Permittee at each residence within a 200 foot radius, twenty-four (24) hours prior to commencement of work.

-All approaches to private driveways and intersecting roads and streets shall be kept open to traffic at all times, unless otherwise approved by the Director of Public Work or his/her designee.

-Trenching for installation across any intersecting roadway open to traffic shall be progressive. Not more than one-half (1/2) of the width of a traveled way shall be disturbed at one time, and the remaining width shall be kept open to traffic by bridging or backfilling. Trench plates, if used, shall be non-skid and ramped.

-If oversize loads are necessary to transport equipment to or from a site, a Transportation Permit shall be obtained as a separate permit prior to the transport.

-Monitoring Well(s) – Permit applications to install a new monitoring well within the public right-of-way shall be reviewed and approved by the Director of Public Works or his/her designee prior to permit issuance.

## **VII. GOOD HOUSEKEEPING & SAFETY PRACTICES**

-Permittee shall prevent dust or other materials from becoming a nuisance or annoyance.

-Applicant shall comply with NPDES requirements for general construction activity providing appropriate Best Management Practices (BMPs). No runoff shall be allowed to enter the storm drain, or be discharged on to the street. A Water Quality Management Plan (WQMP), a Storm Water Pollution Prevention Plan (SWPPP), erosion control plan, etc. shall be required as applicable for the project to ensure the project does not conflict with NPDES and City requirements.

-Right-of-way shall be left in neat and orderly condition at the end of each working day. Intake and outlet ends of all culverts shall be left free from all excess materials and debris.

-Any excavated material shall be cast away from the improved portion of the highway. Excavated material cannot be stockpiled on any City streets.

-Permittee shall maintain neat, safe, clean and sanitary conditions at all times to the satisfaction of the Public Works Inspector. The Permittee shall supply portable toilet facilities.

-All Underground Service Alert (USA) / utility markings shall be removed at the time of completion of work.

*NOTE: The City of East Palo Alto does not perform any inspection under this Permit pertaining to the protection and safety of (personnel or equipment); this is the responsibility of the Permittee.*

## **VIII. RIGHT OF WAY WORK – GENERAL CONSTRUCTION REQUIREMENTS**

-Streets under moratorium as designated by the City Public Works Department will require special construction practices. The City of East Palo Alto prohibits the cutting of any public street pavement within five (5) years of a street overlay and within three (3) years of a street slurry seal (Refer to XI. Special Construction Practices for Moratorium Streets below). To check if a street is under moratorium, call the City Public Works Department at (650)853-3189.

-Open cutting of streets will require coordination with the City of East Palo Alto Public Works Inspector, and/or the Engineering Division.

-Any repairs or replacement of City improvements, damaged as a result of removal of Permittee encroachment, as determined by the Public Works Inspector, Director of Public Works, or his or her designee, shall be done at the sole expense of the Permittee and replaced per the latest County of San Mateo standards; and/or the Standard Specifications for Public Works Construction, as applicable.

-Repairs to damaged City facilities shall be made functional immediately. Complete and final repairs are to be completed within ten (10) calendar days. In the event the repair/replacement is not accomplished within ten (10) calendar days from the date of start of work and action by the City is necessary, the Permittee, successors or assigns shall reimburse the City for any costs incurred to make said repairs.

-Any improvements above ground shall provide: 18" clearance from curb face, 48" clearance on sidewalk for vertical obstructions. The Public Works Inspector, prior to installation, must inspect each location. Mailboxes in the parkway shall conform to County of San Mateo standards, and United States Postal Service Regulations.

-The Permittee shall make proper arrangements satisfactory to the Director of Public Works or his/her designee for the cost of relocating any structure, public utility, tree, or shrub where such relocation is made necessary by the proposed work for which a permit is issued.

-The uppermost portion of any pipeline or other facility shall be installed not less than 36-inches below the lowest portion of the roadway surface or ditch, unless otherwise authorized in writing by the Director of Public Works or his designee, except as otherwise regulated by the California Public Utilities Commission.

-All trenching or boring in streets shall be properly backfilled or properly protected (i.e. non-skid metal plates) at the end of each working day. Pedestrian access on sidewalks shall be maintained as much as practicably possible. If pedestrian access is blocked, place "Sidewalk Closed" signs at the beginning and end of the sidewalk or at the nearest intersections.

-Non-skid metal plates, if used, shall be fastened down to prevent moving. Metal plates will not be allowed to remain in traffic lanes more than ten (10) calendar days. Temporary asphalt shall be used to eliminate any vertical changes. Applicant shall properly place advance warning signs on the right-of-way "Steel Plates Ahead" or approved sign when using steel plates as part of the construction.

-All native material backfill shall be compacted to a relative density of at least 90% of the maximum density. The top 12" of backfill shall be compacted to 95% relative compaction.

-Gravel bags must be on site for storm drain protection prior to any work. Gravel bags will be placed in front of storm drain inlets during construction, except on rainy days. Sand bags will be kept in good working condition.

-Additional construction requirements may be applicable depending upon the type of work. In all cases, work MUST be performed to the satisfaction of the Public Works Inspector. The Public Works Inspector reserves the right to STOP and request remediation of all work if construction is not done to the Inspector's satisfaction.

#### **IX. STREET WORK – CONCRETE REPAIR / CONSTRUCTION REQUIREMENTS**

-The bore or tunneling of any concrete apron, curb, gutter or sidewalk or drive approach shall be backfilled with six-sack cement slurry. Open cuts shall be backfilled also with two-sack cement slurry to within four (4) inches of finished surface.

-Where Portland Cement Concrete pavement is removed or damaged, replacement Type V Portland Cement Concrete pavement conforming to Standard Specifications for Public Works Construction, latest edition, Section 201, and approved by the Public Works Inspector and MUST be provided to the next score joint. NO partial slabs will be allowed. Under no

circumstance shall any sidewalk removal/re-placement be less than 20 square feet and the smallest dimension not less than 48 inches. All final repairs shall be complete within five (5) working days of initial sidewalk removal.

-Where Portland Cement Concrete Pavement, *as part of a handicap ramp*, has been removed or damaged, replace Type V Portland Cement Concrete pavement conforming to Standard Specifications for Public Works Construction, latest edition, Section 201, approved by the Public Works Inspector, and conforming to the latest Americans with Disabilities Act (A.D.A.) standard as determined by the City Public Works Department.

#### **X. STREET WORK – ASPHALT REPAIR / CONSTRUCTION REQUIREMENTS**

-Final patching of trench or boring shall be of high quality material to the satisfaction of the City Public Works Inspector. Permanent pavement must be placed within ten (10) business days after completion of backfilling operations.

-The applicant upon request will furnish certification for all materials and work, including compaction tests, to the Public Works Inspector. Certification for all materials and work, including compaction tests, will be paid for by the Permittee.

-All asphalt repairs shall conform to Section 302-5 Asphalt Concrete Pavement and Section 600-2 ARHM (Asphalt Rubber Hot Mix) of the Standard Specifications. Final pavement repair shall be complete within twenty (20) business days from the initial excavation. Pavement and base repair limits/dimensions shall be determined by the Director of Public Works prior to permit issuance and/or by the Public Works Inspector upon inspection of the work.

-Additionally:

- a) Final pavement repair shall be 1-inch greater asphalt and 1-inch greater aggregate base in depth than existing road construction but in no case be less than 4-inches Asphalt Concrete (AC) over 6-inches Aggregate Base (AB) on local streets, and 6-inches AC over 8-inches AB on arterial streets.
- b) Trenches backfilled with two sack cement slurry shall leave a 4-inch depth for Asphalt Concrete (AC) re-paving and shall be cold planed to a depth of 1 inch on the perimeter of the trench and paved to the extent determined by the Director of Public Works and/or the Public Works Inspector.
- c) Trenches parallel to the street centerline will require cold planning of the full lane width (12 feet) 0.17 feet deep and re-paved flush with adjoining pavement.

-Two sack cement sand slurry mix is required as backfill when tunneling under any concrete structure, or on all lateral excavations within arterial streets unless directed to do otherwise by the Public Works Inspector. For trenches that traverse the street, slurry seal may be required 100 feet from either side of the centerline of trench or to the beginning of the nearest intersection, whichever is nearest.

#### **XI. SPECIAL CONSTRUCTION PRACTICES FOR STREETS UNDER MORATORIUM**

-Streets under moratorium as designated by the Director of Public Works will require special construction practices. The City of East Palo Alto prohibits the cutting of any public street pavement within five (5) years of a street overlay and within three (3) years of a street slurry seal. To check if a street is under moratorium, call the City Engineering Division at (650)853-3189.

-It is not the City's intent to prohibit necessary improvements to the infrastructure. All companies still have the ability to "bore" under new pavement, or to place work in the parkway area. Upon submission of proof of no alternative or in the case of an emergency, open cutting may be

approved under the below requirements by the Director of Public Works or his/her designee. This option is strongly discouraged and will be allowed only if the installation is critically needed and no other alternatives exist. In this way, the City can maintain the integrity of new streets and forestall deterioration by preventing the inevitable intrusion of water and differential settlement of pavement near street patches.

-For trenching in recently paved/overlaid streets, final resurfacing of street shall include grinding down existing pavement a minimum of 0.17' (2 inches) in depth as follows:

- a) For trenches perpendicular to traffic lanes: on residential streets, grind 10 feet on each side of the trench line and for the full width of any traffic lane(s) that have been cut. On arterial streets, grind 50 feet on each side of the trench line and for the full width of any traffic lane(s) that have been cut.
- b) For trenches parallel to traffic lanes and for small excavations: grind the entire width of the traffic lane for the full length of the trench plus 10 feet on each end, but not less than 100 feet.
- c) For pothole repairs, see "potholing" below.

-Final pavement course in the area of the grinding shall be placed with a self-propelled paving machine, using all applicable City standards for pavement installation unless other methods are approved, in advance of the work, by the Director of Public Works.

-For trenching in recently slurry sealed streets, final slurry seal shall be applied to the patched area no sooner than 30 days or later than 90 days after the completion of the pavement repair. The area is to be slurred as follows:

- a) For trenches perpendicular to traffic lanes: Slurry seal 50 feet on each side of the trench line and for full width of the street.
- b) For trenches parallel to traffic lanes and for small excavations: Slurry seal the entire width of the street for the length of the trench, but not less than 100 feet. Slurry seal materials shall be Type II and the method of application shall meet City approval.

-Potholing in either slurry sealed or paved/overlaid streets, the following standard apply:

- a) Potholes shall be no more than 2 feet by 3 feet.
- b) No more than two potholes may be performed in any 10 foot x 20 foot section of new pavement. If this cannot be accomplished, then the pavement section to be potholed will be treated under the above.
- c) After potholing and exploration is finished, all potholes shall be filled with two-sack sand cement slurry such that final top surface is two inches lower than the surrounding surface. Perform a one foot wide by 0.17 foot deep grind for a "tee cap". Pave the area with two inches of AC such that the surface is level with the adjoining pavement. If the finished surface of the pothole repair is not acceptable to the Public Works Inspector, then the pothole repair surface shall be ground down and refinished in accordance with item the items stated above, as deemed appropriate by the Public Works Inspector.