

CUSTER COUNTY EXCAVATING PERMIT POLICIES

1.10 STREET/ROADS CUT PERMITS AND REQUIRED BOND

1.10.1 PERMITS

- 1.10.1.1 All work performed in a county right-of-way or proposed right-of-way for new subdivisions shall require the issuance of a street/road cut permit. Permits shall be obtained 48 hours prior to construction (except as noted in paragraph 1.10.1.4) at:
- Custer County Road and Bridge
213 N. 4th St.
P.O. Box 1669
Westcliffe, CO 81252
(719) 783-2281
- 1.10.1.2 Those agencies set forth in paragraph 1.10.4.2 may obtain permit under their Letter of Responsibility, thereby assuming full responsibility for the work performed, or at their option, require the contractor actually performing the work to obtain a permit. Thereby contractor would be required to furnish a bond as set forth in paragraph 1.10.4.1 assuming full responsibility for the work performed. Except as set forth therein the contractor performing the work shall be the Permittee.
- 1.10.1.3 The work of installing range boxes, surveying monuments, adjusting manhole rings and service boxes, or any similar work undertaken solely for the convenience of and at the order of Custer County shall require a permit; however, the permit shall be issued on a "NO FEE" basis. The Permittee will still be required to perform his work in complete compliance with all Custer County standards and requirements.
- 1.10.1.4 Permits shall apply to emergency repairs; however, a delay of 48 hours is granted, excluding weekends and holidays, following the beginning of such repair before the permit for the same shall become a penalty.
- 1.10.1.5 Any permit issued shall pertain only to excavating or construction within the county right-of-way not the grant of an easement nor a permit to enter any private property adjacent to such right-of-way or easement or to alter within the right-of-way and which may have been installed and are owned by others.
- 1.10.1.6 No permit shall be issued to any person or corporation except as set forth in paragraph 1.10.4.
- 1.10.1.7 Permits when issued, shall be valid for a period of one hundred eighty (180) calendar days and may be renewed for one (1) additional ninety (90) calendar day period, providing the renewal is obtained (renewal may be obtained by telephone) prior to the expiration date of the permit. Failure to obtain a renewal as stated herein will require the obtaining of a new permit and payment of all applicable fees.

1.10.1.8 Any permit determined to be without an adequate bond as required in paragraph 1.10.1 shall be subject to immediate revocation by Custer County.

1.10.1.9 Failure of the applicant to comply with any of the terms and conditions of the permit shall be sufficient cause for cancellation of the permit and may be cause for the refusal of future permits. The obligations of the Permittee shall be binding upon the successors and subcontractors of the Permittee.

1.10.1.10 The Inspector is authorized to inspect all work performed under the permit, including, but not limited to clearing and grubbing, compaction of subgrade, placement of subbase, base and asphalt, forms, concrete work, structures and materials to be used. The Inspector is present on the site to advise contractors on these standards. The Inspector has authority to reject defective materials.

1.10.1.11 No permits will be issued for roadway cuts on newly paved or overlaid roads for a period of two (2) years. Emergency cuts will be permitted in accordance with paragraph 1.10.1.4.

1.10.2 FEES

1.10.2.1 Fees shall be assessed for permits and inspections at the time of issuance of the permit in accordance with the following schedule: See appendix (A)

1.10.2.2 Exploratory test holes made to determine location of existing utilities and/or geotechnical information shall be charged the fee as set forth in the schedule. The permit fee will be based on each test hole.

1.10.2.3 The Permittee shall be required to pay additional charges for work requiring a Custer County Inspector to work hours other than normal County hours (Monday thru Friday, 8:00 AM to 5:00 PM) at an hourly rate of \$50.00 (fifty) dollars.

1.10.2.4 Any person or corporation commencing any work without prior valid written authorization shall be required to pay a post application/permit fee except for emergency work as set forth in paragraph 1.10.1.4. The post application/permit fee shall be construed as follows:

1 st occurrence within any calendar year -	\$1000.00 fee
2 nd occurrence within any calendar year -	\$5000.00 fee
3 rd occurrence within any calendar year -	\$10,000.00 fee

1.10.3 REFUNDS OF FEES

1.10.3.1 The permit fee itself is not subject to refund, however, at the discretion of the County Inspector, the Permittee in those instances where the proposed work is not accomplished through no fault of the Permittee, may be credited to future permits.

1.10.4

1.10.4.1 A no-cancelable permit bond in the amount associated to the following schedule, payable to the County of Custer, shall be required in the name of the Permittee prior to issuance of any permit. Said bond shall assure that the Permittee will comply with all County standards and specifications and shall assure recovery by the county of any expenses incurred, within a period of two years following the expiration date of the permit, to the amount of said bond, due to failure of the Permittee to comply with the provisions of this resolution, or to otherwise cause expense to the County as a result of work performed. Where new subdivision roads are proposed, Permittee shall also be required to comply with the County's subdivision improvement agreement requirement.

Construction cost less than \$10,000.00	Bond - \$10,000.00
Construction cost greater than \$10,000.00	Bond - Value of project
Bonding for other than road construction:	
Construction cost greater than \$10,000.00	Bond - Value of project

1.10.4.2 Upon request to and acceptance of Custer County Road and Bridge Municipalities, quasi-municipal agencies, mutual companies, electric, communications and utilities may provide a Letter of Responsibility in lieu of posting the required bond. Subject Letter of Responsibility shall be in the following format:

Custer County Road and Bridge reserves the right to require a bond when a letter of responsibility is not adequate to protect the interest of Custer County.

See appendix (B)

1.10.5 Warranty

1.10.5.1 The Permittee, by acceptance of the permit, expressly guaranties to complete performance of the work acceptable to Custer County and guaranties all work done by him for a period of two years after the date of acceptance and agrees upon demand to maintain and make all necessary repairs during the two year period.

1.10.5.2 Two warranty inspections shall take place. First, the Permittee shall notify the project Inspector within twenty-four hours following the completion of the project and acceptance shall be made if all the work meets Custer County standards. Second, approximately thirty days prior to the expiration of the "Two" year warranty, the county shall perform an inspection of the completed work. If the work is still satisfactory, the Permittee shall be released from his obligation.

All necessary repairs must be completed within 30 days, or the Permittee's bond will be subject to seizure by the County to pay for necessary repairs.

At any time prior to completion of the two year warranty period, the County may notify the Permittee of any needed repairs and must complete the repairs within 24 hours if it is determined by the County to be an immediate danger. Non emergency repairs shall be completed within 5 working days.

1.10.6 Time of completion

1.10.6.1 All work covered by the permit shall be completed within 180 days if it's date of issue. A Permittee may request a 90 day extension by contacting the Inspector before the completion of said permit. In the case of long term projects, further extensions may be granted on a project by project basis.

1.10.7 Road Closures

1.10.7.1 There shall be no "Road Closures" of Custer County roads without the prior written consent of the Inspector. All such requests for closure must be received five days prior to beginning the project and shall be accompanied by a detailed traffic control plan which meets the requirements set forth in the latest "Manual for Uniform Traffic Control".

In the event of an "emergency", a road may be closed only long enough to complete the repair in agreement with all Custer County road repair requirements. The Permittee shall be required to meet all traffic control standards set forth in the latest "Manual for Uniform Traffic Control Devices", regardless of the time of day or night. The Inspector shall be notified within twelve hours of the emergency.

The Permittee shall notify all appropriate agencies (i.e., Sheriff, Fire Department or Schools) before any road is closed.

1.10.8 Construction Specifications

1.10.8.1 The Permittee agrees to adhere to all construction specifications set forth in the latest edition of State of Colorado "Standard Specifications for Road and Bridge Construction Manual" and applicable County road specifications.

1.10.8.2 Equipment outriggers shall be fitted with rubber pads whenever outriggers are placed on any roadway surface. Tracked equipment with grousers are not permitted on any concrete or asphalt surface. The Permittee shall be responsible for any damaged caused to existing concrete or asphalt by the operation of such equipment and upon order of the Inspector shall replace such surfaces. Failure to do so will result in the Permittee's bond being seized to cover the cost of repairs.

1.10.8.3 All cuts on asphalt paved streets are to be prescored the entire thickness. The use of rotomillers, saws and jackhammers is an acceptable method of scoring, as long as the cut is continuous, straight and clean. Other mechanical impact cutters (i.e., hydrohammer cutting blades) are not acceptable.

- 1.10.8.4 The Permittee shall not disturb any surface monument, benchmarks, survey marks or points found on the line of work. Any points disturbed will be replaced at the Permittee's expense.
- 1.10.8.5 All material excavated from trenches and piled adjacent to the trench or in any street right-of-way shall be piled and maintained in such a manner as not to endanger pedestrians or the traveling public and so that as little inconvenience as possible is caused to those using streets and adjacent properties. If excavated material is to be stored within the roadway prism overnight, the area involved must be barricaded in complete compliance with the "Manual of Uniform Traffic Control Devices" and the Inspector must be notified by the Permittee prior to 3:00p.m. that day.
- 1.10.8.6 It shall be the responsibility of the Permittee to protect all asphalt, concrete, water and vegetation from contamination from all hazardous materials. This shall include but not be limited to, salts, kerosine, benzine, gasoline, diesel fuel, lubrication oil and form oil.
- 1.10.8.7 All Permittees shall conduct work in such a manner as to avoid unnecessary inconvenience and annoyance to the general public. In the performance of the work, the Permittee shall take appropriate measures to reduce dust, noise and unnecessary debris. No work shall be done between the hours of 8:00 p.m. and 7: a.m., nor at any time on Saturday or Sunday, except with prior approval from the Inspector, or in the case of an emergency.
- 1.10.8.8 The Permittee is responsible to have a qualified Soils Engineer firm test the compactive effort of the work in accordance with Colorado "Standard Specification for Road and Bridge Construction". The field test results shall be left on site with the Permittee or his representative and a final copy (both passing and failing) is to be sent to the Inspector at Custer County Road and Bridge. The project will not be placed under warranty until the test results have been received and approved by the Inspector.

All unsuitable material shall be removed from the site and suitable material imported. The Permittee shall inform the Inspector of this and submit written documentation of the suitability of the import material.

Water settlement of trenches shall be permitted. Custer County highly encourages the use of approved "flowable backfill" mix. Compaction and density/moisture testing will not be required when this material is used. The Permittee shall wait for all water bleed to disappear before placement of asphalt or road base.

Should the Permittee elect to use "flowable backfill" mix for the entire extent of the fill area, the asphalt patch section may be reduced from 12" minimum to the great of 6" or matching existing, at the discretion of the Inspector.

See appendix C for typical Pavement Replacement and Trench Backfill Details.

All other methods of backfill and compaction to the prescribed density and moisture will require the permission of the Inspector.

- 1.10.8.9 No trench shall be left open over night, except the portion necessary to continue construction the following day. If a portion of the road or shoulder is to remain open, the Inspector must be notified before 3:00 p.m.. Traffic control overnight must be in full compliance with the "Manual of Uniform Traffic Control Devices".

It shall be the responsibility of the Permittee to have temporary patch in place before the site is vacate. Road base is not a suitable temporary patch material. All temporary patches must be replaced with final patch material within 48 hours.

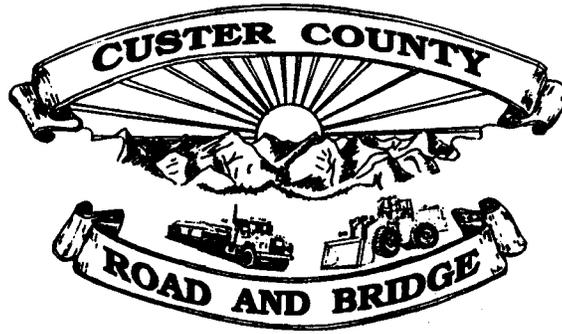
The maximum length of open trench permissible at any time shall not exceed 500 lineal feet, for pavement removal, excavation, construction, backfilling, patching and all other construction activities without the permission of the written inspector.

All unsuitable and/or undermined asphalt or concrete shall be removed and replaced by the Permittee.

Patching shall conform with current Custer County specifications and shall conform to the line and grade of the original surface. In areas of concern, the Permittee is encouraged to video document the construction area prior to work.

- 1.10.8.11 Where the original surface was crushed rock or gravel for the wearing surface and/or foundation material, class 6 aggregate base course from an approved site shall be used as replacement material. It shall be placed to a compacted thickness of 6" or existing, whichever is greater.
- 1.10.12 Road cuts will not be performed between October 15th and March 31st, unless pre-approved by the District Foreman. Due to problems associated with the potentially frozen backfill and inadequate temperatures to perform the work, street cuts shall be performed only under conditions which provide adequate time for permanent patching to be completed.

CUSTER COUNTY ROAD AND BRIDGE
 213 N. 4TH STREET
 P.O. BOX 1669
 WESTCLIFFE, COLORADO 81252
 OFF: 719-783-2281
 FAX: 719-783-0391



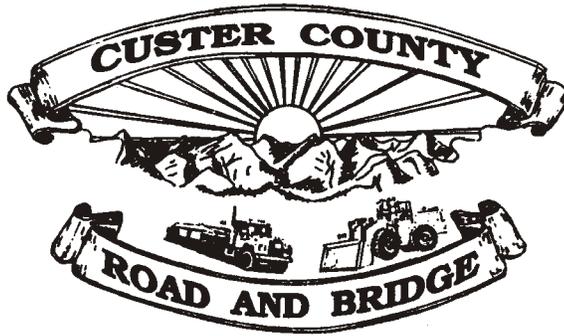
Appendix (A)

Permit Fee Schedule

<u>Category</u>	<u>Permit Item</u>	<u>Fee</u>	<u>Unit</u>	<u>Minimum</u>
Utilities	Service cuts	\$100.00	Each	\$100.00
	Mains	\$100.00 first 200'	then \$.30 per foot thereafter *	
	Test holes	\$ 50.00	Each	\$ 50.00
Drainage	Bridges	\$400.00	Each	\$400.00
	Culvert	\$.20	Foot *	\$ 50.00
	Culvert Box	\$400.00	Each	\$400.00
Roads	Subgrade Prep	\$.30	Foot *	\$ 50.00
	Aggregate Base	\$.05	Foot *	\$ 50.00
	Paving	\$.20	Foot *	\$ 50.00
	Driveways	\$ 75.00	Each	\$ 75.00

* All unit charges that refer to "foot" indicate lineal feet

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Appendix (B)

LETTER OF RESPONSIBILITY

THIS IS TO CERTIFY THAT _____

Does agree that, in lieu of posting the required performance bonds, the following practices will be adhered to:

1. That no road cuts in any Custer County road, street, highway or other right-of way, for any purpose, will be made without having secured the proper road cut permit.
2. That any road cut made by the above will be backfilled and jumpingjack compacted in accordance with the current requirements of Custer County and the surface restored to a condition equal to or better than that condition which existed prior to the making of the cut.
3. In the event repairs are not made or maintained to the satisfaction of the Custer County Road and Bridge Department; the County at the expense of the above named organization may make necessary repairs.
4. In the event the Permittee fails at any time to comply with the requirements under this Letter of Responsibility, Custer County reserves the right to require of the Permittee a non-cancelable permit bond pursuant to section 1.10.4 of the 1999 Custer County Regulatory Policies for Street Road Cut Permits and Required Bonds.
5. This Letter of Responsibility will be effective for the duration of the specified dates below:

FROM _____ TO _____

Subscribed to on this _____ day of _____, 20__

By: _____

Signature of Authorized Agent

County of _____ }
State of _____ Colorado _____ }

The foregoing instrument was acknowledged before me on this _____ day of _____, 20__

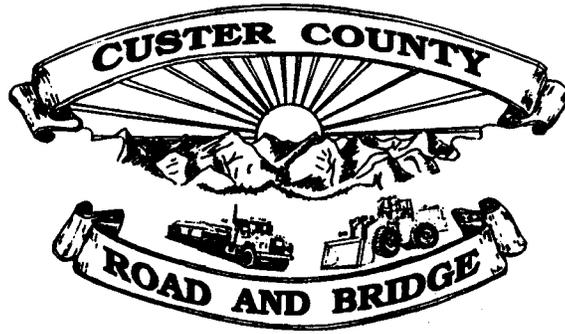
Witness my hand and official seal

Notify Signature

(SEAL)

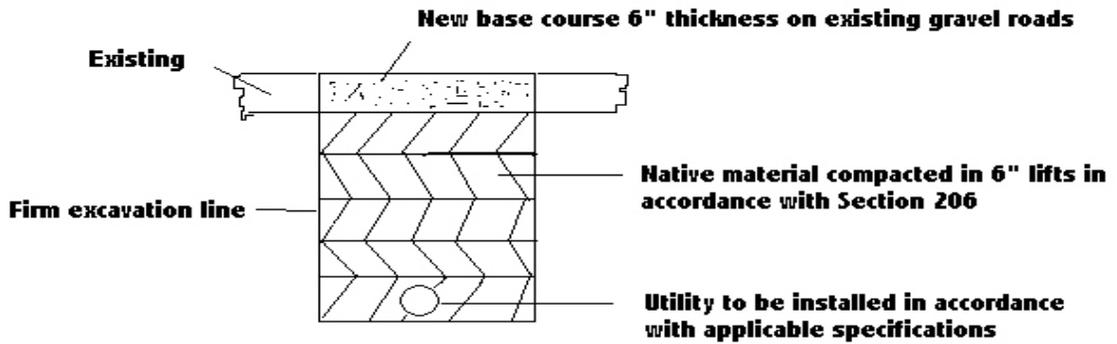
My commission expires: _____

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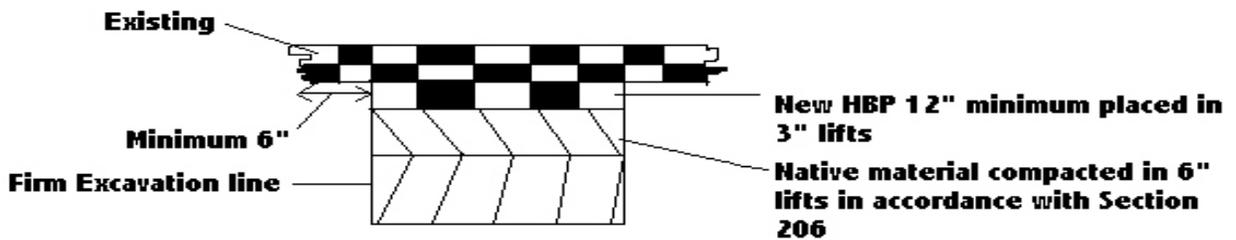


Appendix (C)

GRAVEL ROAD TRENCHES



ASPHALT PAVED ROAD TRENCHES



NOTES

1. Existing pavement may be rough cut initially in conjunction with trenching.
2. A square vertical cut shall be made in the existing AC pavement after placement of backfill and prior to pavement replacement.
3. Minimum HBP will be 12" thick except where flowable fill is used.
4. Minimum HBP will be 6" thick or the thickness of the existing pavement, whichever is greater when flowable fill is used.