

APPENDIX A -WORK WITHIN THE PUBLIC RIGHT-OF-WAY

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- a) All work within the public right-of-way requires a permit to be approved by the Public Works Director or his/her designee.
- b) A preconstruction meeting may be required prior to the commencement of construction activities. Any approval is contingent on conditions set forth by the City of Fairfield to the contractor during said preconstruction meeting.
- c) The applicant of a right of way permit from the City of Fairfield expressly agrees to do all work subject to approval of the City Engineer/Public Works Department, in accordance with City Standards and in accordance with conditions and regulations herein. Applicant is required to comply with all maintenance of traffic requirements outlined in the Ohio Manual of Uniform Traffic Control Devices as well as any applicable Ohio Department of Transportation standards.
- d) Plans must be filed with the City Engineer showing existing and proposed locations (dimensions) and elevations of ALL drainage structures, pipes, and ditches; utility mains, lines, structures, valves, and appurtenances; pavement and curb and gutter in the vicinity of and affecting issuance of this permit. Applicant shall strictly adhere to plans as submitted; any unapproved deviation from the approved drawings or standards will be sufficient cause to have work stopped or reconstructed at the expense of the permit applicant.
- e) An inspection of any water, sewer, roadway pavement, driveway apron, or sidewalk work is required. The applicant is to call the Public Works Department at (513) 867-4200, 24 hours (not including weekends or holidays) in advance to schedule required inspection(s).
- f) A copy of the permit is required on the job site at all times.
- g) All excavations remaining open after sundown must be plated and/or appropriately barricaded for the safety of the public. All extra or surplus material and earth must be removed from the right of way within 24 hours after completion of work.
- h) Traffic must be maintained at all times and under all conditions set forth by the Public Works Department unless otherwise approved by the City Engineer. Any pavement removed will be temporarily restored immediately, in accordance with City standards for paving repair, and permanently repaved within 10 days by the person, or persons making the opening. All repairs are subject to approval of the City Engineer.
- i) In case of emergency where a previously unapproved road opening must be made, due discretion must be exercised. Application for an open road cut permit must be obtained at the earliest possible time after such opening is made.
- j) Upon completion of work, As-built drawings must be filed with the City Engineer showing whatever changes were made from original plan.

- k) The applicant shall be responsible for any failure(s) of workmanship and/or materials for a period of 1 year from the date of completion of all work performed under this permit. Any violation of any of these prescribed conditions will be deemed sufficient cause to refuse further permits to the applicant, and all necessary repairs resulting from said violation(s) will be made by the City. The costs of the repairs will be charged to the permit applicant, and all further applications for permits will be refused until payment of these charges is received.

Horizontal Directional Drilling (HDD) Information:

The following regulations were designed to provide safeguards and standard practices to be utilized when performing horizontal directional drilling work within the City of Fairfield. These regulations are minimum requirements and are intended to supplement other local, state, or federal laws. These regulations shall also be applied to other methods of underground construction including boring, jacking, pushing, and tunneling.

1. PREPLANNING

- a) Development of Drill Plan

The applicant/contractor shall develop a drill plan in sufficient detail (50 scale minimum) to identify the limits of work, roadways, topography, all existing underground utilities, and entry and exit points in plan and profile. Field investigation, including survey work and records research shall be performed, by the plan preparer, during plan preparation.

- b) Investigation of Existing Utilities

As-built plans of existing utilities shall be reviewed for potential conflict. All underground utilities within the limits of the drill path shall be included on the drill plan and profile in sufficient detail to determine the drill depth and bend radii needed to avoid damage by the drilling operations. The applicant/contractor shall expose existing utilities, as necessary, to confirm conflict avoidance.

- c) Permit Approval

- 1) The applicant/contractor shall not proceed with drilling operations in any portion of work until they have a City approved right-of-way permit (and, if applicable, an approved road cut permit). Where a combination of traditional trenching work and boring work is proposed, the applicant shall clearly delineate on the plans the construction method proposed for each portion of the work. The applicant/contractor shall submit drilling procedures to the City Engineer with each permit application, outlining the processes necessary to identify and mitigate potential problems. These problems include, but are not limited to:

- i. Directional boring into another utility
- ii. Directional boring that strays off line or off grade
- iii. Heaved pavement caused by the directional boring operation

2. PRECONSTRUCTION

a) Notification of Ohio Utilities Protection Service

The applicant/contractor shall contact the Ohio Utilities Protection Service in accordance with State Law for a location-marking request. Where extensive utility marking is requested, the applicant/contractor shall submit a copy of the proposed plans with the marking request. An on-site meeting with the applicant/contractor and the O.U.P.S. Utility Coordinator may be scheduled to expedite the process. The applicant/contractor shall not request locates for more of the project than can be constructed in a 48-hour period.

b) Marking of Proposed Drill Path

- 1) Regardless of the extent of the directional boring, the applicant/contractor shall mark with white paint, flags, stakes or a combination of these to indicate the intended drill path prior to the utility locator's arrival to the site.
- 2) After the intended drill path has been marked and prior to the arrival of the utility locator, the applicant/contractor shall confirm that the intended drill path is the same as that represented in the approved plan. Any changes to the proposed drill path from that shown on the approved plan will require an amended permit. Approval is required from the City prior to implementing any alignment or grade change.

c) Locate Verification

If there are known facilities in the proposed drill path, the applicant/contractor shall conduct a pre-construction meeting with the utility owner(s), at the site, prior to commencement of work. The applicant/contractor shall check for visible signs of utilities that may have been missed by the locators. If any obvious utilities are not located, or if there are problems with OUPS markings, the applicant/contractor shall contact the responsible agency prior to start of work.

3. DURING CONSTRUCTION

a) Site Walkover and Calibration of Equipment

- 1) Prior to construction, the applicant/contractor shall walk the limits of the proposed

work with the City Engineer or designee – if required by the City – to evaluate potential construction conflicts. Conflicts identified during the walkover shall be resolved to the satisfaction of the City.

- 2) The applicant/contractor shall calibrate the transmitter and receiver of the bore head according to manufacturer's instructions prior to, and during, construction.

b) Expose Existing Utilities

- 1) Identify all utility lines in the area where the directional drilling will occur. When the drill path crosses an existing utility the applicant/contractor shall expose the utility by vacuum excavation or hand digging to verify the location and depth of the facility. Where applicable, the applicant/contractor shall leave open a window to the exposed facility so the bore head and back-reamer can be visually monitored.
 - i. Applicant/contractor is to be aware that the City **does not locate** any private water and sanitary sewer mains that are located on private property outside of the right of way.
 - ii. Applicant/contractor is to be aware that the City **does not locate** any sanitary sewer laterals in the right of way.
 - iii. Applicant/contractor is to be aware that the other jurisdictions besides Fairfield have buried public utilities within the City of Fairfield corporation limits, both within and outside of the right of way.

c) Minimum Clearances

- 1) When clearance from a utility is required to be maintained, the required clearance shall include both horizontal and vertical clearances from the nearest edge of the existing facility to the closest edge of the largest diameter back reamer to be used along the drill path.
 - i. Sewers, Waterlines, etc. – 5 feet Horizontally and 18 Inches Vertically
 - ii. Traffic Facilities and Electric/Gas Facilities, etc. – 5 Feet Horizontally and 18 Inches Vertically
 - iii. Additional Horizontal and Vertical clearances may be required for conduit sizes greater than 6 inches
- 2) When the drill path is parallel to and within 5 feet of an existing sewer, waterline, or electric duct bank, special approval from the City's Public Works Director or Public Utilities Director will be required. If this type of parallel installation is approved, the applicant/contractor shall expose by vacuum excavation or hand digging at reasonable intervals to confirm clearance to the adjacent utility, but not less than every 200 feet.

d) Monitor Drilling Operations

The applicant/contractor shall monitor, at 10-foot intervals, the horizontal and vertical location of the drill head and back-reamer to confirm its conformance with the approved drill plan. The applicant/contractor shall not deviate from the approved drill plan. If the bore cannot be completed as per the approved drill plan the applicant/contractor shall stop operations until such time that the City can approve the new alignment.

e) Protection of Locate Markings

The applicant/contractor shall maintain, and protect the locate marks until they are no longer required for proper and safe execution of the drill plan.

f) Drilling Fluid Control

The applicant/contractor shall control the use of drilling fluids to prevent damage to adjacent utilities and pavement in accordance with the Horizontal Directional Drilling Good Practices Guidelines published by the HDD Consortium, current edition.

g) Emergency Contacts

The applicant/contractor shall provide an emergency contact list to the City prior to construction for all known utilities anticipated to be crossed during the drilling operations.

h) Damage to Underground Facilities

- 1) If an underground object is struck, the applicant/contractor shall stop the drilling process, pothole or otherwise expose to ascertain the situation before pulling back the bore head. In the event the drilling damages an existing facility the applicant/contractor shall immediately notify the City at (513) 867-4200. The applicant/contractor shall complete and submit to the City a written report explaining the events that led to the damaged facility within 24 hours of the damage. Repairs to the damaged City or other existing facility will be in accordance with Ohio Utilities Protection law and standard construction practices. Repair work shall be proposed to and approved by the City prior to performing repair work.
- 2) If the applicant/contractor is unable or unwilling to repair the damaged utility to the satisfaction of the owner, he/she shall be held liable for the damages caused to the City's infrastructure and the existing facilities of other utility companies.

4. POST-CONSTRUCTION

The applicant/contractor shall be responsible for televising sewer lines for a damage analysis if so requested by the City. This may include both public sewer main inspection and private sewer lateral inspections.

Insurance Requirements for Work Within the Public Right-of-Way

Whenever work is performed in the right-of-way or on City-owned property, the contractor shall have insurance that conforms to the following:

- a) *Insurance, Worker's Compensation* - The Contractor shall take out and maintain during the life of the contract, Worker's Compensation Insurance, as required by statute, for all of his employees employed at the site of the project, and in case any work is sublet, for all the subcontractor's employees not otherwise insured. In case any class of an employee, who is engaged in hazardous work at the site of the project, is not protected under the Worker's Compensation Statute, the Contractor shall provide adequate coverage for the protection of the employees not otherwise protected.
- b) *Insurance, Public Liability* - The Contractor shall take out and maintain during the life of the contract, such Public Liability (Bodily Injury and Property Damage) Insurance as shall protect him and any subcontractor performing work at the site from claims for damages because of bodily injury, including accidental death and from claims for property damages which may arise from operations under the contract, whether such operations be by him or by any subcontractor, or by anyone directly or indirectly employed by either of them. Liability coverage is to be written on a comprehensive general liability policy and must include: premises-operations, manufacturers and contractors, owners, landlords and tenants; contractors protective; products-completed operations; contractual liability. General liability shall also include underground property damage by mechanical equipment. When blasting is done, coverage must be provided for the explosion hazard.
- c) *Railroad Insurance* - Where work on railroad right-of way is involved, the Contractor shall also be covered by Railroad Property Liability Insurance with limits of liability as required by the railroad company on whose property the work is being performed. All comprehensive-automobile-general liability insurance policies shall include, as named insured, the Contractor, the Owner/Developer, and the City of Lebanon, Ohio.
- d) *Minimum Insurance Limits* - The minimum amounts of insurance to be furnished by and for the general contractor and the subcontractors under this contract are:
 - 1) Worker's Compensation, OH Statutes Employers Liability: \$100,000 limit of liability
 - 2) Comprehensive General Liability:
 - i. Contracts less than \$1,000,000.00: \$2,000,000.00 minimum coverage
 - ii. Contracts in excess of \$1,000,000.00: \$5,000,000.00 minimum coverage
 - 3) Comprehensive Automobile Liability: \$1,000,000.00 combined single limit per occurrence

- e) *Railroad Protection Insurance* - (where work is to be executed within the railroad right-of-way) Loss of Life or Injury to Person - As required by Railroad Property Damage - As required by Railroad