Title: Administrative Policy Right-of-Way Use and Construction Permits and License Agreements	**Policy No.** Part 8, Street and Roads Chapter 3, Permits Section 1
	Effective Date May 1, 2012
Policy Custodian Transportation and Engineering Division	**Adoption/Revision Date** May 1, 2012

Adopting Resolution(s): CC12-176

References (Statutes /Resos/Policies): CC76-238, CC89-36, CC97-205, CC01-536, CC06-186, CC06-549, CC09-271

Purpose: To issue permits to allow construction in right-of-way and to establish the authority and responsibility for the inspection and acceptance of improvements to the right-of-way.

Policy: Right-of-Way Use and Construction Permit

A. Permits

1. All work performed in a public right-of-way shall require the issuance of Right-of-Way Use and Construction Permit.

2. Permits shall be obtained no less than 48 hours prior to construction from the Jefferson County Transportation and Engineering Division at 100 Jefferson County Parkway, Suite 3500, Golden, CO 80419-3500, (303) 271-8495

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 Jefferson County shall require a permit; however the permit shall be issued on a "NO FEE" basis. The permit holder (Permittee) will still be required to perform the work in complete compliance with all Jefferson County standards and requirements.

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 permit".

5. Any permit issued shall pertain only to excavating or constructing within the County right-of-way and is in no way a permit to enter any private property adjacent to such right-of-way or easement or to alter or disturb any facilities or installations existing within the right-of-way and which may have been installed and are owned by others. The exception to this shall pertain only to those activities associated with control and monitoring of sediment and erosion, and all applicable items that are to occur beyond the County right-of-way, in order to assure compliance with performance standards required by the permits issued under the Jefferson County Zoning Resolution.

6. New driveways to be constructed without curb and gutter that connect to a County maintained road require an additional Access Permit, obtainable from the Jefferson County Planning and Zoning Division.

7. No permit shall be issued to any person or corporation except as set forth in the Bonds Section of this policy.

8. Permits, when issued, shall be valid for a period of ninety (90) 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 or fax) 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.

9. Any permit determined to be without an adequate bond as required in the Bond Section of this policy, shall be subject to immediate revocation by Jefferson County.

10. Failure of the Permittee 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 permit, the privileges granted by the permit, and the obligations of the Permittee shall be binding upon the successors and subcontractors of the Permittee.

11. The Jefferson County Inspector (Inspector) is authorized to inspect all work performed under the permit, including, but not limited to clearing and grubbing, compaction of subgrade, base and asphalt, forms, concrete work, structures, and materials to be used. The Inspector has authority to reject defective materials and workmanship.

12. The Permittee shall submit plans accompanied by an Engineer's Estimate to the County Transportation and Engineering Division for approval for all projects, including utility construction / reconstruction, in excess of $10,000 in value. These plans are to be submitted prior to the pre-construction meeting and shall adhere to all County standards and policies.

13. The Permittee agrees to adhere to all construction specifications set forth in the latest editions of the Jefferson County Land Development Regulation, the Jefferson County Roadway Design and Construction Manual and the Colorado Department of Transportation (CDOT) Standard Specifications for Road and Bridge Construction manuals.

14. Surveyors shall be responsible for obtaining a permit when setting new monumentation within County right-of-way or when replacing existing monumentation. Permits are not required for accessing existing monumentation, however, the Surveyor is responsible for repair of damages to the roadway.

B. License Agreements

1. The Board of County Commissioners may grant a license agreement for property owners, home owner associations, or other non-county entities to construct a permanent structure or to make modifications to county right-of-way.

2. Construction of any permanent structure(s) in county right-of-way is not permitted without an approved license agreement.

3. The Licensee shall agree to remove the improvements at the request of the County and all other terms as approved by the Board of County Commissioners. The License shall not be transferable.

4. Appropriate permits are required in addition to the License Agreement.

5. A non-cancelable permit bond is required as set forth in the Bonds Section of this policy.

C. Fees

1. Fees shall be assessed for permits and inspections at the time of issuance of the permit in accordance with the Right-of-Way Use and Construction Permit Fee Table. A written request to waive an application fee may be submitted to the Director of Transportation and Engineering or the Director of Development and Transportation. Waiver requests

may be approved at the discretion of either Director prior to acceptance of the application.

2. Exploratory test holes made to determine location of existing utilities and/or materials information (i.e. geotechnical investigations, asphalt and concrete cores), shall be charged the fee as set forth in the schedule. The permit fee will be based on each test hole.

3. The Permittee shall be required to pay additional charges for work requiring a Jefferson County Inspector to work hours other than normal County hours (Monday through Friday; 7:30a.m. to 5:30p.m., except County recognized holidays), at an hourly rate of thirty five dollars ($35.00).

4. Any person or corporation commencing any work without prior valid written authorization, shall be required to pay a fee of double the amount of the permit (penalty permit), plus the original permit fee, except for emergency work as set forth above.

5. Refunds of Fees. The permit fee itself is not subject to refund, however at the discretion of the Inspector, the Permittee, in those instances where the proposed work is not accomplished through no fault of the Permittee, may receive credit toward future permits.

D. Bonds

1. A non-cancelable permit bond in the amount associated to the following schedule, payable to the County of Jefferson, as a sole obligee, 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.

Construction cost less than $10,000	Bond for $10,000
Construction cost greater than $10,000	Bond for Value of Project for each permit

2. Projects greater than $10,000 will require a permit bond for each project for the value of the work performed within the County's right-of-way. The Permittee shall provide the County documentation of the project cost at the time of application for the permit, for evaluation and approval. The bond shall be from a company licensed to do business in Colorado and shall be in a form acceptable to the County Attorney's Office.

3. Municipalities, quasi-municipal agencies, mutual companies, metropolitan districts, electric, gas, and communications utilities, may provide a Letter of Responsibility in lieu of posting the required bond. The Letter of Responsibility must be submitted to the Transportation and Engineering Division for approval. The Letter of Responsibility must be updated each calendar year. The signer of the Letter of Responsibility, or his/her designated representative, must also sign the permit application. Contractors and/or subcontractors performing work for the signer will not be allowed to sign the permit application and shall provide a separate bond for the work.

E. Warranty

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

2. Two warranty inspections shall take place. First, at the completion of the project, acceptance shall be made if all work meets Jefferson County standards. Second, approximately 30 days prior to the expiration of the two-year warranty, the County Inspector shall perform an inspection of the completed work. If the work is still satisfactory, the Permittee shall be released from further obligation and the bond returned.

3. All necessary repairs must be completed within 30 days of inspection, or the Permittee's bond will be subject to seizure by the County to pay for necessary repairs. At the County Inspector's discretion, additional time may be allowed to complete necessary repairs.

4. At any time prior to completion of the two-year warranty period, the County may notify the Permittee of any needed repairs. Such repairs must be completed within 24 hours if it is determined by the County to be an immediate danger. Non-emergency repairs shall be completed within 30 calendar days.

F. Time of Completion

All work covered by the permit shall be completed within 90 calendar days of its date of issue. A Permittee may request one 90 calendar day extension at no additional cost by contacting the Inspector before the completion date of said permit. In the case of long term projects, further extensions may be granted on a project by project basis.

G. Traffic Control Plans and Road Closures

1. The Permittee shall submit a traffic control plan which meets the requirements set forth in the most current "Manual for Uniform Traffic Control Devices" (MUTCD), as well as a site drawing of the specific work to be performed.

2. There shall be no "Road Closures" of Jefferson County roads without the prior written consent of the Inspector. All such requests for closures must be received five (5) days prior to beginning the project and shall be accompanied by a detailed traffic control plan which meets all MUTCD requirements.

3. In the event of an "emergency," a road may be closed only long enough to complete the repair in compliance with all Jefferson County road repair requirements. The Permittee shall be required to meet all traffic control standards set forth in MUTCD regardless of the time of day or night. The Inspector shall be notified within 24 hours of the emergency.

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

H. Construction Specifications

1. General Information
   a. 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. Use of any equipment on or over concrete curb, gutter or sidewalk is specifically prohibited without a minimum of 12 inches of native material on that surface to prevent breakage. The Permittee shall be responsible for any damage 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.

b. The Permittee shall not disturb any surface monuments, benchmarks, survey markers, or points found on the line of work. Any points disturbed, will be replaced at the Permittee's expense.

c. It shall be the responsibility of the Permittee to protect all asphalt, concrete, stormwater systems, surface water, groundwater and vegetation from contamination from all hazardous materials. This shall include, but not be limited to, salts, kerosene, benzene, gasoline, diesel fuel, lubricating oil, and form oil. Should a release of hazardous materials occur, the Permittee shall take immediate action to contain, stabilize and dispose of the contaminant and all impacted materials at his/her expense. Failure by the Permittee to do so will result in a report to Jefferson County Risk Management and repairs to the affected areas at the Permittee's expense.

d. The Permittee 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 8:00p.m. and 7:00a.m., nor at any time on Sunday, except with prior approval from the Inspector, or in the case of an emergency.

2. Roadway Cuts

a. All cuts on asphaltic paved streets are to be prescored for 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 such that it is parallel and perpendicular to the flow of traffic. Other mechanical impact cutters (i.e. hydrohammer cutting blades) are not acceptable.

b. Asphalt and concrete pavements shall be removed by saw cutting or grinding. The Permittee shall avoid breaking away the edges of the existing pavement or damaging the remaining pavement with heavy construction equipment.

c. When drilling exploratory test holes required to investigate existing geotechnical and subgrade conditions, as well as utility locations (gas, electric, phone, sewer, water, etc), the Permittee shall exercise care in the test hole drilling, particularly in the first foot below the pavement section. The Permittee shall provide permanent patching of the test hole upon the direction of the Inspector.

d. Street cuts performed between November 1st and March 31st shall be limited in quantity and extent. Due to problems associated with 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. With the exception of emergency repairs, the Permittee shall provide the County with a detailed plan of how the project is to be completed under "cold weather" conditions and still meet all County and CDOT standards.

3. Trenching and Material Storage

a. No trench shall be left open overnight, except for 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 3:00p.m. Traffic control overnight must be in full compliance with the MUTCD.

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

c. The open trench shall not endanger pedestrians or the traveling public and shall cause as little inconvenience as possible to those using streets and adjacent properties. The Inspector may require separate, temporary pedestrian access be constructed by the Permittee. If excavated material is to be stored within the roadway prism overnight, the area involved must be barricaded in complete compliance with the MUTCD.

4. Backfill, Compaction and Material Testing

a. The Permittee is responsible for having a qualified soils engineering firm test the compactive effort of the work in accordance with Jefferson County standards and CDOT Standard Specifications for Road and Bridge Construction. Trench backfill shall be randomly tested for every lift, beginning with the bottom two (2) feet of compacted material, and every one (1) foot compacted lift thereafter, such that a minimum of two (2) tests per lift per segment of 250 linear feet are obtained. The field test results shall be left on site with the Permittee or a representative, and final test results (signed by a registered professional engineer) are to be sent to the Inspector at the Transportation and Engineering Division. These results are to include materials analysis for each soil type encountered on the project, and compaction and moisture results both passing and failing. At the discretion of the Inspector, these tests may be waived for street cuts less then 30 linear feet. The project will not be placed under warranty until the test results have been received and approved by the Inspector.

b. At the discretion of the Inspector, all unsuitable material will be removed from the site and suitable material imported. The Permittee shall provide samples of the proposed import material for Jefferson County approval prior to placement. The Inspector may require laboratory testing prior to approval.

c. Jetting, puddling, flooding or any other means of using water within the trench section to achieve compaction of fill material or consolidation of bedding material, is not permitted for pipes 18 inches diameter or smaller. For pipes greater than 18 inches diameter, the warranty shall be extended to three (3) years and the practice shall not extend above the springline of the pipe. These practices must be approved by the Inspector prior to construction.

d. Jefferson County highly encourages the use of an 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.

e. The Permittee shall use "flowable backfill" mix for any disturbance or removal of treated subgrade (i.e. lime, flyash, cement treated subgrade or similar material). The treated subgrade material shall be replaced to a minimum of 12 inches below existing pavement.

f. Should the Permittee elect not to use "flowable backfill" mix, the existing subgrade material may be retreated if deemed suitable by the Inspector.

g. When the trench width is less than three (3) feet, retreating the subgrade may not be a practical alternative and use of an imported material may be required. The imported material shall meet the following requirements: For soils with an A-6 or A-7-6 AASHTO classification, Plasticity Index (PI) shall range from 6 to 12, and R-Values shall exceed 15.

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

5. Asphalt Patching

   a. Patching shall meet the most current Jefferson County Roadway Design and Construction Manual and CDOT Standard Specifications for Road and Bridge Construction and shall conform to the line and grade of the existing surface. The patching shall be a minimum compacted depth of six (6) inches or match existing depth, whichever is greater. In areas of concern, the Permittee is encouraged to video or photo document the construction area prior to beginning work.

   b. It shall be the responsibility of the Permittee to have a temporary patch in place before the site is vacated. Road base is not a suitable temporary patch material. All temporary patches must be replaced with final patch material within 48 hours, unless provisions are made with the Inspector. Under no condition (weather excluded) may a temporary patch be in place more than 14 calendar days without a permanent patch. The Permittee is responsible for maintaining the temporary patch throughout this time period.

   c. For all roadway trench cuts extending more than 100 linear feet, the Permittee shall be required to rotomill two (2) inches of the roadway surface from the edge of asphalt to the centerline of the road. In cases where the trench extends over the centerline of the road the entire road width shall be milled (as required) and overlaid.

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

   e. The Permittee shall make all reasonable efforts to avoid patching within existing patches. If this cannot be avoided, the Permittee shall make the boundaries of the patches coincide. Patches with angled sides and irregular shapes are not acceptable.

   f. Patches are not allowed on arterial or collector streets, or on any streets constructed or overlaid in the prior two (2) years, where strips of original pavement are less than three (3) feet in width from the edge of the patch to the lip of the gutter, or edge of existing asphalt. The Permittee shall patch a minimum of three (3) feet beyond the edge of the trench to the full depth of the existing asphalt, and shall use infra-red technology to achieve a smooth patch.

   g. Edges of patches shall not fall into existing wheel paths of any type of street.

   h. A tack coat shall be applied to all edges of exisiting asphalt prior to placing new pavement. All seams shall be sealed with an asphalt tack coat.

   i. Series of patches (such as service lines off of main lines) with spacing of less than 75 feet from edge to edge are not acceptable. The Permittee shall grind and overlay between all patches as directed by the Inspector.

   j. The Permittee shall construct all overlays and patches to provide smooth transition to the original pavement, and to avoid interrupted drainage or surface runoff to the edges of gutters. Patches that do not have a smooth longitudinal grade, or cross slope consistent with the existing roadway are not acceptable.

   k. The Inspector may test smoothness of patches and overlays with a 10 foot straight-edge, such that parallel and perpendicular tolerances do not exceed one-quarter inch.

6. Restoration of Non-Paved Roads

   a. Where the original surface was crushed rock, gravel, recycled asphalt, or similar material used for the wearing surface and/or foundation material, the Permittee shall replace with a minimum compacted thickness of six (6) inches, or match existing depth, whichever is greater, with material from source approved by the Inspector.

   b. When excavating a graveled roadway or a recycled asphalt roadway, the Permittee shall replace all contaminated areas with a minimum of six inches of compacted Class 6 road base or recycled asphalt. In areas where the County has applied dust abatement to the roadway, the Permittee shall be responsible to properly re-establish the disturbed area in accordance to County specifications.

7. Manholes, Valves and Concrete

   a. All manholes, water valves or similar appurtenances shall be installed so that:

      (1) The top of the cleated surface is no less then one-quarter inch (¼") and no greater then one-half inch (½") below the paved surface.

      (2) The top of the cleated surface is a minimum of six (6) inches below the finished grade of an unpaved surface.

      (3) There will be a minimum of six (6) inches cover in roadside ditches.

      (4) It is at the same grade as the finished roadway.

   b. Curb cuts, cross pans, sidewalks shall involve the removal of full sections (stones); no half sections will be allowed. All work shall be completed in accordance with the Jefferson County Roadway Design and Construction Manual, and shall be closed to traffic for seven (7) days after placement. The Permittee shall maintain traffic control until the concrete is approved for traffic. The Inspector may require the Permittee to test any concrete work. It shall be the responsibility of the Permittee to protect the concrete from damage as a result of vandalism or other causes. Damaged concrete shall be repaired or replaced at the direction of the Inspector.

   c. There shall be no steel mesh or bars of any type placed in curb cuts, cross pans, or sidewalks unless specified by the Inspector.

8. Other Items

   a. All utility lines within County right-of-way or within County easements, shall be installed a minimum of 24 inches below ground surface, or proposed roadway elevation, whichever is lower. Variations in the underground utility line depth requirement may be granted by the Inspector. The depth of utilities placed in the Designated Dipping Bedrock Area and along arterial roadways may be increased at the discretion of the Inspector.

   b. A minimum ground clearance of 18 feet shall be provided where overhead utility lines cross public roads/streets. The clearance shall be measured at the lowest point where the line crossing the traveled portion of the road/street. No exception to the overhead utility line height will be allowed.

Right of Way Use and Construction Permits Fee Table				
Category	**Permit Item**	**Fee**	**Unit**	**Minimum**
Administrative	Permit Processing	$25.00	Each	$25
	License Agreement Processing	$250.00	Each	$250
	Reinspection (in excess of 5 scheduled site visits or overtime)	$35.00	Hr	$35
	Pavement Design Review	$150	Each	$150
Telecom / CATV	Wireless/Antenna	$100.00	Each	$100
	CATV	$0.30	LF	$75
Utilities	Water ≤ 16”	$0.35	LF	$75
	Water > 16”	$0.45	LF	$75
	Hydrants	$50.00	each	$50
	Sanitary Sewer	$0.45	LF	$75
	Manhole(s)	$50.00	each	$50
	Gas	$0.30	LF	$75
	Electric	$0.30	LF	$75
	Vault(s)	$100.00	each	$100
	Phone	$0.30	LF	$75
	Handhole(s)/Splice Box	$50.00	each	$50
	Peds/Cabinet(s)	$50.00	each	$50
Concrete Structures	Sidewalk - Detached / Bike Path	$0.25	LF	$75
	Curb & Gutter	$0.25	LF	$75
	Combination Sidewalk, Curb & Gutter	$0.30	LF	$75
	Sidewalk Chase	$100.00	Each	$100
	Cross Pan	$60.00	Each	$60
	Curb Cut / Driveway	$100.00	Each	$100
	ADA Ramp	$60.00	Each	$60
	Box Culvert (per tube)	$15.00	LF	$400
Roads / Streets	Street Cuts	$0.15	LF	$75
	Pothole/Bore Pits	$50.00	Each	$50
	Subgrade Preparation	$0.20	SY	$75
	Milling	$0.07	SY	$30
	Paving	$0.15	SY	$75
Storm Drainage	Storm Sewer	$0.30	LF	$75
	Inlet / Valve	$60.00	Each	$60
	Manhole / Vault	$50.00	Each	$50
	Detention Pond	$0.02	SF	$200
	Trickle Channel	$0.20	LF	75
	Culvert	$0.30	LF	$75
Erosion / Grading	Grading	$25.00	Acre	$250
(Inspection)	Rip Rap	$0.10	CY	$75
	Sediment Stop / Silt Fence	$0.20	LF	$75
	Inlet Protection	$5.00	Each	$100
	Straw Bales	$0.05	Each	$75
	Erosion Control Blankets	$0.02	SY	$75
	Erosion Seeding	$10.00	Acre	$75
	Vehicle Tracking Pad	$75.00	Each	$75
	Concrete Washout	$75.00	Each	$75
	Erosion Control - Other	Varies	Varies	$75
Miscellaneous	Varies	Varies	Varies	$50