

825 US 42 NE
LONDON, OHIO 43140
T: 740-852-9404 | F: 740-852-9530

Right-of-Way Permit Requirements

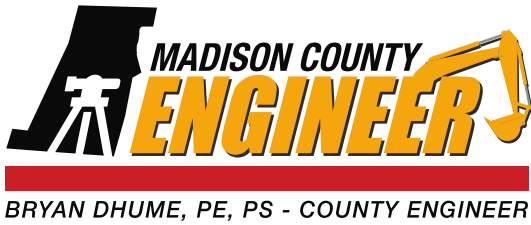
Permits to work, dig, open holes, ditch, bore, or trench in the sidewalk, roadway or right-of way of any improved or unimproved street, road, alley, or public way shall be obtained at least 10 working days in advance of proposed work.

General Requirements

- A complete right-of-way permit is required to be submitted for review and approval for any work in the right-of-way.
 - Complete Application
 - A proposed work schedule shall be provided before construction begins.
 - A contact name(s) and cell number(s) shall be provided for the contractor during business hours and after hours in case the contractor needs to be contacted to correct an issue.
 - Performance Bond
 - Certificate of Insurance
 - Complete Construction Plans Including Maintenance of Traffic Plan
- A separate permit application is required for each road.
- Only below-ground/ flush vaults or hand holes are accepted.
- No above ground pedestals will be permitted with the exception of control equipment.
- The responsibility for any work done under this permit and the responsibility to maintain that area of the road where any work was performed shall remain in force for a period of one year from the date of the completion of said work.
- If at any time, the site is unsafe for the traveling public, construction shall be halted and shall be corrected before any further work is commenced.
- The permit may, at any time, be removed or annulled by the county engineer for non-performance of or non-compliance with any of the conditions, restrictions and regulations, hereof, at which time the bond will be forfeited.

Performance Bond

- A performance bond of a minimum of \$10,000 per mile shall be provided for all work done in the right-of-way (aerial or underground) from a surety company licensed to do business in the State of Ohio, in favor of the Madison County Engineer.
- Bond Amount
 - The minimum amount of the bond shall be \$20,000.00 to cover any work in the right-of-way, excavation in the right of way and/or replacement of up to 650 square feet of pavement.
 - If additional pavement is removed, an additional bond shall be provided at a rate of \$15.00 per square foot. The cut in the pavement plus six (6) feet in length shall be used in determining the square footage for figuring the amount of the bond upward to the nearest \$ 100.00.
 - The bond for work in unpaved areas of the road right-of-way shall be figured at the rate of \$4.00 per square foot.
- A copy of the bond shall be filed with the application.
- Bonds shall remain in force for one (1) year from completion of project or upon release by the Madison County Engineer or their designee.



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Certificate of Insurance

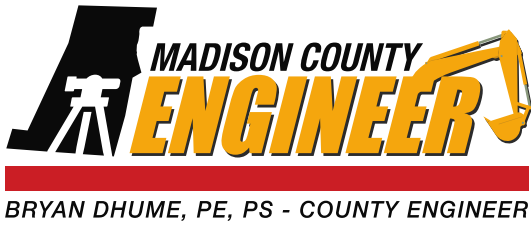
- A *certificate of insurance* insured with limits of no less than one million dollars (\$1,000,000) naming Madison County Engineer shall be provided.
- The undersigned agrees to indemnify and hold harmless Madison County, its elected officials and employees from any and all claims of any type and nature arising out of the performance of any work along, on or across the county's road right-of-way and to defend any action which may be instituted. The undersigned further agree that during the performance of any such work, a policy of liability insurance will be maintained with a company acceptable to Madison County Engineer which designates Madison County Engineer, its elected officials and employees as insured with limits of no less than the limits described in "Permit Insurance Requirements" (attached) issued by an insurance company licensed to do business in the state of Ohio.
- Proof of such coverage is to be provided prior to the performance of any work.

Plan Requirements

- Plans submitted will be certified for locational accuracy ± 2 feet, by a Professional Engineer or Surveyor.
- Plans will clearly show the Road Right of Way lines and the location of all existing utilities within a tolerance of plus or minus 2 feet.
- Proposed utilities will be placed as far from the road edge and as close to the ROW line as possible based on the existence of all in place utilities and structures.
- The plans shall be of suitable size (11"x17") and clarity to show the nature of the work to be performed at that printed plan size.
- The plans shall show all topographic features.
- For underground cable utilities Pull Boxes will be installed near any structure (Bridges, culverts, catch basins, etc.) that will contain enough slack material to allow for relocation if Madison County requires it.
- The water and sewer utilities shall be shown on the plans as to horizontal and vertical alignment based upon an actual field inspection and a diligent search of county/city records for the same, when required by those agencies.
- All conflicts with any County or City facility shall be resolved to the satisfaction of the owner division.
- A legend and/or labeling shall be included showing items such as: aerial, underground, existing poles, proposed poles, existing vaults/hand holds, proposed vaults/hand holds, major equipment pedestals, bore pit locations, etc.
- An aerial shown behind the plans view sheets is recommended but not required. It will assist with quicker review of the application.
- A profile for the utility proposed shall be provided.
- A drawing showing the location of the proposed utility, the proposed trench cut location, any bore pits or excavation locations, etc. shall be provided.
- No structures (vaults, hand holes, or system equipment) of any kind are allowed in flow line of waterways/ ditches.
- When working near or at a bridge or culvert, details shall be provided at the structure.
- Maintenance of Traffic Plan Sheets shall be included.

Maintenance of Traffic (NOT) Plan Requirements

- A Maintenance of Traffic (MOT) Plan, per Ohio Manual of Uniform Traffic Control Devices (recommend using an ODOT pre-qualified contractor) shall be provided and used for the work including based on road type and speed:
 - Keeping two lanes of traffic open, if boring or other work outside the pavement.
 - Typically, TA-1, TA-3 or TA-10
 - Two lanes with traffic shifted, or



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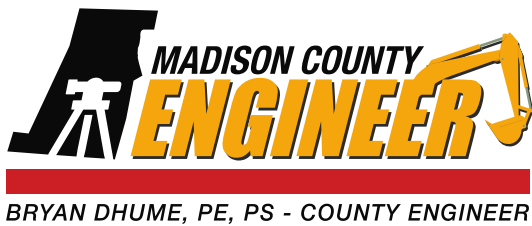
- One lane at a time using flaggers and/or temporary signals.
 - Typically, TA-10
- The following notes shall be on the maintenance of traffic plans:
 - All signage and barricades shall conform to the latest edition of the Ohio Uniform Traffic Control Manual.
 - Lights, signs, barricades, and if necessary, flagmen, watchmen and workers shall be placed on the job for the protection of traffic at all times of the day and night during the time any work is being performed.
 - Traffic shall be maintained at all times, unless approved by the County Engineer.
 - When not working, the flagger ahead and one lane ahead sign shall be covered or taken down.
 - When the ditch or trench is plated, the traffic plates shall be securely anchored/staked in both directions and all open holes shall be protected along the road right of way and on private property.
 - The contractor shall contact the Madison County Engineer's Office 48 business hours ahead of planned construction of the utility, so proper notification to the traveling public and emergency services can occur.
 - Work during peak morning and evening times is prohibited, unless granted approval by the County Engineer.
- The Madison County Engineer will review and approve all MOT plans before the permit is issued.

Backfill and Disturbed Earth Requirements

- Whenever any person or agency has been granted permit to excavate in the right-of-way of any improved or unimproved road, alley or public way the person or agency causing such excavation shall be required to return, in accordance with current standards, the right-of-way to the same quality condition it was prior to the excavation or restore the same in such a manner and by such time as required by the County Engineer and/or their designee, i.e. seeding, sidewalks, roadways, drives, mailboxes, storm drainage, culverts etc.
- Disturbance of the road surface, shoulders and ditches shall be kept to a minimum.
- Trenches under public roads or private drives within the ROW will be backfilled with Controlled Density Fill (CDF) from 12 inches above the utility to the bottom of the asphalt concrete surface or clean 304 limestone material compacted in lifts of 12 inches so that settlement of the area does not take place.
 - If you backfill in lifts using 304 limestone, a County Inspector must be on site the entire time during backfill to confirm the backfill is compacted correctly.
 - Backfilling around any existing sanitary line, water line, storm water structure to bridge shall be inspected by Madison County Engineer.
 - If you use CDF it will not be placed when the trench bottom or walls are frozen or contain frozen materials. Flowable fill should be protected from freezing until it has hardened.
- Restoration of any sidewalk, curb, street pavement, etc. shall occur no later than 14 calendar days after the conclusion of any utility repair or installation activity unless expressly authorized otherwise by the County Engineer and/or their designee. Construction activity completed from December through April shall be permanently restored no later than May 31st. After May 31st, non-compliance with this required restoration work shall be considered a violation.
- Grading will be returned to original elevations and material (topsoil) placed on the surface will support the regrowth of grass and vegetation.
- Erosion control will be used where it is deemed necessary by the County Engineer's Office.

Water and Sewer Installation

- If installing water or sewer, a copy of the approved permit from the utility shall be provided.



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- Installation and inspection around water and sewer mains and laterals belonging to the Mid-Ohio Water and Sewer District shall be inspected by them. A copy of the completed inspection report shall be provided to the Madison County Engineer for filing upon completion.

Road Repair Requirements

- The road surface removed or damaged shall be replaced according to the “Typical Road Section Repair Work” drawing attached.
- Joints shall be sealed with liquid asphalt.
- The new surface shall be feathered onto and conform to the grade of the undisturbed surface and shall be repaired within four (4) working days.

Boring Requirements

- Boring in the right-of-way must be at minimum depth of 42 inches or as directed by the County Engineer.
- Horizontal boring under the roadway or in the right of way using the air hog technique will not be permitted. Contractors are required to use a surface launched drill rig for boring under pavement and in the right of way.
 - Trenchless technology (i.e. boring/piercing tools, mini-directional boring/drilling, directional boring, etc.) shall be used, when possible, for utility installations to eliminate the open cutting of a trench across the roadway.

General Provisions

- All OSHA standards shall be followed to complete work, i.e. if a trench box is required, it shall be used.
- OUPS shall be contacted a minimum of 48 hours prior to commencing work to ensure that all underground utilities are marked, and shall fully compensate any affected utility for any damage to their facility.
- Upon completion, as-built sketches or plans showing location and depth for all utilities shall be provided.

Permit Review

- Review times vary based on the complexity of the project and adequate review time must be considered in the applicant’s schedule.
- Complex reviews can take up to thirty (30) days by staff (this does not include any time the applicant has the plans in their possession for revisions).
- Subsequent reviews can take up to ten (10) days each.
- The permit request shall include plan, details, and specifications as set forth in these requirements.
- The following Fee Schedule for Plan Review will be used to calculate the fee due for review:

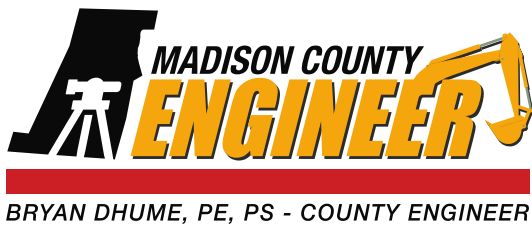
Fee Schedule of Plan Review

Lineal Right of Way Permits:

Under 1 mile, minimum fee \$200
1 mile to 5 miles, prorated at \$200 per mile
Over 5 miles, \$1000

Road Crossings:

\$100 per road crossing



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Inspections

- Inspections are during normal business hours (Monday-Friday 7:30am- 3:30pm November through April) (Monday-Thursday 7:00am – 5:00pm April through November).
- Any overtime fees for inspections outside of normal working hours or on holidays recognized by Madison County Engineer will be paid by the permit holder prior to releasing bonds.
- All actual costs of inspections will be billed on an hourly basis whether performed by County personnel or by inspectors working on the behalf of the Madison County. Fees for all inspections will be paid by the permit holder prior to releasing bonds.

Driveways

- Concrete drive construction shall not extend beyond the right-of-way or a minimum of five (5) feet from the edge of Item 448 pavement.
- Section 5543.16 of the Ohio Revised Code: The owners of the land shall construct and keep in repair all approaches or driveways from the public road, under the direction of the County Engineer.

PERMIT CHECKLIST

Permit # _____ Company _____ Road _____

1. Items Required and Received:

Complete permit with signature

Drawings

MOT

COI

Bond

Fee of \$ _____

2. Approval by Madison County Engineer's Office

Comments:

3. Reviewed by Madison County Sanitary Engineering

Comments:

4. Permit and Approved Stamped Plans Returned to Applicant

PERMIT INSURANCE REQUIREMENTS

1. Permittee shall procure, maintain, and pay premiums for the insurance coverage and limits of liability indicated below with respect to products, services, work and/or operations performed in connection with this permit.
 - a. **Worker's Compensation Insurance** as required by the State of Ohio. Such insurance requirement may be met by either purchasing coverage from the Ohio State Insurance Fund or by maintaining Qualified Self-Insurer status as granted by the Ohio Bureau of workers Compensation (BWC). Such insurance shall be written on the National Council of Compensation Insurance (NCCI) form or its equivalent.
 - b. **Commercial General Liability Insurance** with limits of liability not less than:
 - \$1,000,000 each occurrence bodily injury & property damage;
 - \$1,000,000 personal & advertising injury;
 - \$2,000,000 general aggregate;
 - \$2,000,000 products/completed operations aggregate.Such insurance shall be written on an occurrence basis on the Insurance Services Office (ISO) form or its equivalent.
 - c. Business Automobile Liability Insurance covering all owned, non-owned, hired, and leased vehicles. Such insurance shall provide a limit of not less than \$1,000,000 combined single limit (bodily injury & property damage) each accident;
 - d. Such insurance shall be written on an occurrence basis on the Insurance Services Office (ISO) form or its equivalent.
2. Insurance Coverage Terms and Conditions
 - a. The insurance policies of the Provider required for this Permit, shall;
 1. Name the "Madison County, Ohio" as an Additional Insured. This does not apply to Workers Compensation. Madison County, Ohio and its employees shall be named as Additional Insured and/or loss payee to the full extent of the full amount of coverages as stated in all existing policies issued to the Permittee as of the effective date of this Permit and at least in the amounts and coverages indicated above;
 2. Provide 30 days prior notice of cancellation, non-renewal, or material change;
 3. Contain a waiver of subrogation provision wherein the insurer(s) waives all rights of recovery against the County;

4. Be primary and not in excess or contingent on any other basis;
5. The Certificates of Insurance evidencing these coverages shall contain the following additional insured and waiver of subrogation language where applicable:
 - (i) "Madison County and its employees are additional insureds for purposes of commercial general liability and automobile liability"; and/or
 - (ii) "Waiver of subrogation in favor of the County."
- b. The insurance required for this Permit shall be provided by insurance carrier(s) licensed to transact business and write insurance in the state(s) where operations are performed and shall carry a minimum A.M Best's rating of A-VII or above.
- c. The terms of this Permit shall be controlling and shall not be limited by any insurance policy provision.
- d. These insurance provisions shall not affect or limit the liability of the Provider stated elsewhere in this Permit or as provided by law.
- e. The Provider shall require any and all of its sub-Permittees to procure, maintain, and pay premiums for the insurance coverages and limits of liability outlined above with respect to products, services, work and/or operations performed in connection with this Permit.
- f. The County reserves the right to require insurance coverages in various amounts or to modify or waive insurance requirements on a case-by-case basis whenever it is determined to be in the best interest of the County.
- g. Where coverages are made on a claims-made basis, the claims-made retroactive date on this policy shall be prior to the commencement of professional activity related to this Permit.
- h. The provider shall furnish a Worker's Compensation Certificate and Certificate of Insurance (COI) evidencing the insurance coverages required herein are in full force and effect. Acceptance of a non-conforming certificate of insurance by the County shall not constitute a waiver of any rights of the parties under this Permit.

Bond No: _____

Right of Way Bond

KNOW ALL MEN BY THESE PRESENTS, that

Located at _____,

as Principal; and _____, as Surety, a company

located in _____ and authorized to do business in the state of _____ are held and

firmly bound unto _____,

located at _____,

as Obligee, in the full and just sum of _____

_____ (_____) to be paid to said Obligee its successors and

assigns for the payment thereof well and truly to be made jointly and severally bind ourselves, our heirs,

executors, administrators, successors, and assigns firmly by these presents.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, that

WHEREAS, it may be necessary from time to time from and after _____, 20 _____

for the Principal, through its agents and employees, to enter into the surface of any street, alley, or public way in

the jurisdiction of said Obligee for the purpose of installing or repairing its facilities and for other purposes.

NOW THEREFORE, if the Principal in the entering the surface of the streets, alleys, or public way, shall conform

strictly to all requirements of law, shall out open and restore such pavement according to established grade,

shall remove all debris after the completion of any project or portion thereof; shall repair or replace any

restored pavement, repair all damage to the alleys, streets, and public ways, including any facility equipment or

pipe lines contained therein, which within one year of the above stated effective date becomes defective

because of defective or inferior workmanship or materials then this obligation shall be void, otherwise, to

remain in full force and effect.

IT IS HEREBY AGREED AND UNDERSTOOD, that

(1) Regardless of the number of years this bond shall remain in force and the number of annual premiums paid

thereafter, the aggregate liability of the Surety hereunder is limited to the penal sum of this bond and any

payment or payments made shall reduce the amount of the bond to the extent of such payments.

(2) The Surety reserves the right to cancel this bond by giving thirty (30) days written notice to the Obligee and on

the effective date of such thirty (30) day cancellation notice, the Surety is discharged and relieved of any liability, it

being understood and agreed, however, that the said principal and said Surety will be liable for any loss accruing

up to the effective date of said thirty (30) day cancellation notice, in no event, however, in excess of the penalty of

the bond.

SIGNED, SEALED AND DELIVERED this _____ day of _____, 20 _____

Principal: _____

By: _____

Printed name and title

Surety: _____

BY: _____

Attorney-in-Fact

****Power of Attorney must be attached to the bond to be valid****



UTILITY PERMIT

FOR OFFICE USE ONLY

825 US 42 NE
London, OH 43140
Phone: 740-852-9404
www.co.madison.oh.us

Permit No.	_____
Date:	_____
Fee:	_____
Receipt No.	_____

RETURN TO: levin.hutson@madison.oh.gov

Checks are payable to: Madison County Engineer

Fee Tabulation: \$ _____

Available online at http://madison.oh.gov/departments/county_officials/engineer

This form is fillable

For Inspection Fees, Bonding, ROW Permit Requirements, Insurance Requirements, and Review Fee Tabulation: See Right-Of-Way Permit Requirements.

APPLICANT INFORMATION:

Name: _____ Utility Company: _____
 Address: _____ Utility Project # _____
 Phone: _____ Email: _____
 PUCO ID#: _____ OUPS Member Code: _____ Membership Type: _____
 Installing Contractor: _____ Company: _____
 Address: _____
 Phone: _____ Email: _____
 After Hours Contact Name: _____ Phone: _____

One application per road

PROJECT LOCATION:

Utilities to be installed on (N,S,W,E) _____ side of Road name _____

Type of installation:

Overhead on existing poles Overhead on new poles Underground NO above ground pedestals allowed

If new poles: # of poles _____ Length of line _____ feet. Vertical clearance over pavement _____ feet.

If underground: Depth of trench _____ inches. Length of line _____ feet. Kind of pipe _____ Size: _____

NO structures in the flowline of ditches and waterways. Minimum Bore Depth 42". Go min. 42" under or go around structures and culverts at a depth of 42" unless otherwise required.

If the proposed installation requires opening of the pavement, give the following information:

- Conditions necessitating opening of pavement: _____
- The opening in the pavement will be _____ feet long by _____ feet wide and _____ feet deep.
- Pavement is to be replaced by: _____ as directed and to the complete satisfaction of the Madison County Engineer.

If the proposed installation requires the construction of bore pits, give the following information:

- Distance bore pits will be constructed off edge of pavement _____ feet.
- Size of bore pits _____ feet long by _____ feet wide by _____ feet deep.

If the proposed utility requires construction parallel to the edge of pavement, give the following information:

- Distance construction will occur off the edge of pavement _____ feet. Average width of open trench _____ feet.
- Average depth of trench _____ inches. **(Min.42")**

Project Description:

Anticipated Construction Start Date: _____ Anticipated Completion Date: _____

Lane Closure Required for Work? Yes No Total distance of project (see above for related fees) \$ _____
(Maintenance of Traffic {MOT} plan required if yes)

Insurance Company Name _____ Policy Number _____ Liability Amount \$ _____

PERMITS ARE VALID FOR 6 CALENDAR MONTHS

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. To the best of my knowledge and belief, the information contained on this permit application is true, accurate, and complete. I am aware that there are significant penalties for submitting false information. I also certify that the submitted documents have been prepared by a qualified professional and that all work performed on-site will comply with the requirements of the Madison County Engineer. I will be responsible for advising each employee working on this project of the requirements. I agree that I have read and understand the terms and conditions for the project and agree to follow the practices described therein.

Signature _____ Date _____

***REQUIRED:** CALL 740-852-9404 or E-MAIL levin.hutson@madison.oh.gov ONCE JOB IS COMPLETE FOR FINAL INSPECTION AND PERMIT CLOSURE. BOND WILL REMAIN ACTIVE FOR ONE YEAR.

1. Contractors must call "OUPS" one call service at least 2 work days prior to any work in R.O. W.
2. Permit holding contractors and all subcontractors working under this permit must have a current "proof of insurance," on file with the Madison County Engineer's Office, listing Madison County as Co. covered for liability of a minimum of \$1,000,000.00.
3. Contractors and all subcontractors are responsible to follow all applicable safety measures including, but not limited to, the Ohio Manual Uniform Traffic Control Devices (OMUTCD)(Traffic Control), Ohio Utility Protection Service Requirements (OUPS), Utility and Occupational Safety and Health Administration Rules (OSHA), and work place safety.
4. A bond of \$10,000 per mile of utility installed is required.

For Madison County Use Only

Notes: 48 Hours notice prior to starting work required.

Approved:

Madison County Inspector _____ Date _____

Final Inspection Approved:

Madison County Inspector _____ Date _____

Bond Released