

Contractor's Work Order # \_\_\_\_\_

PERMISSION TO CONSTRUCT

Upon the condition, stipulations, and considerations hereinafter stated, permission is hereby granted by Franklin County to \_\_\_\_\_ of \_\_\_\_\_ to construct \_\_\_\_\_

across \_\_\_\_\_

located \_\_\_\_\_ of \_\_\_\_\_

Section \_\_\_\_\_, Township \_\_\_\_\_ North, Range \_\_\_\_\_ E.W.M., as per provision numbers.

Contractor's Name and Phone# \_\_\_\_\_

PROVISIONS:

- 1. Proper signs, barricades, flagmen, lights, or flares will be maintained as specified in the Manual on Uniform Traffic Control Devices.
2. A minimum of one-way traffic shall be maintained during all operations.
3. A detour will be maintained.
4. Access will be made available to property owner(s) along the road.
5. The crossing will be made by boring under the roadway and any damage to the roadway will be the responsibility of the holder of this permit.
6. Before excavation the pavement shall be cut to neat lines and all repairs made on neat straight lines perpendicular to the center line of the road.
7. Under no condition will the paved roadway surface or curb and gutter sections be cut or disturbed.
8. No excavation shall be left open over night.
9. The top of the pipe, conduit, or cable is to be at least four feet below the roadway surface.
10. The top of the pipe, conduit, or cable is to be at least \_\_\_\_\_ feet below the roadway surface.
11. Backfill will be well compacted using a mechanical tamper.
12. The top 16 inches of backfill will consist of compacted layers of the following materials: 2 inch minus ballast; 2 layers each 4 inches thick, a total of 8 inches; top course 5/8 minus, 1 layer 4 inches thick, and asphaltic concrete, 2 layers each 2 inches thick, a total of 4 inches.
13. The top 10 inches of backfill will consist of compacted layers of the following materials: top course 5/8 minus, 2 layers each 3 inches thick, a total of 6 inches; and asphaltic concrete, 2 layers each 2 inches thick, a total of 4 inches.
14. Gravel road backfill will consist of top course 5/8 minus, 1 layer 4 inches thick.
15. All excess excavated material shall be hauled away and disposed of.
16. Backfill material shall consist of suitable clean native granular material compacted in layers not to exceed 6 inches.
17. The roadway will be returned to a state of good repair.
18. The shoulders will be repaired and re-graveled and the holder of this permit shall dispose of any excess materials.
19. The cable or pipe is to be sleeved when crossing road.
20. Cable or pipe is to be kept in outside 5 feet of right-of-way.
21. There is a \$0.00 deposit in the County Engineer's Office to insure the asphalt surface of the roadway is properly patched. If this is not satisfactorily completed within 30 days from the date of this permit, the deposit will be forfeited.
22. Construction will be done in accordance with provisions set forth in Resolution No. 2000-330.
23. The County Road Engineer's Office shall be notified prior to any work.
24. 48 hours before any excavation will start; the grantee will call 811 for location of underground utilities.
25. The HMA/BST surface of the roadway shall be properly patched before \_\_\_\_\_.
26. All HMA/BST surface roads must be patched the same day work is done.
27. A Grading Permit shall be obtained from the Planning & Economic Development Department for any grading occurring outside the public right-of-way prior to approval by the County Engineer.

Comments:

Condition 21 should read - "There is no deposit to be provided by the applicant for construction inspection services provided by Franklin County Public Works.", however a record of time spent on the inspection, preliminary review, and any time utilized working on this project by Franklin County Engineering staff will be directly billed to applicant. ALL APPROACHES AND DITCH LINES SHALL BE RETURNED TO THE ORIGINAL CONDITION, BEFORE WORK OCCURRED. ANY LANDSCAPING DISTURBED BY CONSTRUCTION SHALL BE RECONSTRUCTED TO THE SATISFACTION OF THE COUNTY ENGINEER.

THE GRANTEE DOES HEREBY AGREE AND UNDERTAKE TO CONSTRUCT AND MAINTAIN THE WORKS OR SUBJECT MATTER HEREIN REFERRED TO INSUCH A MANNER AS TO ABSOLUTELY PROTECT ALL USERS OF THE HIGHWAY UPON WHICH THE SAME IS CONSTRUCTED OR MAINTAINED AND DOES HEREBY AGREE AND UNDERTAKE TO INDEMNIFY AND SAVE HARMLESS FRANKLIN COUNTY OR ITS OFFICERS, AGENTS, OR SERVANTS FROM ALL SUITS ACTIONS, CLAIMS, OR PROCEEDINGS OF EVERY NAME OR DESCRIPTION IN LAW OR IN EQUITY BROUGHT AGAINST FRANKLIN COUNTY, ITS OFFICERS, AGENTS, OR SERVANTS FOR OR ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON . STRUCTURE, OR PROPERTY BY REASON OF OR INCIDENTAL TO THE CONSTRUCTION AND MAINTENANCE OF THE WORKS OR SUBJECT MATTER HEREIN REFERRED TO.

IT IS EXPRESSLY UNDERSTOOD BY THE SAID GRANTEE THAT THE PERMISSION HEREIN GRANTED IS NOT A PERMANENT OR PERPETUAL PERMISSION. EASEMENT, OR FRANCHISE. BUT THAT THE PERMISSION HEREIN GRANTED IS A PERMISSION BY SUFFERANCE ONLY AND THAT FRANKLIN COUNTY. RESERVES THE RIGHT IN THE GRANTING OF THIS PERMISSION TO AT ANY TIME AND FOR ANY REASON REVOKE AND TERMINATE THE SAME AND TO REMOVE THE WORKS OR SUBJECT MATTER HEREIN REFERRED TO AT ANY TIME AT THE COST OF SAID GRANTEE.

THE CONSTRUCTION AND MAINTENANCE OF THE WORKS OR SUBJECT MATTER HEREIN REFERRED TO SHALL, AT ALL TIMES, BE SUBJECT TO THE APPROBATION AND APPROVAL OF THE COUNTY ENGINEER OF FRANKUN COUNTY.

THIS PERMIT IS SUBJECT TO APPLICABLE LAWS AND IT IS THE PERMITTEE'S RESPONSIBILITY TO RESEARCH AND VERIFY RIGHT-OF-WAY BEFORE INSTALLATION.

Date: \_\_\_\_\_

Franklin County Public Works Department
3416 Stearman Avenue
Pasco, WA 99301 (509)545-3514

Accepted:

Signature

Craig Erdman, P.E.,
Public Works Director/County Engineer

Print Name

THIS PERMIT EXPIRES \_\_\_\_\_ or in 6 months if not noted

## INSTRUCTION FOR APPLICANTS

Applicants for permits to occupy Franklin County property or right-of-way, with utilities or road approaches, or holders of granted franchise rights contemplating work upon, along, over, under or across any Franklin County road, bridge, wharf, trestle, public place, street, avenue or alley on property in the County, shall first file with the County Engineer, his/her or their application to do such work.

Such applications shall be accompanied by drawings, in triplicate, as required by the County Engineer. Drawings shall be to a working scale, showing position and location of work names or numbers and width of roads, streets, etc., showing their location in plats, or subdivisions of sections, township and range, showing the relative position of such work to existing utilities, constructed, laid, installed or erected upon such roads, streets or public places.

All work shall be done in accordance with the *Franklin County Design Standards for the Construction of Roads and Bridges*. The applicant shall specify the type of construction by submitting plans showing the class of material and the manner in which the work is to be accomplished. All such materials and equipment shall be of the highest quality and the manner of excavation, fills, construction, installation, erection of temporary structures, traffic turnouts, road obstruction, barricades, etc., shall meet with the provisions of the *Franklin County Design Standards for the Construction of Roads and Bridges*, and shall require approval by the County Engineer. Signing, barricades and traffic control in the vicinity of the work shall strictly conform to provisions of "The Manual On Uniform Traffic Control Devices for Streets and Highways." The applicant shall pay to the County all costs of, and expenses incurred in the examination, inspection and supervision of such work on account of granting said permits.

The actual location of the work to be done under this permit, its depth below or above surface or grade of any County structure, road, street, avenue, alley or public place shall be approved by the County Engineer prior to commencement of any work by the petitioner.

## PERMIT CONDITIONS

1. The applicant, designated herein as the "grantee," his successors and assigns, shall have the right and authority to enter upon the right-of-way of the County road, street, alley, public place or structure as indicated on the front of this form, for the purpose of doing such work as applied for, and approved by the County Engineer.
2. The location, type of work, materials and equipment used, manner of erection or construction, safeguarding of public traffic during work or after doing same, mode of operation and manner of maintenance of project petitioned for, shall be approved by the County Engineer prior to start of work and shall be subject to inspection by the County Engineer so as to assure proper compliance with the terms of this permit.
3. The grantee shall commence work within 30 days after the granting of this permit, if, at the end of one (1) year after the date of granting same the grantee shall have not completed the installation, then the rights herein conferred shall cease and terminate.
4. The grantee shall leave all roads, streets, alleys, public places, and structures after installation and operation or removal of facility, in as good and safe condition in all respects as it was before commencement of work.
5. In case of any damage to roads, streets, alleys, public places, structures or public property of any kind on account of said work done by the grantee, he/she shall at once repair said damage at his/her sole cost and expense.
6. The County Engineer, his/her agents or representatives may so order, or have done any and all work considered necessary to restore to a safe condition any roads, streets, alleys, public places, structures or public property which is in a condition dangerous to life or property resulting from the grantee's facility or its installation as permitted, herein, and upon demand the grantee shall pay to the County all costs of such work and materials.
7. If at any time the county deems it advisable to widen, grade, re-grade, plank, pave, improve, alter or repair any road, street, public place or structure, the grantee upon written notice by the County Engineer, his representatives or agents, will at his own sole cost and expense, raise, lower, change, move or reconstruct such installations to conform to the plans of work contemplated or ordered by the county.
8. If upon written notice by the County Engineer the grantee fails to relocate any portion or all of the project as granted under this permit, the county, its agents or representatives, may do any work at the cost and expense of the grantee, and all costs to remove or reconstruct same, shall be borne by the grantee.
9. All such changes, reconstruction or relocation by the grantees shall be done in such manner as will cause the least interference with any of the county's work and shall be subject to the same provisions which control an original installation. The county shall in no way be held liable for any damage to the grantee by reason of any such work by the county, its agents or representatives, or by the exercise of any rights by the county upon roads, streets public places or structures in question. The grantee shall have twenty-four (24) hours written notice by the County Engineer or its representative or agents of any blasting contiguous to the grantee's permit rights in order that he may protect his interests.
10. All provisions, conditions, regulations, and requirements herein contained shall be binding upon the successors and assigns of the grantee and all privileges of the grantee shall insure to such successors and assigns as if they were specifically mentioned.
11. The County Engineer may revoke, annul or terminate this permit if grantee fails to comply with any or all of its provisions, requirements or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with notices given him/her or if work herein permitted, is not installed or operated and maintained in conformity herewith or at all.
12. The Board of County Commissioners may at any time, change amend, modify, amplify or terminate any of the conditions herein enumerated so as to conform to any state statute or County regulation pertaining to the public welfare, safety, health or highway regulations as are, or may hereinafter be enacted, adopted or amended etc. The Board may terminate this permit if grantee fails to comply with any such changes.
13. The petitioner by accepting this permit agrees to notify and check with all utilities regarding their installations before commencing work, together with private property owners when such property is liable to injury or damage through the performance of such work, and the applicant shall make all necessary arrangements relative to the protection of such property and/or utilities.
14. In accepting this permit, the petitioner, his/her successors and assigns agrees to protect and save harmless the County from all claims, actions or damages of every kind and description which may accrue to or be suffered by any persons, corporation or property by reason of the performance of any such work, character of materials used or manner of installation, maintenance and operation or by the improper occupancy of rights-of-way or public place or public structure, and in case and such suit or action is brought against said County for damages arising out of or by reason of any of the above clauses, the petitioner, his successors or assigns will upon notice to him/her or them or commencement of such action defend the same at his/her or their sole cost and expense and will fully satisfy any judgment after the said suit or action shall have finally been determined if adversely to the County.
15. The County makes no guarantee as to the type, nature, and suitability of soils or other materials in the public right-of-way. If contaminated or hazardous material is discovered within or adjacent to the public right-of-way, the grantee shall stop Work and notify the County Engineer immediately. All contaminated or hazardous material encountered by the grantee during work or excavation in the public right-of-way shall be handled, sampled, stored, and disposed of in accordance with federal, state and local regulations at the expense of the grantee. Before recommencing work within the public right-of-way, the grantee shall provide the County Engineer with documentation of plans which demonstrate that the contaminated or hazardous material has been properly handled and that continued work within the public right-of-way poses no threat to the environment and/or human health or safety of public or private property.