



City of Salinas

DEVELOPMENT ENGINEERING (PW) • 65 West Alisal Street • Salinas, California

Phone: (831) 758-7251 • www.cityofsalinas.org

ENCROACHMENT PERMIT & APPLICATION

CITY USE ONLY

PERMIT NO.: _____ ISSUE DATE: _____ EXPIRATION DATE: _____

PUBLIC IMPROVEMENT PLANS 50/50 PROGRAM FIBER SMALL CELL (LUMINAIRE) SMALL CELL (PRIVATE POLE)

CONSTRUCTION – PRIVATE FACILITIES CONSTRUCTION – PUBLIC FACILITIES REVISION PERMIT #: _____ OTHER: _____

APPLICANT INFORMATION: Complete all fields

NAME: _____ EMAIL: _____

MAILING ADDRESS: _____ PHONE: _____

CELL: _____

PROJECT LOCATION: _____

PROJECT DESCRIPTION: _____

(Include duration) _____

CONTRACTOR INFORMATION: Complete all fields

CONTRACTOR NAME: _____ EMAIL: _____

ADDRESS: _____ PHONE: _____

ONSITE CONTACT NO.: _____

CONTRACTOR LICENSE: _____ EXPIRATION DATE: _____ TYPE: A B C- _____

CITY BUSINESS LICENSE: _____ EXPIRATION DATE: _____

ENCROACHMENT TYPE:

CHECK AND COMPLETE ALL APPLICABLE FIELDS

INSPECTIONS REQUIRED:

CITY USE ONLY

DATE:

INITIALS:

<input type="checkbox"/> UTILITIES (LF)		<input type="checkbox"/> PRE-CONSTRUCTION MEETING		
<input type="checkbox"/> SIDEWALK (SF)		<input type="checkbox"/> TRAFFIC CONTROL		
<input type="checkbox"/> CURB & GUTTER (LF)		<input type="checkbox"/> BASE/SUBGRADE		
<input type="checkbox"/> ADA RAMP (EA)		<input type="checkbox"/> FORMS/REBAR		
<input type="checkbox"/> DRIVEWAY APPROACH (EA)		<input type="checkbox"/> UTILITIES		
<input type="checkbox"/> LANE CLOSURE (LF)		<input type="checkbox"/> SIGNS/STRIPING		
<input type="checkbox"/> PARKING SPACE CLOSURE (EA)		<input type="checkbox"/> LANDSCAPING/IRRIGATION		
<input type="checkbox"/> FIBER (LF)/SMALL CELL (EA)		<input type="checkbox"/> ASPHALT/CONCRETE		
<input type="checkbox"/> OTHER:		<input type="checkbox"/> FINAL INSPECTION		

* INSPECTION SHALL BE REQUESTED 24 HOURS PRIOR TO COMMENCEMENT OF WORK.

* EMAIL ENCROACHMENT@CI.SALINAS.CA.US TO SCHEDULE INSPECTIONS.

* UNINSPECTED WORK WILL RESULT IN A CITATION AND IS SUBJECT TO BEING REJECTED.

ACKNOWLEDGEMENT & SIGNATURE

I understand the State of California Contractors License Requirements.

I have read the General Conditions attached to this application and will comply with them, any special conditions, and all provisions of the City of Salinas Municipal Code. Note: Applicant must sign and submit Page 5 of Permit Conditions.

CONTRACTOR/UTILITY
REPRESENTATIVE NAME

SIGNATURE

DATE



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Encroachment Permit **General Conditions of Approval**

NOTE: Below are general requirements for work within all public rights of way or city property. In addition to these requirements, the permittee must also comply with all the terms, conditions, rules, and procedures of the Encroachment Ordinance, Encroachment Agreement, and the Standard Specifications and Standard Plans (“City of Salinas Standards”) of the City of Salinas.

- 1. Encroachment Permit Compliance Required.** No person shall make a right-of-way encroachment or cause any street cut to be made without having secured the proper permit. All work shall be performed in strict compliance with the terms and conditions of this permit. (City of Salinas Municipal Code Article V).
- 2. Failure to Comply.** Failure to comply with the requirements of this permit may result in one or more of the following:
 - A. The City Inspector shall issue a citation(s) at the expense of the Permittee.
 - B. The City Engineer shall order immediate suspension of work until non-compliance is resolved.
 - C. Should the Permittee or the Permittee’s contractor fail to correct the non-compliance, the City Engineer may cause removal and replacement of deficient work and/or completion of work to bring the project into compliance at the Permittee’s expense.
 - D. The City Engineer shall cause traffic controls to be set, as deemed necessary by the City Engineer, at the expense of the Permittee.
 - E. If the City Engineer deems emergency repairs necessary, he or she will attempt to notify the Permittee. If the Permittee cannot be contacted or fails to respond in a timely fashion, the City Engineer shall cause the work to be done at the Permittee’s expense.

Where corrective work described above is ordered by the City Engineer, the cost of that work shall be charged to the Permittee on a Labor, Equipment and Materials basis plus overhead to reimburse the City for its actual costs.

- 3. Notification.** The Permittee shall notify the City at least seventy-two (72) hours prior to start of work and at that time shall provide a project schedule. Permittee shall notify the Police Department, Fire Department, Emergency Service Agencies and the Monterey Salinas Transit (MST), of all work that may impede the passage of emergency vehicles and public transportation. Temporary “No Parking” signs shall be posted by the Contractor at least seventy-two (72) hours prior to commencement of work. Signs shall state days and hours when restrictions apply.
- 4. Inspection.** Work shall be inspected as indicated on the permit. To request an inspections, email encroachment@ci.salinas.ca.us at least twenty-four (24) hours in advance of requested inspection time. Inspection requests shall reference encroachment permit number, type of inspection, time of inspection (AM or PM) and an onsite contact phone number if different than in the application/permit. Inspections shall be scheduled Monday through Friday, except holidays, from 8:00 AM. to 4:30 PM. No work requiring inspection shall be conducted on City observed holidays. Uninspected work will result in a citation and is subject to being rejected by the City Engineer.

5. **Emergency Work.** A permit for emergency work shall be secured no later than five (5) business days following commencement of the emergency work. All emergency shall require the Permittee/Contractor to notify the City prior to commencement of emergency work by emailing encroachment@ci.salinas.ca.us.
6. **Unknown Underground Facility.** If an unknown underground facility is encountered, work shall cease immediately, and both the City Engineer and the utility believed to own the facility shall be notified. Work shall not proceed until permit is granted by the City Engineer.
7. **Posting.** The Permittee must keep the signed permit at the worksite or on the premises of the encroachment at all times.
8. **Emergency Call-out.** A Permittee shall provide a twenty-four (24) hour emergency telephone number on the application and shall display its company name and emergency telephone number on its barricades. Failure to respond to an incident promptly shall require corrective measures by the City, the cost of which shall be borne by the Permittee.
9. **Standards.** Work shall be constructed in accordance with applicable ordinances, codes, and City of Salinas Standards. A copy of the City of Salinas Standards can be acquired at the following link: https://www.cityofsalinas.org/sites/default/files/departments_files/public_works_files/2008citystandards.pdf.
10. **Access.** The Permittee shall provide access to all areas in the vicinity of the encroachment and shall provide necessary temporary sidewalk and warning signs.
11. **Public Safety.** The Permittee shall furnish, erect, and maintain barricades, lights, signs, flagmen, fencing, and other safety measures to give adequate protection to the public at all times. Failure of the Permittee to set required warning devices may result in a project shutdown, citation(s) and charges to the Permittee for costs incurred by the City.
12. **Site Maintenance.** Work areas shall be maintained in a neat, clean and safe condition at all times. Debris shall be removed daily. The site shall be treated for dust control as necessary. Dirt tracked from the work site shall be cleaned from City streets, curbs, gutters, and sidewalks. The flushing of dirt and debris to storm drain or sanitary sewer facilities is strictly prohibited. The Permittee shall employ construction practices that will prevent pollutants such as mud, silt, chemical residue, and washings from concrete and saw cutting from entering storm drains. The site shall be properly secured during non-work hours.
13. **Travel Lane & Sidewalk Closures.** The Permittee shall assure that all City streets, travel lanes, and sidewalks remain open at all times, unless a traffic control plan has been approved in advance by the City Engineer or his or her representative. A traffic control plan shall be submitted to the City Engineer or his or her representative for review and approval with Encroachment Permit Application.

Depending on project scope and site conditions, traffic control plans may need to be prepared by a California-licensed Traffic Control Firm. Traffic control plans must follow the current edition of the California Manual on Uniform Traffic Control Devices (CA MUTCD). Plans must be specific to the project site and conditions and phased, as appropriate, to the address construction of project improvements. Sample plans are not allowed.

City approval of the traffic control plan must precede notification of any closures. The City Engineer shall be notified of closure dates and duration at least five (5) working days in advance of proposed closure.
14. **Work Hours.** All work in the public right-of-way is restricted to non-holiday weekdays 8:00 AM to 4:00 PM except as noted in Special Conditions of Approval or Construction Guidelines for Continuing Encroachment Installations, if applicable. Work is not allowed on weekends and City holidays.

- 15. Excavations.** All trenches created in existing pavement shall be neatly saw cut. Trench spoils shall be removed from the job site. Backfill shall consist of sand or approved granular material compacted to ninety-five percent (95%) Relative Compaction. Excavations within the public right-of-way shall be backfilled, compacted, and temporarily paved with cold mix “cut back” type A.C. prior to 4:00 PM to allow for vehicular and pedestrian traffic. The use of non-skid trench plates is allowed, provided the Contractor covers all the edges of the plates with cold mix material. It shall be the Permittee’s and the Contractor’s responsibility to maintain on a daily basis, including weekends and holidays, the amount of material necessary to maintain the trench surface flush with the existing street or sidewalk. In addition, the Contractor shall respond to and correct shifting trench plates regardless of the time of day. If Contractor fails to correct sinking backfill material or shifting trench plates in a timely manner, City reserves the right to correct the problem at the expense of the Contractor. All trenches shall be fully restored within thirty (30) days of first street cut.
- 16. Vehicle & Pedestrian Traffic.** The Permittee shall follow Caltrans standards for traffic control. The parking of any construction-related vehicles or storage of any material is not allowed on a public street or sidewalk unless approved in advance by the City Engineer.
- 17. Construction Staging Areas.** Proposed locations of construction staging areas shall be approved by the City Engineer. Any construction staging area proposed outside of the public right-of-way shall be disallowed unless the Permittee has secured the prior written approval of the property owner. Any construction staging proposed on public lands shall require a license agreement from the City.
- 18. Street Cuts.** No street pavement shall be cut unless specifically approved in writing pursuant to an Encroachment Permit. Trench restoration shall be according to the City of Salinas Standards, except as modified by additional Special Conditions of Approval or a design by a licensed civil engineer approved by the City Engineer. The Permittee shall use boring and jacking as an alternative to open cut of streets if required by the City Engineer.
- 19. Hazardous Materials.** The Permittee is responsible for satisfying all applicable procedures and regulations in the event hazardous materials are encountered. This includes notification to emergency phone number 911.
- 20. Monument Preservation.** Any City monument damaged, displaced, or destroyed by Permittee’s work shall be replaced by a State of California licensed land surveyor at Permittee’s sole expense. Location of any conflicting monuments shall be tied out prior to start of work.
- 21. Removal of Markings.** All sidewalk and/or pavement markings painted by Underground Services Alert (USA), utility companies, or Permittee shall be removed to the satisfaction of the City Engineer with ten (10) working days after completion of construction.
- 22. Traffic Striping and Pavement Markings.** Any traffic striping and/or pavement markings damaged or destroyed by Permittee’s work shall be replaced by Permittee to the satisfaction of the Traffic Engineer at Permittee’s sole expense.
- 23. Other Regulations.** It is the Permittee’s responsibility to comply with all City laws and regulations and to obtain all necessary permits. Such laws, regulations, and permits include, but are not limited to, the City Business License, Americans with Disabilities Act (ADA) and Division of Occupations Safety & Health Standards.
- 24. City License.** Contractors and Subcontractors must obtain a City of Salinas Business License.
- 25. Contractor License.** Contractors and Subcontractors must provide valid contractor license issued by the Contractors State License Board. Contractors may only execute work within their licensing classifications.

26. **Bonding.** Any project requiring a Public Improvement Plan shall be responsible for furnishing a performance bond to be executed in the face amount of not less than one hundred fifty percent (150%) of the total construction cost.
27. **As-Built.** Permittee shall provide as-built drawings showing any improvements or changes to city owned facilities.
28. **Insurance.** The Permittee is responsible of furnishing a Certificate of Insurance with proper endorsements. Proof of liability insurance in the amount of \$1,000,000 naming the City of Salinas with endorsement sheets attached is required.
29. **Indemnification.** To the fullest extent permitted by law, Permittee shall defend through counsel approved by City, indemnify, and hold harmless the City of Salinas, its officers, officials, representatives, agents, employees, and volunteers against any and all suits, damages, costs, fee, claims, demands, cause of action, losses, liabilities and expenses, including without limitation attorneys' fees, to the extent arising or resulting directly or indirectly from any act, errors or omissions of Permittee or Permittee's assistants, employees or agents, including all claims relating to the injury or death of any person or damage to any property.
30. **Permit Commencement and Duration.** This permit is valid for the six (6) months from the date of issuance unless stated otherwise in the Special Conditions of Approval. This Permit will become void if work has not begun within ninety (90) days from date of issuance. Final inspection and acceptance of work shall close this Permit.
31. **Time Extension.** If the expiration date stated on the permit will be exceeded, an extension request must be sent to encroachment@ci.salinas.ca.us and approved by the City Engineer prior to the expiration date. The new work schedule shall be indicated on the request. Permit extensions will be limited to no more than two (2), one (1) month extensions from the original expiration date.
32. **One-Year Warranty.** The Permittee shall assume a one (1) year warranty period from the date of acceptance for all material and workmanship for all work performed under this Permit in the City right-of-way. Between thirty (30) and forty-five (45) days after notice of completion, the Permittee shall check for trench settlement and make necessary adjustment, if any, and then call for an inspection. Permittee shall be released one (1) year after completion notice from all requirements to maintain trench pavement and patches when all permit conditions, including but not limited to required inspections, have been met.
33. **Acceptance.** The Permittee's acceptance of this Permit shall constitute acceptance of and agreement to all of the conditions and requirements of this Permit and the ordinance authorizing issuance of such permit. Permittee's acceptance of this Permit acknowledges that is revocable by the City of Salinas, and that upon notification of revocation Permittee shall remove the encroachment at Permittee's own expense, without cost or obligation to the City. The Permittee acknowledges that the Permittee is subject to, and must comply with, all applicable sections of the City Municipal Code.

SPECIAL CONDITIONS OF APPROVAL

- A. Design and construction of the encroachment that is the subject of this Permit shall be coordinated with the City of Salinas and all utilities having jurisdiction.
- B. Master Plan and Schedule of Work shall be updated weekly.
- C. Work site(s) shall have full-time Site Superintendence.
- D. 24-hour emergency phone numbers shall be updated as changes occur.
- E. Method of trench restoration shall be approved in advance of permit and shall be made an attachment to the permit.

The following to be completed by Public Works staff, as necessary.

- F. _____

- G. _____

- H. _____

- I. _____

APPLICANT ACKNOWLEDGEMENT & SIGNATURE

Signature of Permittee or Authorized Representative accepting General Conditions of Approval:

Print Name Title Date

Signature

Representing (Name and Address)

Note: Applicant must also sign Encroachment Permit application.

<i>CITY USE ONLY</i>		
Permit No.: _____	Issue Date: _____	Expiration Date: _____