



TOMPKINS COUNTY HIGHWAY DEPARTMENT

170 Bostwick Road, Ithaca, NY 14850

PH: 607-274-0300

FX: 607-272-8489

RESPONSIBILITIES OF PERMITTEE WORKING WITHIN THE COUNTY HIGHWAY RIGHT-OF-WAY

1. GENERAL CONDITIONS

- a) These conditions and regulations apply to Highway Work Permits authorizing the presence of vehicles or equipment within the County right-of-way for the purpose of work; or the presence of overloaded vehicles and equipment traveling on County Highways and Bridges; or the placement of utilities below or above-ground, and all other construction. General conditions apply to utility pole installation, as well as specific conditions on the setting and re-setting of poles. These conditions, and any special conditions, which are added to this form, are enforceable by the Highway Department, in conjunction with the Tompkins County Sheriff's Department.

2. REQUIREMENTS

- a) All the current requirements of the following shall apply:
 - Occupational Safety and Health Administration (OSHA), Federal Department of Labor, Safety and Health Standards (29 CFR 1926/1910)
 - Part 131, Title 17, New York code of Rules and Regulations, Accommodations of Utilities Within Right-of-Way
 - New York State Department of Labor, Industrial Code Rule 23, Protection of Persons Employed in Construction and Demotion Work
 - Industrial Code Rule 53, Construction, Excavation and Demolition Operations at or near Underground Facilities
 - All materials and methods of construction shall be in accordance with New York State Department of Transportation (NYSDOT) Standard Specifications, Construction and Materials, January 2, 1990, with current additions and modifications.
 - Road Preservation Law - effective January 1, 2012.
 - All contractors and Highway Department employees working on highway projects and other projects where head injuries could occur are required to wear hard hats for the protection of heads from impact and penetration from falling and flying objects and from limited electric shock and burn. Hard hats shall meet the requirements and specifications established in American National Standard Safety Requirements for Industrial Head Protection, Z89. I-2003.
- b) Permittee must have protective liability insurance coverage in accordance with Tompkins County Highway Department (TCHD) requirements (see Certificate of Insurance attached). Expiration, or lack, of liability insurance automatically terminates the permit.
- c) A bond or certified check, in an amount designated by TCHD, may be required before a permit is issued, to guarantee restoration of the work site to its original condition. The certified check or bond shall be held by the Department for no less than one year after the last date of final restoration work, or as directed by TCHD. If the Department is obliged to restore the site to its original condition, the costs to the Department shall be deducted from the Permittee's Guarantee Deposit at the conclusion of the work. Additional costs incurred by the Department for restoration or repair over and above the amount of the Permittee's deposit, or after the release of said deposit, but within the assigned period of responsibility (minimum of 18 months), shall also be the responsibility of the Permittee.
 - i) For all utilities; specifically privately-owned utilities, i.e. electric cables, water lines, sewer lines, and various pumping station lines located within or adjacent to the County Highway Right-of-Way, and causes damage to the said Right-of-Way, are the responsibility of the Permittee to repair the utility and restore the site in a timely manner to the satisfaction of TCHD. **This responsibility does not expire during the life**

of the utility, and must be abandoned under the terms and conditions agreeable to TCHD, such as abandon in place, remove the utility, or grout the lines.

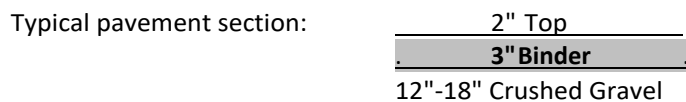
- d) The privileges granted by the permit to the Permittee do not authorize any infringement of Federal, State, or Local Laws or Regulations.
- e) All water and sewer installations shall meet with the materials, methods, and specifications of the City, Town, Village, or other municipality having jurisdiction over such installations. All necessary permits shall be obtained from the governing municipality and the Southern Cayuga Lake Inter-municipal Water Commission (Bolton Point) prior to obtaining Highway Work Permits from TCHD for the presence of vehicles, equipment, or work within the County right-of-way. No plumbing may be covered until inspected and approved by the governing municipality and Bolton Point. All necessary permits shall be made available to TCHD, at the time of application for a Highway Work Permit.
- f) All Highway Work Permit applications shall be accompanied by two sets of prints showing plan and profile of all proposed installations and excavations. The Department maintains the right to require all installations and excavations be designed or approved by a Professional Engineer licensed in the State of New York.

3. SPECIFICATIONS FOR WORK WITHIN THE TRAVELED WAY

- a) Underground installations that cross the pavement and shoulder area, wherever practical, shall be placed beneath the pavement and shoulder areas without disturbance to these areas.
- b) The location of all excavations (jacking and boring pits) shall be shown in plan and profile.
- c) The location of all other existing utilities shall be shown on the prints.
- d) The construction equipment and procedures to be used shall be described in the permit application.
- e) The design of all excavations, including ground and surface water control, where necessary, shall be made available for review by the Department. Soil erosion and water pollution controls shall be used in accordance with NYSDOT "Standard Specifications, Construction, Materials" latest edition.
- f) Pipes shall generally be enclosed in sleeves or larger pipes. Smaller diameter services (2 inch I.D. or smaller) may be placed without a sleeve, at the discretion of TCHD.
- g) The limits of an open excavation shall not be closer than 7 feet to the edge of the pavement, unless approved by the Department. Open excavations shall be protected with the required controls for safety, in accordance with OSHA, Federal Department of Labor, Safety, and Health Standards, and for the maintenance and protection of traffic in accordance with Part 6 of the Federal Manual of Uniform Traffic Control Devices (MUTCD) and all New York State Department of Transportation Manual of Uniform Traffic Control Devices supplements.
- h) Pavement and shoulder removal shall be done in a manner that provides for proper restoration of the removed section. Straight, vertical cuts of the pavement shall be required. Pavement surfaces that become undermined shall be cut back and removed. For backfill procedures, refer to Section 4, C.
- i) Temporary pavements and shoulders shall be placed as soon as installation is completed, in accordance with Section 5, C.

4. SUB-BASE, PAVEMENT, AND SHOULDER REQUIREMENTS

- a) The sub-base course shall be a minimum of 12 inches thick unless otherwise approved.
- b) Construction that affects the subsurface drainage of the pavement structure shall be corrected by the addition of surface or subsurface drains, as required.



- c) Backfill material for road and shoulder cuts shall consist of 2 inches, minus crusher limestone or crushed gravel, compacted in lifts not to exceed 6 inches with a motorized tamp, and shall match adjoining surfaces.

- d) Backfill material for repairs made beyond edge of shoulder shall consist of screened back run gravel (or crushed), containing a top size aggregate no larger than 3 inches in diameter. Lifts shall not exceed 6 inches, and shall be compacted using a jump or vibratory plate tamp. Side slopes shall be seeded and mulched and match adjoining surfaces.

5. PERMANENT PAVEMENT REPAIR

- a) Pavement repair shall be performed using 3 inches of type 3 binder, and 2 inches of type 6, 6F, 7, or 7F top, per NYSDOT Standard Specifications Section 403. **Prior to performing pavement repair, the existing pavement shall be saw-cut a minimum of 12 inches each side of the area that was back-filled. All edges of saw cut pavement shall be treated with a tack coat, or similar bituminous bonding material, before the hot mix asphalt is applied.** Tack coat may be applied with a distributor, or by hand, only in areas where the use of a distributor is impractical. Tack coat to be applied only when the pavement is dry and clean.

Existing pavement shall be saw cut perpendicular to the roadway surface along neat lines, and to be the depth required for the placement of the base and/or topcoat. A power saw approved by TCHD shall be used for cutting the asphalt or concrete pavement.

Any existing pavements and curbs not indicated to be removed that are damaged by the Contractor's operations shall be repaired by him/her to the satisfaction of TCHD, at the Contractor's expense. The asphalt applied shall be flush with the existing asphalt surface.

Permanent pavement repair shall consist of full roadway width milling of 2 inch depth, including any paved shoulders, and the placement of type 6, 6F, 7, or 7F top, preceded by a full-width tack coat.

The area milled shall include all areas of repair, full width, including paved shoulders, and 100 lane feet, full width, including any paved shoulders from the repair/utility limits of each end of the project (i.e. 100 linear feet + repair/utility area + 100 linear feet, full width).

- b) All permanent mixes shall be put in place when surface temperatures are a minimum of:
- 40° F for 3" or greater
 - 45° F for 1"-3"
 - 50° F for 1" or less

All temperatures shall be measured on the surface when the paving is to be placed, and the controlled temperature shall be the average of three temperature readings taken at locations 25 feet apart. Surfaces shall be clean of dirt and dust or loose material, and surfaces shall be dry, or as directed by TCHD.

- c) Pavement that is replaced temporarily may be paved with either a hot bituminous concrete mixture mentioned above, or a cold bituminous patching mixture. When a cold patching mixture is used, it shall consist of aggregate and bituminous material proportioned and mixed in a bituminous mixing plant. Regardless which patching mixture is used, it shall be laid on a prepared foundation and thoroughly compacted. Since cold bituminous patching mixtures are subject to distortion by traffic, the temporary patch shall be maintained to provide a smooth surface until the pavement is permanently replaced.
- d) Manhole frames and covers shall be sufficient structural adequacy to support the roadway traffic. Details and manufacturers specifications shall be provided on the prints. The manhole frame shall be set flush with the surface of the roadway, unless otherwise permitted.

6. MAINTENANCE AND PROTECTION OF TRAFFIC

- a) Traffic is to be maintained at all times during the progress of this work, with adequate signs, a minimum of one flag person, and barricades and lights shall be provided in accordance with the provisions of Part 6 of the Federal MUTCD and all applicable NYS supplements. A maintenance and protection of traffic plan may be required. No lanes shall be closed without prior approval.
- b) The Permittee shall erect and maintain suitable barricades around all trenches, while work is in progress, for the protection of the public. The work zone shall be lighted, signed, flagged, and delineated in accordance with the MUTCD at all times.

- c) No pavement cuts are to be left overnight, unless prior approval is obtained from TCHD. In such cases, adequate precautions must be exercised to protect traffic, in accordance with the MUTCD. Prior approval must be obtained to use steel plating.
- d) Competent flag people will be employed by the Permittee and on duty at all times during the progress of the work, and all flag people/workers shall wear Class II vests in good condition, and that meets ANSI/ISEA 107-2004 standards or current updates. Hard hats shall meet ANSIZ89.1-2003 standards or current updates. Flagging operations shall be conducted in accordance with the MUTCD, or as directed by TCHD. Workers outside of vehicles or off equipment, on foot, and in the work zone shall wear vests and hard hats meeting current standards.
- e) Shoulder warning signs of adequate size, not less than 30" square, shall be erected and maintained on all backfill trenches within the shoulder area until the backfill is thoroughly settled and new material has been replaced, re-graded, and thoroughly compacted. These signs shall be located at the beginning and end of each work zone, at intersections, and at a distance not greater than 1,000 feet apart, or as stated in the MUTCD.
- f) Snow and Ice Control - Maintain the traveled way in such a condition, and conduct operations in such a manner, that snow and ice may be readily controlled by others as and when necessary, and in such a manner that proper drainage is provided for the melting of snow in the banks resulting from normal plowing. This shall include, but not be limited to, the cutting of weeps through banked or accumulated snow to provide proper drainage of surface runoff into the highway ditches and/or culverts. The Permittee shall not be responsible for snow and ice control on the pavement or traveled way.
- g) The Permittee shall keep the traveled way free of foreign objects, such as rocks, timber, and other items that are a result of construction in, or near, the right-of-way, or that may fall from transporting vehicle.

7. COMPLETION OF WORKS

- a) All work is to be performed in a manner approved by TCHD.
- b) All disturbed areas shall be returned to their original condition immediately upon completion, and in a manner satisfactory to TCHD
- c) The Permittee shall be required to restore shoulders, ditches, and roadways to their original condition, or as outlined in Sections 4 & 5. Temporary pavement repairs shall be used until weather conditions allow for permanent restorations. All permanent repairs shall be made within 30 days of completion of the work as defined by the permit, with the exception of permanent pavement repair, which shall be performed only when weather permits, and in accordance with Section 5, B. All driveways shall be restored with either crushed gravel base and sub-base, and topped with 12" of 2" minus crushed limestone, 100% backfill of 2" minus crushed limestone, or other materials approved by TCDPW. Paved driveways shall be saw-cut and treated with a tack coat, or similar bituminous bonding material before the hot mix asphalt is applied, using in kind material to their original condition. All culverts, damaged or removed, shall be replaced with culverts meeting current TCDPW standards, and as approved by TCHD.
- d) All surplus construction and demolition materials shall be cleaned up and removed from the highway right-of-way as the work progresses and upon completion of the work. The highway shall be maintained in a neat and orderly condition.
- e) "As built" plans shall be provided to TCDPW if variation from approved design plans occur during construction.

8. NECESSITATED FUTURE WORK

- a) In the event of an emergency, as defined by TCHD, resulting from activities performed within the highway or right-of-way, Tompkins County may perform activities to mitigate damages or injury to any persons or property. Expenses resulting from these activities shall be reimbursed to the County by the Permittee.
- b) The Permittee agrees that any present or future disturbance to the highway property, or within the County right-of-way, by construction authorized by this permit, or the presence of equipment, vehicles, or persons

associated with the construction, shall be repaired by the Permittee at Permittee's own expense, and in accordance with the requirements of TCHD.

- c) If the necessity arises in the future because of the work on the County Highway system, and/or its structures, requiring the removal, relocation, or replacement of the installation authorized by the permit, said work shall be done as directed by TCHD, and all costs and expenses so incurred shall be the obligations of the said Permittee, or their successor in interest.

9. UTILITY INSTALLATIONS

- a) All poles, pedestals, markers, or other above-ground devices shall be set behind the backslope of the ditch. Where ditches are not present, all utilities (including underground cable), shall be a minimum of 7 feet from the edge of the pavement. Buried cable in these locations shall be a minimum of 48 inches below grade. Buried cable shall be placed beyond the backslope of any roadside ditches, unless otherwise approved by TCHD.
- b) Buried cable shall be placed below all culverts and ditch inverts a minimum of 24 inches. Cable placement over culverts, or other structures within the County right-of-way, shall not be permitted without prior approval of TCHD. The County will be held harmless for any damage/injury to utilities that did not comply with these specifications.
- c) Cable plows, or other "tracked" vehicles or equipment, shall be required to be fitted with "street pads" at all times when crossing a paved roadway, driveway, walkway, parking lot, etc. Tracked vehicles without street pads shall not be permitted to travel along any portion of any paved County Highway at any time without protecting the paved surface.
- d) Poles shall be sufficient lengths to provide a clearance of not less than 16 feet between the wire and the crown of the highway, under the worst conditions of temperature and loading. They shall be set in line and properly plumbed. They shall be well guyed. No guying to trees shall be permitted unless written permission of property owner is obtained prior to pole installation.

10. COMPLETION OF WORKS

- a) If necessity arises in future, because of work in the highway right-of-way, to relocate, replace, or reset poles, guys, cables, conduits, or other devices, said work shall be done at the expense of the Permittee.