INDIAN WELLS
CALIFORNIA

CITY OF INDIAN WELLS
PUBLIC WORKS DEPARTMENT
44-950 ELDORADO DRIVE, INDIAN WELLS, CA 92210
(760) 776-0237

ENCROACHMENT PERMIT APPLICATION

PROJECT NUMBER (If available):	
GENERAL LOCATION:	
CONTRACTOR:	**24 HOUR PHONE NO.:**
ADDRESS:	
DEVELOPER (OWNER):	**24 HOUR PHONE NO.:**
ADDRESS:	

PLEASE LIST ALL WORK TO BE PERFORMED:

PERMITTEE'S STATEMENT: THE UNDERSIGNED HEREBY APPLIES FOR PERMISSION TO UNDERTAKE, OR TO HAVE UNDERTAKEN, CONSTRUCTION WORK WITHIN PUBLIC RIGHT OF WAY IN THE CITY OF INDIAN WELLS. SAID UNDERSIGNED HAS READ THE CONDITIONS LISTED HEREON. SAID UNDERSIGNED HEREBY AGREES TO OBSERVE AND COMPLY WITH ALL PERMIT PROVISIONS SHOWN HEREON, ALL APPLICABLE SECTIONS OF THE INDIAN WELLS MUNICIPAL CODE AND ALL APPLICABLE SECTIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, AND TO COMPLETE SAID CONSTRUCTION WORK ALL IN ACCORDANCE WITH THE APPROVED PLAN, AND OR STANDARD DRAWING AND/OR ENGINEERING DIRECTIVES PREFERRED TO HEREON.

TO BE COMPLETED BY APPLICANT:

_____ _____
Start Date **Complete Date**

_____ _____
APPLICANT'S SIGNATURE **TODAY'S DATE**

ENCROACHMENT PERMIT FEE TO BE CALCULATED BY CITY OF INDIAN WELLS. THE MINIMUM FEE SHALL BE $285, BASED UPON A MINIMUM OF 2 HOURS INSPECTION. ADDITIONAL FEES APPLY FOR PERMITS ESTIMATED BY THE CITY TO REQUIRE MORE THAN 2 HOURS OF INSPECTION.

PERMIT NOT VALID WITHOUT SIGNATURE OF CITY'S REPRESENTATIVE

PERMIT CONDITIONS

1. All work covered by this permit is subject to the provisions of Standard Specifications for Public Work Construction, latest edition, and all the terms, conditions, restrictions, specifications, standards and rules and regulations of the City of Indian Wells, or any other public agency written below or printed as general or special provisions or incorporated herein by reference. **ALL WORK SHALL BE PERFORMED TO THE SATISFACTION OF THE PUBLIC WORKS DIRECTOR.**

2. City streets shall not be closed, or vehicular and/or pedestrian traffic thereon restricted in any way without a valid "Temporary Street Closure Permit" from the Public Works Department.

3. The Permittee shall indemnify and hold harmless the City of Indian Wells and all its officers and agents from all suits, or actions of every name and description that are brought for, or on account of, any injuries or damages received or sustained by an person or persons including the permittee and his or her servants or agents resulting from the construction of the work, by or in consequence in guarding the same, or for improper materials or methods used in construction.

4. It shall be the responsibility of the permittee to notify the utility and irrigation companies prior to commencement of any work which may involve their facilities, and to make all necessary arrangements therewith, including any payments required or relocation work necessary (Digalert: 1-800-227-2600).

5. A 48-hour advance notice is required for inspection, or as otherwise noted on permit. Telephone number(s) and contact information is provided on page one of the permit.

6. All property owners, businesses, and tenants affected by this work shall be notified a minimum of 72 hours prior to commencement of any work.

7. All workmanship and materials shall be guaranteed for a period of one year after completion of work. Flaws in work not detected by the City's representative shall not relieve the permittee of this responsibility.

8. A copy of this permit shall be kept at the work site and must be shown on demand to any authorized City representative. Performance of the work shall be deemed to be acceptance by the permittee of all terms and conditions of this permit.

9. In accordance with City of Indian Wells ordinances pertaining to recyclable and reusable materials, the Permittee shall submit a Waste Management Plan to the City prior to issuance of the Encroachment Permit, if required. The Encroachment Permit will not be issued until after approval of a required Waste Management Plan. The Permittee shall coordinate the completion and execution of the Waste Management Plan with the City's Recycling Coordinator.

10. Contractor shall take pictures before any work commences and after work has been completed. Contractor shall make photos available on request for the City Inspector.

8. GENERAL PROVISIONS

The following shall always apply:

A. SAFE WORKING ENVIRONMENT: The Permittee is responsible for maintaining a safe work area and shall take all necessary safety precautions during the period of the construction. All signs, barricades, and other warning devices shall conform to the requirements in the "Work Area Traffic Control" book issued by the State of California, Department of Public Works. If precautions taken by the permittee are considered inadequate by the City Engineer, his representatives or Indian Wells Police Chief, additional safety devices will be required. If the permittee is not available to provide these additional devices, they will be supplied by the City. The actual rental costs plus a fifty dollar ($50.00) administration fee will be billed to the permittee. This includes devices lost or damaged due to vandalism. There shall be a minimum of 30" of cover over all pipes or conduits.

B. HOLD HARMLESS AGREEMENT: The Permittee shall indemnify and save harmless the City of Indian Wells and all its officers and agents from all suits or actions of every name(s) and description(s) that are brought for or on account of any injuries or damages received or sustained by any person or persons including the permittee and his servants or agents resulting from the construction of the work, by or in consequence in guarding the same or improper materials or methods used in construction.

C. ENCROACHMENT ON PRIVATE PROPERTY: This permit authorizes work to be accomplished with City Street right of way ONLY. Whenever construction extends within private property, it shall be the responsibility of the permittee (or his contractors) to secure permission from abutting property owners. Such authorization must be secured by the permittee prior to starting work.

D. TRACKLAYING CONSTRUCTION EQUIPMENT: Cleated tracklaying construction equipment shall not be permitted to operate on any paved surface unless fitted with smooth-faced street pads. All mechanical outriggers shall be fitted with rubber street shoes to protect the paving during excavations. Rubber-tired equipment only shall be used on backfill operations in paved areas. If the pavement is scarred, spalled, or broken during the term of this contract, or if the pavement is marred, the City may require that these portions of the street be surfaced over their entire width.

E. PROTECTION OF TRAFFIC: All excavations and work areas shall be properly lighted and barricaded as deemed necessary by the City Engineer or his authorized representatives. Suitable detours and detour signs shall be placed and maintained for the duration of the project.

F. CARE OF DRAINAGE STRUCTURES: Any drainage structure including corrugated metal pipe, concrete pipe, steel culvert and concrete structures encountered during excavation which necessitate removal shall be replaced in kind. In the event it becomes necessary to remove or cut existing drainage structures, the City shall be notified prior to commencement of this work. Drainage structures and open drains shall be kept free of debris at all times for proper drainage.

G. RIGHT OF WAY CLEANUP: Any surplus material resulting from excavation and backfill operations shall be removed from the right of way. All paved surfaces shall be broomed clean of earth and other objectionable materials immediately after backfill and compaction. Existing gutter line and drainage ditches shall be replaced to their original standard or better. All excess material shall be removed prior to paving. Water tanker shall be used, as required, to sprinkle the job site to keep down dust conditions and shall be used immediately after job backfill.

H. DE-WATER OPERATION: If de-watering operations are required permittee (contractor) shall use open land instead of City Streets for disposal of water whenever feasible. If necessary to pump water into City Streets it shall be the responsibility of the permittee (contractor) to control the water, to provide barricades as needed, to clear gutters of mud and sand resulting from the operation and to repair any damage to the street surface or shoulders.

I. CLOSING STREETS: No street shall be closed. A minimum of one lane of traffic shall be maintained at all times to provide limited access for the adjoining property owners and emergency vehicles. In the event it is felt by the permittee that he must close a street for any length of time, permittee shall contact the City Engineer's office to obtain the necessary permission.

J. NOTIFICATION: Permittee shall notify the Indian Wells City Hall (phone number: 619-346-2489) at least 48 hours in advance of starting construction. Any work being performed without such notification (except in cases of real emergency) may be shut down by the City.

K. UTILITY CLEARANCE: (Substructures) Prior to making any excavation within the City right of way authorized by permit, the permittee shall contact all concerned utility companies relative to the location of the existing substructures. Damage to existing substructures resulting from operations conducted under this permit shall be the sole responsibility of the permittee.

L. MAINTENANCE OF PATCHES: Permanent pavement shall be finished to a plane level with the existing pavement. Any settlement in permanent patches within one year from installation may be cause for removal, recompaction and repaving at the permittee's expense.

M. SURVEY MONUMENTS: Prior to excavation or beginning of construction, all survey monuments and property corners which could be endangered by the construction shall be completely tied out so they may readily and correctly be replaced by a licensed civil engineer or surveyor at the expense of the permittee. A complete set of notes showing the ties to these monuments shall be furnished to the City Engineer prior to the removal of any monuments. This office shall be notified upon completion of replacement of all survey monuments for proper project clearance.

N. DUST CONTROL: The control of dust and all blowsand during the entire period of construction is essential. The contractor shall, by watering or planting, or a combination of both, take all necessary action to provide adequate dust control. If necessary, service shall be provided during non-working hours to assure compliance with this Section.

O. **WORKING HOURS:** Working hours shall be as follows:

7:00 AM - 5:00 PM Monday - Friday
8:00 AM - 5:00 PM Saturday (Saturday work requires advance approval)
No Lane Closures prior to 8:30 am or after 4:30 pm, unless specified otherwise
No work allowed on Sunday or National holidays.*

*National Holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day (4th of July), Labor Day, Veteran's Day, Thanksgiving Day, Thanksgiving Day After, and Christmas Day.

P. MATERIAL ORDERING: Delivery of Asphalt or PCC material should not be ordered until forming and or subgrade has been inspected and approved. Failure to obtain approval before placing material order may result in rejection.

Q. OPEN TRENCHES: Temporary A.C. pavement must be installed in the trench area at the end of each work day. No open trenches will be allowed unless plated in the traveled way. Trench areas out of the traveled way must be backfilled or covered at the end of each work day.

R. PAVEMENT RIDEABILITY TEST: All A.C. pavement installations will be subject to a rideability test. The A.C. pavement installations must not have a hump or depression in it and must be installed to the same line and grade as the adjoining pavement. Any pavement which fails or is installed in an unacceptable manner is subject to rejection, removal, or corrective work.

9. SPECIAL PROVISIONS

The following shall apply **ONLY** when circled or indicated:

T1. PERFORMANCE BOND: A faithful performance bond in an amount of not less than $ _____ shall be furnished in the name of City of Indian Wells to cover all work involved in the restoration of City Streets and Survey Monuments. This bond shall be continuous until canceled by the City Engineer. This bond must be posted PRIOR to commencement of any work on this project.

T2. CURB REMOVAL FOR DRIVEWAYS: A portion of the existing concrete curb and/or curb and gutter (_____feet) shall be removed. Curb and/or curb and gutter shall be saw cut prior to removal. Depressed curb, matching concrete gutter and concrete driveway approach shall be constructed in conformance with City of Indian Wells standards.

T3. DRIVEWAYS: Asphaltic Concrete Driveways shall be constructed so as not to alter existing drainage pattern. Surfacing between the property line and the existing road paving shall be 2 1/2 inches of A.C. Paving placed on (_____") of class _____ aggregate base. Driveway construction shall conform to City of Indian Wells standards for Portland Cement except as otherwise approved.

T4. PAVEMENT CUTTING: No pavement shall be cut except for potholes. Underground conduits shall be installed by boring, jetting or jacking.

T5. PAVEMENT CUTTING: Pavement will be mechanically cut to a straight edge prior to excavation. Method of pavement cutting shall be approved through the office of the City Engineer. Under no circumstances shall excavating equipment be used to excavate prior to cutting of pavement. Prior to final paving operations, any damage to pavement straight edge shall be corrected.

T6. PAVEMENT CUT: Pavement shall be saw cut prior to removal. Any damage to pavement straight edge prior to final paving shall be corrected by additional saw cutting as directed except as otherwise approved by the City Engineer or Special Conditions.

T7. LIMIT OF EXCAVATIONS: Excavations shall be limited to _____lineal feet of open trench before backfill operations must begin. All excavations shall be properly barricaded with lights overnight, on weekends and holidays for the protection of the traveling public. No excavation shall remain open. No excavation shall be made unless the construction material is actually on the work site. Excavation material shall be placed in a position to facilitate the flow of traffic.

T8. BACKFILL MATERIAL: Trenches whose paths run diagonally or perpendicular across the street centerline or trenches located in street intersections must be backfilled with imported Class 3 material or better. The backfill material shall be watered to optimum moisture content and mechanically compacted in lifts not to exceed 12 inches, or other approved method of compaction to obtain the relative density indicated on the attached drawing.

Trenches whose paths run parallel with the street centerline and are located within the street pavement area may be backfilled with clean, suitable native material. Any material encountered during excavation which City Engineer, or his authorized representatives, deems unsuitable shall not be used for an approved imported material. The backfill material shall be watered to optimum moisture content and mechanically compacted in lifts not to exceed 12 inches, or other approved method of compaction to obtain the relative density indicated on the attached drawing.

Trenches located outside of the street pavement, but within the right-of-way area, may be backfilled with clean, suitable native material. Any material encountered during excavation which the City Engineer, or his authorized representatives, deems unsuitable shall not be used for backfill. Unsuitable backfill material shall be replaced or supplemented with an approved imported material. The backfill material shall be adequately compacted as required to prevent any undue settlement or shrinkage and shall be backfilled to the same elevation as the original ground.

T9. BACKFILL PLACEMENT: Backfill within 3 feet of pavement base shall be mechanically tamped in 6" lifts of damp material with resulting compaction being not less than 90%. If a hydrohammer is used, lifts may be increased to 18". Backfill below the 3' level shall be compacted by any approved method with resulting compaction being not less than 90%. Water will be used as necessary to insure proper bedding of the pipe. If requested by the City, compaction tests shall be submitted.

T10. BASE MATERIAL: After backfill placement and compaction to 90% has been completed to within 9" of the pavement surface, a layer of Class II base material mechanically tamped to a thickness of 6" and a relative compaction of 95% shall be placed.

T11. COMPACTION TESTS: The compaction tests, required by the inspector, shall be made at intervals deemed necessary by the Inspector. One (1) copy of each test shall be forwarded to the City Engineer for approval prior to making permanent repairs. Compaction tests shall be made as outlined in the Standard of Specifications, Division of Highways, State of California, dated January 1988.

T12. COMPACTION TESTS: If required by the Inspector, compaction tests shall be made for each crossing or service line. One (1) copy of each test shall be forwarded to the City Engineer for approval prior to making permanent repairs. Compaction tests shall be made as outlined in the Standard Specifications, Division of Highways, State of California, dated January 1988.

T13. TEMPORARY PAVEMENT REPAIRS: After completion of backfill and compaction operations, a temporary patch consisting of 2 inches of SC-800 shall be placed immediately in all situations where permanent paving is to be replaced later. In no event shall a temporary ditch pavement remain longer than 30 days.

T14. PERMANENT PAVEMENT REPAIR: A permanent patch, minimum of 3" (inches) of A.C. shall be placed over 6"(inches) of Class II base, by a licensed paving contractor, no later than 30 days after completion of temporary street repair.

T15. FOG SEAL: A fog seal coat consisting of an application of asphaltic emulsion shall be applied over all patch areas as determined by the City Engineer or his authorized agent.

T16. SEAL COAT: A seal coat consisting of an application binder and screenings or slurry seal shall be applied on all patch areas where such seal coats existed prior to issuance of this permit. Seal coats shall be applied as specified in the Standard of Specifications, Division of Highways, State of California, dated January 1988. Work of pavement repair to be accomplished by a licensed contractor engaged in the business of pavement repair.

T17. STREET RESTRIPING: Any street striping removed or damaged by work under this permit shall be replaced upon completion of permanent repairs.

T18. BACKFILL OF EXCAVATIONS OUTSIDE OF PAVED AREA: Backfill of excavations located more than 5 feet from the edge of existing pavement shall be compacted by any approved method with resulting compaction being not less than 90%.

T19. ENCROACHMENT REMOVAL: Forthwith remove said encroachment and return the site to its original condition without cost to the City upon receipt of a written request from the City Engineer or his authorized agent.

T20. SEAL COATING: The entire street shall be seal coated from gutter to gutter.

T21. PLANT MIX FEATHERING: Plant Mix pavement shall be feathered over the existing pavement 3" minimum beyond all edges except at the curb.

T22. CURB DAMAGE: Any curb damaged shall be removed and replaced in kind.

T23. DATE OF PROCEDURE: The work as outlined in this permit shall not proceed prior to _____.

T24. STREET MAINTENANCE: The permit holder shall maintain the street reconstruction for a period of one (1) year.

T25. PAVEMENT SLIVERS: The contractor will be required to remove and replace any pavement slivers less than 5 feet wide measured from the lip of the curb and gutter to the nearest edge of the trench or from the edge of pavement to the nearest edge of the trench.

T26. VIBRATORY ROLLERS: No use of vibratory rollers.