Hamilton County Highway Department

Permit to Construct Utilities on County Right of Way Instructions

Any incomplete form will not be accepted.

Utilities Bored:

County Landowner : $50.00 per mile or site

Commercial: $250.00 per mile or site

Utilities Plowed or Open Trench:

County Landowner: $250.00 per mile or site

Commercial: $500.00 per mile or site

Commercial Pipelines: $1,000.00 per mile of ROW / Road used or crossed

A map must be included with the permit.

A current Certificate of Liability Insurance must be on file in the Highway Department office for the contractor doing the project.

Appendix B must have the **ALL** appropriate signatures.

Any questions, please contact the Highway Department office at 402-694-6184.

Thank You.

UTILITY PERMIT NO._____

HAMILTON COUNTY HIGHWAY DEPARTMENT

Permit to Construct Utilities on County Right-of-Way

DATE: _____

APPLICANT NAME: _____ PHONE: _____

COMPANY NAME: _____

ADDRESS: _____

SIGNATURE: _____

Signature acknowledges receipt of, and agreement to, Appendix A: 'Utility Permit Requirements' and Appendix B: 'Insurance and Indemnification Requirements'.

Appendices A and B are attached and incorporated herewith, along with any other required attachments.

To construct a utility or utilities on County right-of-way as follows:

LEGAL DESCRIPTION:

TYPE OF UTILITY TO BE CONSTRUCTED:

- ☐ Telecommunications ☐ Fiber Optic ☐ Non-Fiber Optic
- ☐ Water or Irrigation Pipe Size and Type _____
- ☐ Sewer Pipe Size and Type _____
- ☐ Electric Voltage _____
- ☐ Natural Gas Pipe Size and Type _____
- ☐ Other _____

PROPOSED METHOD OF INSTALLATION:

- ☐ Open Trench Width _____ Depth _____
- ☐ Continuous Bore Size _____ Depth _____
- ☐ Encasement Pipe Size _____ Type _____
- ☐ Plowing Length _____ Depth _____
- ☐ Power Poles

NAME, ADDRESS and PHONE NUMBER OF CONTRACTOR PERFORMING THE WORK

NAME: _____ PHONE: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

Appendix "A"

UTILITY PERMIT REQUIREMENTS

1) The applicant shall furnish Hamilton Co. Highway Department 1509 A St. Aurora NE 68818, with a Certificate of Insurance in accordance with the insurance requirements, "Appendix "B", contained in this permit prior to permit approval.

2) The applicant, or his contractor, shall contact the One Call Notification Center/Diggers Hotline and request location of any buried utilities. Damage to any utilities, either on County right-of-way or adjacent to County right-of-way, shall be repaired at the expense of the applicant or their contractor. Hamilton County is not responsible for utilities in public right-of-way that are not registered with One Call Notification Center/Diggers Hotline.

3) Areas disturbed by construction shall be restored to pre-construction condition as much as practical. This includes, but is not limited to, compaction of the backfill to a density equal to or greater than the surrounding soil, replacing road and driveway surfacing materials lost during construction, and seeding of the disturbed areas. Weed control of the disturbed areas is the responsibility of applicant and shall be controlled until permanent grass seed is established.

4) Pipe under road shall be one piece with all fittings located outside road surface edge. All pipe and encasements to conform with the current State of Nebraska Policy for Accommodating Utilities on State Highway Right-of-Way and State of Nebraska Standard Specifications for Highway Construction.

5) Paved road crossings shall be dry bored.

6) BORING - All lines up to and including 6 inches in diameter may be bored under the road so as not to disturb road surface. A $50 permit fee shall be paid to Hamilton County Highway Department. Bore pits must be filled and compacted equal to pre-construction condition. All lines going under a hard-surfaced roadway, regardless of size, shall be bored under the road. Lines 6 inches and smaller may be installed via open trench but the open trench rules and fees must be followed.

7) PLOWING — Utilities pulling cable parallel with county road shall pay a $50 permit fee to Hamilton County Highway Department. Installation shall be made a minimum 5 feet inside the edge of either side of the dirt, gravel or rock road and a minimum 3 feet in depth. Installation, other than aforementioned, shall be approved by the county. Cable shall be bored or pushed under culverts or other drainage structures. Any underground utility facility that crosses a drainage course within the county right-of-way must be installed a minimum four feet below the flow line of the drainage structure or drainage course. If there is a difference in the elevation between the flow line of the drainage structure and the drainage course, the lowest elevation shall be used. Cable may be attached to bridges if placed inside approved encasement and with written permission of the county. Bridge attachment schematic and written permission by the county must be attached to this permit.

8) OPEN TRENCH - All lines larger than 6 inches in diameter may be trenched across dirt, gravel and rock roads but must be bored under hard surfaced roads. A $50 permit fee will be paid to Hamilton County Highway Department. Lines larger than 6 inches may be bored with the same fee as the boring permit fee. All trenches shall be backfilled the same day trench was excavated except for the portion where the work is to be continued the next day. The portion left open for work continuation shall be protected by Type III barricades with flashing lights at night, reference the current edition of the MUTCD. Barricades shall be furnished by the applicant of permit.

9) HORIZONTAL CLEARANCE FOR GROUND—MOUNTED FACILITIES — Power poles, anchors, hydrants or any other above ground facility shall be located as close to the right-of-way line as possible. Manholes shall not protrude above the surrounding ground. Under NO circumstances may anchors be installed within roadway horizontal clear zone. All cable anchors shall be delineated with yellow, high-intensity, retroreflective tape on a plastic type sleeve installed on cable anchor.

10) Applicant is responsible for the completion of their work, restoration of the road surface and public right-of-way to pre-construction condition and for maintenance to the public right-of-way for damages associated with utility installation as long as utility remains in public right-of-way.

11) Roads may be closed for a maximum of 24 hours. Emergency services, i.e. fire department, ambulance, sheriff's office, etc. must be notified at least 48 hours prior to road closure as to location, length of closure, and any other pertinent information. Road closure requests should be made to the Hamilton County Highway Department.

12) Hamilton County reserves the right to inspect barricades and construction procedures and request modifications as necessary to maintain safe passage of traffic. All barricading, flagging, warning signs, etc. shall conform to the most current edition of the Manual on Uniform Traffic Control Devices. A signing plan shall accompany this permit and must be approved by the county prior to permit approval.

13) Applicant agrees to and accepts by its signature the terms of the attached Insurance and Indemnification Requirements.

14) If applicant does not restore road to pre-construction, or does so and settling or other problems arise, the Hamilton County Highway Department will contact the applicant and the applicant shall remedy any deficiency within the time determined by the Hamilton County Highway Superintendent or his designee. If the applicant does not cure any such deficiency within the time determined by the Hamilton County Highway Superintendent or his designee to the reasonable satisfaction of the Hamilton County Highway Department, or does not promptly respond when notified by the Hamilton County Highway Department, then the Hamilton County Highway Department shall perform the repair work reasonable and necessary to effect such cure and bill the applicant for expenses incurred. In the event any person, firm, or corporation fails to pay the damages herein the County may assess such damages upon the property in the same manner as other special taxes for improvements are levied and assessed, or the County may sue any such person, firm, or corporation in any court of competent jurisdiction for the amount of the damages due and payable under the terms and provisions of this Permit and may recover a judgment against said party for the amount so due together with interest and attorney's fees.

15) One set of project construction plans must be attached to the permit.

16) Disturbance of road surface (plowing and trenching) WILL NOT be allowed in the months November thru March.

Applicant's emergency contact:

_____

Name (print)

_____

Business Phone Cell Phone Home Phone

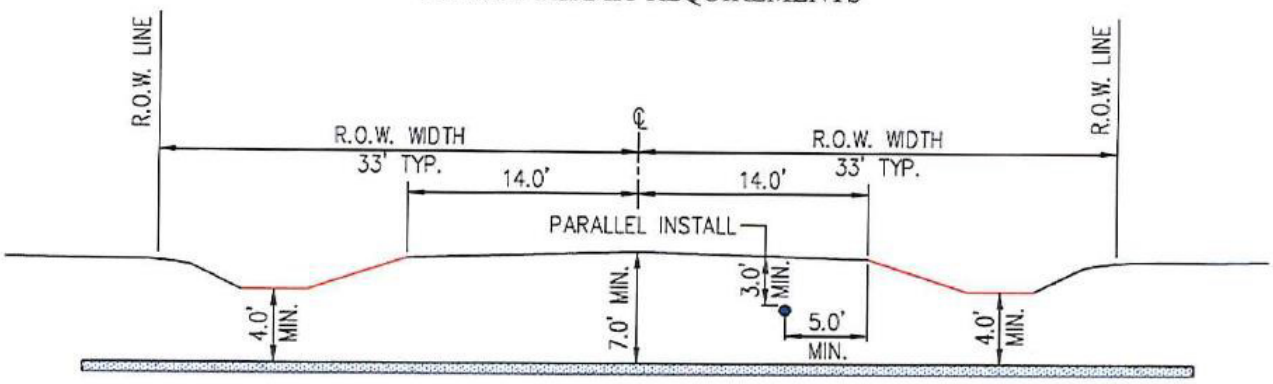
(TO BE COMPLETED BY COUNTY PERSONNEL)

Encasement Requirements: _____

Methods of Installation (circle appropriate): Boring Plowing Trenching Power Poles

Other Requirements: _____

UTILITY PERMIT REQUIREMENTS



ROADWAY CROSS SECTION
NO SCALE

NOTES:

1) This type of crossing to be made at all public county roads.

2) No utility will be buried directly above a drainage structure, **regardless of the burial depth.**

3) Within traveled portion of unimproved roadways, all open cut crossings to be backfilled with material excavated from trench. No sand or crushed rock backfill will be allowed. Backfill must be compacted beneath haunches of pipe filling all voids along pipe. Backfill density to be equal to or greater than surrounding soil

4) Future road construction work, within public right-of-way, could necessitate relocation of utilities. Utility relocation costs will be borne by the applicant. The County will work in good faith with the applicant with respect to the ultimate decision to re-locate any said utility, provide notice of the same and schedule a time with the applicant to facilitate said relocation.

5) Trees and brush removed to facilitate construction shall be properly disposed of at applicant's expense and not buried or left on county right-of-way.

6) Any requirements not covered in this permit shall conform to the State of Nebraska Policy for Accommodating Utilities on State Highway Right-of-Way and the State of Nebraska Standard Specifications for Highway Construction.

7) Adequate markers shall be placed on the right-of-way line. The markers shall give the name and address of the utility owner and phone number to contact in case of emergency.

I (We) agree to construct the _____ (utility) in accordance with the permit requirements and provisions included as a part of this permit.

Company: _____ Address: _____

Phone: _____ Signature: _____ Date: _____

EXECUTION BY HAMILTON COUNTY

The above application is hereby approved subject to the requirements and provisions of the permit.

_____

Hamilton County Authorized Representative Date

Appendix "B"

INSURANCE and INDEMNIFICATION REQUIREMENTS

The applicant shall not begin work under this permit until it has obtained all insurance coverages required under this section and such insurance has been approved by the County. The following insurance coverages shall be kept in force during the life of the permit and shall be primary with respect to any insurance or self-insurance programs covering the County, its commissioners/supervisors, officials, agents, representatives and employees.

A. Workers Compensation and Employers Liability Insurance

The minimum acceptable limits shall be the statutory limits as required by the State of Nebraska for Coverage A, Workers Compensation and $500,000 each accident for Coverage B, Employers Liability.

B. Commercial General Liability Insurance

Coverage shall include liability coverage addressing premises and operations, contractual, independent contractors, and products/completed operations. The coverage must protect against claims for damages resulting from bodily injury, including death, personal injury and property damage.

The minimum acceptable limits of liability shall be $1,000,000 each occurrence. If the coverage contains a general aggregate, such limit shall not be less than $2,000,000. The products/completed operations limit shall not be less than $2,000,000. If written on a claim made form, the products/completed operations coverage is to be maintained for two years after final payment.

The County is to be named as an additional insured on the insurance coverage required under this section.

C. Automobile Liability Insurance

Coverage shall include liability coverage addressing claims for damages resulting from bodily injury, including death and property damage, which may arise from the operations of any owned, hired or non-owned automobile. The minimum acceptable limit of liability shall be $1,000,000 Combined Single Limit for each accident.

The County is to be named as an additional insured on the insurance coverage required under this section.

D. Certificate of Insurance

The Applicant shall furnish the County with a certificate(s) of insurance evidencing the coverages required in this section. Such certificate(s)shall specifically state that the insurance company or companies underwriting these insurance coverages shall give the County at least thirty (30) days written notice in the event of cancellation of, or material change in, any of the coverages. If the certificate(s) is shown to expire prior to completion of all the terms of this Agreement, the Applicant shall furnish a certificate(s) of insurance evidencing renewal of its coverage to the County.

The Applicant shall require each subcontractor performing work under this permit to maintain the same coverages required of the Applicant in this section, and upon the request by the County, shall furnish the County with a certificate(s) of insurance evidencing the Subcontractors insurance coverages required in this section.

E. Indemnification-Hold Harmless

The Applicant agrees to indemnify and hold harmless, protect and defend Hamilton County and its elected and appointed officials, employees, agents, and representatives against any and all claims, demands, suits, actions, payments and judgments, including any and all costs and expenses connected therewith, legal cost or otherwise, for any damages which may be asserted, claimed, or recovered against or from Hamilton County or its insurers, because of personal injury, including bodily injury or death, or on account of property damage, including loss of use thereof, sustained by any person or persons which arises out of, is in any way connected with, or results from any and all work or activity associated with the work performed under this permit unless such damages are the direct and sole result of Hamilton County's negligence.

APPLICANT: _____ Date: _____

REPRESENTATIVE: _____ Date: _____