



Public Right-of-Way Permit Application

Public Works Department
40 Springs Road
Fort Worth, TX 76107
Office 817-737-8442
Fax 817-423-6056

Date Received: _____

Provider Classification

Bore Excavation Underground Utilities

Franchised or Licensed Company: _____

or
Certificated Telecommunications Provider: _____

Contact Person: _____ Phone #: _____

Applicants Name: (or agent or contractor of provider)

Company Name: _____

Applicants Name: _____

Contact Person: _____

Phone #: _____ 24 Hour Emergency #: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Project Location

Street and block location: _____

General description of work: (include linear feet of facilities in the Right of Way, if applicable) _____

Will the scope of work involve removing and/or excavating: (If yes, please check the applicable box)

Pavement Curb & Gutter Sidewalk

If yes, give detailed location: _____

Will the scope of work require blocking the Right of Way? Yes No

If yes, give street address and nearest intersection: _____

Anticipated work duration: (Start Date) _____ (Finish Date) _____

- Two (2) Copies of construction plans and two (2) maps (at least 11x 14) to be submitted with application.
- Surrounding underground services have been located.
- Proof of insurance is attached or on file.
- Contractor shall contact the Town at least 48 hours in advance of the project.
- This permit will become null and void if construction has not begun within 90 days. Above ground route/location markers are not permitted, except as required by law.
- Minimum 36 inch cover from top of conduit to gutter flow line required for bore permitted, except as required by law.
- Minimum 36 inch cover from top of conduit to gutter flow line required for bore.

Applicant shall indemnify and forever hold the Town harmless against each and every claim, demand or cause of action that may be made or come against it by reason of or in any way arising out of the closing, blocking, excavating, cutting, tunneling, or other work by the applicant under permit from the Town if such permit is granted, unless otherwise provided in law.

Signature: _____ Date: _____
Authorized Agent of Provider

Signature: _____ Date: _____
Town Approval

NOTE: CALL 817-737-8442 FOR INSPECTIONS

Exhibit A

PROOF OF INSURANCE AND BONDS

1. An applicant shall obtain and maintain insurance in the following amounts with a company authorized to do business in the state of Texas acceptable to the Town:

TYPE OF INSURANCE	LIMIT (IN MILLIONS)
General Liability (including Contractual Liability written on occurrence basis)	<u>General Aggregate</u> <u>1 M</u>
	<u>Product/Comp./Op. Agg.</u> <u>1 M</u>
	<u>Personal & Adv. Injury</u> <u>1 M</u>
	<u>Each Occurrence</u> <u>1 M</u>
Automobile Liability; including any auto, hired autos and non-owned autos	<u>Combined Single Limit</u> <u>1 M</u>
Excess Liability, Umbrella Form	<u>Each Occurrence</u> <u>1 M</u>
	<u>Aggregate</u> <u>1 M</u>
Workers Compensation and Employer's Liability	<u>Each Accident</u> <u>1 M</u>
	<u>Disease-Policy Limit</u> <u>1 M</u>
	<u>Disease-Each Employee</u> <u>1 M</u>

2. The Town reserves the right to review the insurance requirements during the effective period of any franchise or municipal consent agreement, and to reasonably adjust insurance coverage and limits when the Town Administrator determines that changes in statutory law, court decisions, or the claims history of the industry or the provider require adjustment of the coverage. For purposes of this section, the Town will accept certificates of self-insurance issued by the State of Texas or letters written by the applicant in those instances where the State does not issue such letters, which provide the same coverage required herein. However, for the Town to accept such letters, the applicant must demonstrate by written information that it has adequate financial resources to be a self-insured entity as reasonable determined by the Town, based on financial information requested by and furnished to the Town.
3. Each policy must include a cancellation provision in which the insurance company is required to notify the Town in writing, not fewer than thirty (30) days before canceling, failing to renew, or reducing policy limits. Each policy shall provide that notice of claims shall be provided to the Town Administrator by certified mail.
4. The applicant shall file the required original certificate of insurance prior to any commencement of work. The certificate shall state the policy number; name of insurance company; name and address of the agent or authorized representative of the insurance company; name, address and telephone number of insured; policy expiration and specific coverage amounts. The certificate shall name the Town and its officers, employees, board members and elected representatives as additional insured for all applicable coverage. The Town may request the deletion, revision or modification of particular policy terms, conditions, limitations or exclusions unless the policy provisions are established by law or regulation binding the Town, the applicant or the underwriter. If the Town requests a deletion, revision or modification, the applicant shall exercise reasonable efforts to pay for and to accomplish the change.
5. Applicant shall obtain and maintain, at its sole cost and expense, and file with the Public Works Department, a corporate surety bond in the amount of \$100,000 both to guarantee timely construction and faithful adherence to all requirements of this ordinance. The bond amount may be reduced to \$50,000 after a period of two (2) years provided applicant has complied with all terms and conditions herein. The bond shall contain the following endorsement. "It is hereby understood and agreed that this bond may not be cancelled by the surety nor any intention not to renew be exercised by the surety until thirty (30) days after receipt by the Town of such written notice of such intent." The bond shall provide, but not be limited to, the following condition: There shall be recoverable by the Town, jointly and severally from the principal and the surety, any and all damages, loss or costs suffered by the Town resulting from the failure of the applicant to satisfactorily construct facilities and adherence to all the requirements of this ordinance. The rights reserved to the Town with respect to the bond are in addition to all other rights of the Town, whether reserved by this ordinance, or authorized by law; and no action, proceeding or exercise of right with respect to such bond shall affect any other rights the Town may have.
6. The Town Administrator or his/her designee may waive or reduce the above requirements, taking into consideration both that the applicant has furnished the Town with reasonable documentation to evidence adequate financial resources substantially greater than the insurance and bonding requirements, and has demonstrated in prior rights-of-way construction activity, prompt resolution of any claims and substantial compliance with all required applicable codes and ordinances.
7. The financial and insurance requirements may be met by applicants with a current franchise or license and applicants governed by Chapter 283-Of the Texas Local Government Code if the current franchise, license or statutory indemnity adequately provides for insurance or bonds or provides an indemnity in favor of the Town.
8. By this application for a construction permit to use the Public Right-Of-Way, I, as the lawful representative of _____ (not the contractor but a representative of the Facility owner with authority to bind the owner(s)), hereby agree to use the Town's Public Right-Of-Way Management Ordinance (No. 17-06).

Name: _____ Title: _____ Date: _____