

**TOWN OF HERNDON, VIRGINIA
RIGHT OF WAY PERMIT APPLICATION**

APPLICATION is hereby made for a permit as shown on the accompanying plan as described below. Activities will be done under and in accordance with the rules and regulations of the Town of Herndon, Virginia, in so far as said rules are applicable thereto and any agreement between the parties herein referred to. Where applicable, agreements may be attached and made a part of the permit assembly including any cost responsibilities covering work under permit. Applicant agrees to maintain work in a manner as approved upon its completion. Applicant also hereby agrees and is bound and held responsible to the owner for any and all damages to any other installations already in place as a result of work covered by resulting permit. Applicants to whom permits are issued shall at all times indemnify and hold harmless the Town of Herndon, and all employees, agents, and officers, from responsibility, damage, or liability arising from the exercise of the privileges granted in such permit to the extent allowed by law. In consideration of the issuance of a permit the applicant agrees to waive for itself, successors in interest or assigns any entitlements it may otherwise have or have hereafter under Uniform Relocation and Assistance Act of 1972 as amended in the event the Town or its successor, chooses to exercise its acknowledged right to demand or cause the removal of any or all fixtures, personally or whatever kind or description that may hereafter be located, should this application be approved.

Applicant:

TYPE OR PRINT CLEARLY

_____ Filing Date _____
Owner

_____ Permit term (not to exceed 90 days) _____
Agent

_____ **Prepayment required.** Total fees enclosed \$ _____
Street address

_____ The estimated cost of this construction activity is \$ _____
City State Zip Code

_____ Surety Information:
Contact Person/ Phone Number Name _____

_____ Account # _____
Email

_____ Surety Amount \$ _____
After Hours Emergency Contact Person/ Phone Number

We request permission to perform the following work (include linear footage within right of way):

as per attached plans.

Location: _____

Between: _____ and _____

Signature of applicant /agent _____ Date _____
Title _____

All relevant details on this form **must be** completed before the application is considered. Recheck information to avoid delay. Call MISS UTILITY (1-800-552-7001) 48 hours before excavation begins in accordance with State law.

TOWN USE ONLY BELOW THIS LINE

Approved _____ Disapproved _____ Renewal _____ Expiration Date _____ Comments _____

Signed and dated _____ TOWN OF HERNDON

TOWN OF HERNDON, VIRGINIA
RIGHT OF WAY PERMIT
FEE SCHEDULE

All permitted work within the Town's right of way and/or easements shall require permit fees as follows:
Initial Permit Charge \$40.00 (minimum charge for all permits)

Additive permit charge – charge added for when there is more than one type of installation.

ADDITIVE PERMIT CHARGES:

<u>Type of Structure</u>	<u>Minimum Unit Charges</u>	<u>Two or More</u>
a. Additive above ground structure (including poles, pedestals, towers, etc.)	\$20 per structure	\$10 per structure
b. Additive poles attachment charge	\$17 per attachment	\$10 per structure
c. Additive Underground Structure (including manholes, hand holes, valves, etc)	\$34 per item	\$17 per structure
d. Additive guy and anchor charge	\$17 per guy and anchor	\$10 per guy & anchor
e. Additive overhead or underground Crossing charge	\$34 per crossing	\$17 per crossing
f. Additive excavating charge (includes Test borings, emergency openings)	\$40 per opening	\$40 per opening
g. Additive entrance charge (includes Private, commercial, street or road tie-ins, Median crossovers, subdivision)	\$40 per opening or cross-over	\$40 per opening or cross-over
h. Additive road construction or Reconstruction charge	\$40 per 100 lin. ft.	\$40 per 100 lin ft.
i. Additive sidewalk, curb and gutter	\$68 per 100-lin. ft.	\$68 per 100 lin ft.

Permit fees for underground installation are computed as follows:

Parallel Installation

- a. \$40 up to 3,000 lin. ft.
- b. Over 3,000 lin. ft. \$5 additive permit charge for each additional hundred (100) feet or fraction thereof, plus the permittee shall pay all inspection fees.

Permit Application – Review fee (per permit) \$40 per permit

INSPECTION FEES –

Second or subsequent inspection (additional inspections for traffic control, bond release, etc.)	\$35 per hour
Vehicle site visitation second or subsequent visit	\$10 per visit
Non-Business Hour Inspection Services	Actual Hourly Rate (4 hour minimum)

EXAMPLES OF PERMIT COMPUTATIONS

Example A. 200 feet of parallel underground installation, once crossing and one pole

	<u>Cost</u>	<u>Note</u>
Initial Application Fee	\$40	Includes Plan Review and processing
200 Ft parallel underground	\$40	Add-on Fee
One Crossing	\$34	Add-on Fee
One Pole	\$20	Add-on Fee
Total	<u>\$134.00</u>	

Example B. 2,000 feet of parallel underground, one crossing and one pole

Initial Application Fee	\$40	Includes Plan Review and processing
2000 ft parallel underground	\$40	Add-on fee
One crossing	\$34	Add-on fee
One Pole	\$20	Add-on fee
Additional Inspections 3 ea @ \$35	\$105	MOT inspection & restoration
Vehicle Site Visits 3 ea. @ \$10	\$30	For 3 inspections
Total	<u>\$269</u>	

Example C. 850 feet overhead, one crossing, two poles and 3 guys and anchors

Initial Application Fee	\$40	Includes Plan Review and processing
850 feet overhead 5 attachments		
1 st attachment 1 @ \$17	\$17	Add-on feet parallel underground
850 feet overhead 5 attachments		
(2 nd -5 th attachment) 4 @ \$10	\$40	Add-on fee
Pole (1 st pole @ \$20)	\$20	Add-on fee
Pole (2 nd pole @ \$10)	\$10	Add-on fee
Overhead Crossing	\$34	Add-on fee
Guy and anchor (1 st guy) 1 @ \$17	\$17	Add-on fee
Guy and anchor (2 nd – 3 rd guy) 2 @ \$10	\$20	Add-on fee
Additional inspections 2 ea @ \$35	\$70	MOT inspection and Utility conflicts
Vehicle Site visits 2 ea. @ \$10	\$20	For 2 inspections
Total	<u>\$288</u>	

**UTILITY SURETY AMOUNT
UNDERGROUND LINES**

Minimum: \$4,000 up to 3,000 L.F.
Additional \$8 L.F. after 3,000 L.F.

Hand Holes: \$500 each

Overhead Lines

Minimum: \$4,000 up to 4,000 L.F.
\$50 per 200' increments after 4,000 L.F.

**TOWN OF HERNDON
RIGHT OF WAY PERMIT REQUIREMENTS**

A. GENERAL REQUIREMENTS:

1. A copy of the approved plans and permit shall be kept on the job site at all times. Herndon right of way requirements shall take precedence over any conflicting permittee requirements. It shall be the permittee's responsibility to obtain any and all necessary permits that may be required by any other government agencies.
2. The Department of Public Works (Department) reserves the right to stop the work at any time the terms of this permit are not satisfactorily complied with; and the Department may at its discretion complete any of the work covered in the permit at the expense of the permittee.
3. This permit is revocable at the discretion of the Department and the permittee may be required to change or remove from the right of way in a satisfactory manner any installations under this permit.
4. The permittee shall immediately correct any situation which may arise as a result of these installations that the Department deems hazardous to the travelling public, although it may not be specifically covered in this permit.
5. Any changes to the approved plans will require that a revision be submitted to and approved by the Department prior to any changes made.
6. Any water usage from a fire hydrant for construction purposes is to be metered and paid for by a fire hydrant meter that must be obtained through the Department. Hydrant meters from other jurisdictions are not acceptable. Meters are to be removed after each use and at no time shall be chained to the hydrant.
7. The Department reserves the right to withhold the approval and issuance of any or all permits (except emergency repairs) if the Department has notified the franchisee of a problem requiring immediate correction. Also, the Department, at its sole discretion, may order that work under any or all existing permits cease until such correction is made.

8. The permittee shall not use any Town property for the overnight or temporary storage of materials or equipment without written consent of the Department. If material and/or equipment must be stored within the Town's streets or right of way, permission must be secured during the permit process.
9. It is the duty of the Department to keep all roads in a safe condition at all times. Therefore, the permit may be denied, revoked, or suspended when, in the opinion of the Department, use or maintenance of the roadway so requires.
10. If it is deemed necessary by the Department to assign an inspector to the activity covered by this permit, the permittee is to pay the Department an additional inspection fee in an amount that will cover the salary, expense allowance, and mileage allowance for the inspection(s) assigned by the Department. Said inspection fee to be paid promptly each month on bills rendered by the Department.
11. The absence of a Department inspector does not in any way relieve the permittee of responsibility to perform the work in accordance with the approved plans and provisions of the permit.

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B. GENERAL CONSTRUCTION REQUIREMENTS

1. All damage to existing roads will be restored to the satisfaction of the Department.
2. All pavement cuts must have identification markers placed on each repair.
3. The permittee shall provide adequate means of cleaning trucks and/or other equipment of mud before travelling on the Town's rights of way. It is the permittee's responsibility to clean streets and alleys of dust and to take whatever measures necessary to insure the road is maintained in a clean, mud-and dust-free condition.
4. Wherever pavement is permitted to be cut, not over one half of the pavement width shall be disturbed at one time; and on crossing, the first opening shall be completely restored to a satisfactory usable condition before the second half can be opened.
5. Each pavement cut, if not permanently patched, shall be covered by steel plates or temporary asphalt patch the same day excavation is made. Trenches are not to be left open overnight. All street plates must be recessed into the pavement and reported to the Department. No steel plates will be allowed November 1 to April 1 of each year.
6. Street cuts are to be permanently patched within seven days of completion of that work, or the Department will repair it at a cost of \$100 per square yard. A minimum charge of \$500 shall apply.
7. Street intersections and private entrances are to be maintained in an accessible condition at all times. Entrances are not to be blocked, and ample provision must be made for safe ingress and egress to adjacent property at all times. The permit does not allow parking on or use of private property.
8. The Town of Herndon designated truck route must be observed for all construction traffic.
9. The permittee is responsible through the Performance Surety for correcting any settlement of pavement and trenches for a period of **three years** after completion of work.
10. Where pavement exists, all crossings shall be bored, pushed or jacked from back of ditch line to back of ditch line or toe of fill to toe of fill. Use of pneumatic boring machines is by separate Department approval only. The pavement shall not be cut unless otherwise approved by the Department and then only if justifiable circumstances prevail or proof is shown that a thorough attempt has been made to push, bore or jack.
11. No excavated material is to be placed or tracked on the pavement, without permission of the Department. When so permitted, the pavement shall be satisfactorily cleaned by an approved method. No cleted equipment is to be used on the pavement without proper protection to the pavement.
12. Road drainage shall not be blocked. The shoulders, ditches, roadside and drainage facilities, as well as the pavement, shall be kept in an operable condition satisfactory to the Department. Necessary precautions shall be taken by the permittee to insure against siltation of adjacent properties, streams, etc. in accordance with VDOT's current standard practices or as prescribed by the Department.

13. In accordance with the "Urban Forestry" section of the Town Code, no person, public utility or other firm shall plant, spray, fertilize, prune, remove, cut, or otherwise disturb any tree within any public right-of-way or Town owned property without first obtaining written permission of the Community Forester. The person, public utility or firm shall abide by the Arboriculture Specifications and Standards of Practice. No tree roots over 3" in diameter are to be cut without written permission of the Community Forester and without covering by an appropriate tree trimming application. All roots are to be clean cut with a saw. Particular attention shall be given not to splinter the roots next to the tree.
14. No trees or shrubs are to be planted without prior review and approval of the Community Forester. Consistent with Performance Surety requirements, a **three year guarantee** is set for any disturbed trees and shrubs.
15. Any highway signs, right of way markers, etc., disturbed as a result of this work shall be accurately reset by the permittee immediately following the work near the disturbed facility.
16. Upon completion of the work covered by this permit, all disturbed areas within the Town's right of way shall be sodded and restored to their former condition.
17. This permit does not grant permission to grade onto the property of others or disturb in any way utility poles, pedestals, or other underground facilities.
18. Before any excavation near signalized intersections, it is the responsibility of the permittee to notify the Department and have all signal conduits marked (regardless if Miss Utility has been called).
19. Test holes drilled to locate leaks must be filled completely and immediately sealed from water infiltration.
20. All crossing and parallel installations allowed in the shoulders or ditch lines shall have a minimum cover of 36 inches. Cable TV and telephone cables placed adjacent to the right of way and back ditch line shall have a minimum of 30 inches cover. All other facilities shall have a minimum of 36 inches of cover.
21. All overhead crossings shall conform to the latest requirements of the National Electrical Safety Code and the vertical clearance of the lowest wire of cable crossing the roadway shall not be less than 18 feet minimum for all primary and secondary roads.
22. Where feasible, all above ground installations (telephone pedestals, electric junction boxes, etc.) shall be located adjacent to the right of way line. All manhole covers, valve boxes etc., shall be installed flush to grade and shall conform to existing contours.
23. Where extended work prevails, the permittee will be required to clean up on a day to day basis as the work progresses. All excess material shall be removed promptly.
24. No poles, guys, anchors, etc. are to be placed on the right of way of the Town unless so indicated and approved on this permit. At no time will such facilities be allowed in conflict with clear zone requirements.

C. TRENCHING AND UNDERGROUND CONSTRUCTION REQUIREMENTS

1. Bore pits are to be placed within the right of way as far as practical from the edge of pavement for primary and secondary roads.
2. It shall be the option of the Department to request and review the backfill compaction test results and/or authorize an inspector to monitor compaction at permittee's expense.
3. The trench to be backfilled shall be made as dry as practicable at the time of backfilling by pumping, bailing, draining, or other approved de-watering methods.
4. The Department may at its discretion reject backfill material deemed to be unsuitable.
5. Long open trenches will not be permitted. The maximum length at any time, including backfilled portion, which is not suitable for traffic, shall not exceed 500 feet and shall be properly signed and delineated. Trenches are not to be left open overnight unless approved by the Department. No blasting will be permitted without prior approval from the Department.
6. All backfilling and compaction of trenches shall be in accordance with the specifications outlined in VDOT's Road and Bridge Specifications (current edition). The permittee will be held responsible for any settlement in backfilling of pavement for a period of three years after completion of the work.
7. Before any excavation, the permittee shall comply with the terms of the "Underground Utility Damage Prevention Act", Title 56, Chapter 10.3, Sections 56-265.14-56-265.32, Code of Virginia, as amended. Any conflicts with existing utility facilities shall be resolved between the permittee and the utility owners involved.
8. Permittee shall remove utility markings within forty-five days following completion of the work described in this right-of-way permit or as otherwise directed by the Town under the "Underground Utility Damage Prevention Act".
9. No test pits shall be excavated until Miss Utility has marked the area. Test pits shall be limited to 12" x 12" squares. Restoration shall include removal of all existing soil and replacement with either flowable fill or clean 21A stone. 21A stone shall be back filled in 6-inch lifts and compacted by a pneumatic tamper with a ball type head. Pavement shall be replaced to a depth of 1½ times the existing thickness. Edges are to be coated with an approved tack coat prior to asphalt placement. Each pavement layer shall be compacted and the final surface shall be smooth and level with the surrounding pavement.

D. STREET, CURB AND GUTTER, AND SIDEWALK RESTORATION REQUIREMENTS

1. A smooth grade shall be maintained from center line of existing road to proposed curb and gutter to preclude the forming of false gutters and/or the ponding of any water on the roadway.
2. The permittee will be required to replace 1½ times the existing pavement section of the roads included under this permit in accordance with VDOT Road and Bridge Specifications.
3. All cut sides of the repair patch shall be trimmed to neat straight lines and a tack coat shall be applied at a rate of 0.05 – 0.15 gallon per square yard of RC-250 or CAE-2 before placing the plant mix.
4. Replacement of pavement shall be from edge of pavement to edge of pavement except when individual cuts are made and are not covering the entire width of the pavement.
5. Permittee will be responsible for any depression greater than 1/4" that occurs within three years of completion of patching. Correction shall consist of milling and replacing 1.5" of surface course mix (SM).
6. Limits of paving to be determined by the Department before final milling and paving.
7. All temporary patches must be checked daily including weekends to verify condition.
8. All damaged or destroyed pavement markings shall be replaced immediately. Painted markings may be repainted. Thermoplastic or tape must be completely ground off and replaced with same.
9. Removal of sidewalk / curb and gutter shall be limited to the amount that can be replaced the following day. Working hours shall be between 9 am and 3 pm unless otherwise agreed upon by the Department. Lane closures shall be in accordance with standard safety procedures.
10. Operations requiring blocking or removal of sidewalk shall post "Sidewalk Closed" and detour route signs on each end of the work. The work area shall be adequately barricaded to warn and deter sidewalk users from using the area. Sidewalk removed and left open overnight must also be marked with lighted barricades.
11. 4000 psi plant mix concrete shall be used for curb, gutter, and driveway aprons. 3500 psi plant mix concrete shall be used for sidewalks. Mix tickets shall be provided to the inspector upon request. Tests may also be required for slump and compressive strength.
12. Following standard safety procedures, the contractor shall remove concrete forms and backfill around the replacement work within 48 hours of pouring.

E. TRAFFIC CONTROL REQUIREMENTS

1. All traffic control shall be established in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and the Virginia Work Area Protection Manual. A copy of these manuals shall be present on the job site at all times while working in the public right of way.
2. Work shall be allowed in the right of way between 9:00 a.m. and 3 p.m. Monday through Friday. Holiday work restrictions are as follows: there shall be no activity from 12 p.m. on the last previous business day through to 9 a.m. on the first business day after the holiday. Exceptions shall only be considered by written requests addressed to the Public Works Director.
3. Traffic is not to be blocked or rerouted without special written permission of the Department. Upon making this written request the permittee shall submit a written request along with a diagram of the proposed new traffic pattern to be approved by the Department. All traffic patterns shall be in accordance with the manuals referenced above.
4. All flag men as required shall be properly dressed in accordance with the above referenced manuals, shall be certified to flag traffic and carry flaggers certification at all times.