

City of Manhattan Beach
Department of Public Works
PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

RIGHT OF WAY PERMIT – STANDARD CONDITIONS FOR WORK IN THE PUBLIC RIGHTS OF WAY
(updated on March 9, 2018)

GENERAL REGULATIONS

- All contractors including subcontractors must obtain a right-of-way permit before commencing any work in accordance with Manhattan Beach Municipal Code Chapter 7.
- All right of way permits are not valid beyond 90 calendar days from the date issued. Permits can be renewed as approved by the City Engineer.
- The City has a 1-Year Moratorium (no excavation work permitted) on any street that has been slurry sealed and a 3-Year Moratorium on any street that has been resurfaced.
- All work area impacted must be restored to the latest Americans with Disabilities Act (ADA) standards.
- All permittees/contractors are required to comply with the City's Dig Once Policy. This policy is available on the Public Works Department/Engineering Division website.
- Work activities are limited to Monday through Friday from 7:30am until 5:00pm, unless specifically stated otherwise in the permit; no work is permitted on weekends or City holidays.
- No overnight closure of any street or driveway will be allowed except as permitted by the City Engineer.
- The Contractor shall be responsible during all phases of the work to provide for public safety and convenience.
- Upon written notice, the City Engineer may cancel or revoke this permit for any cause whatsoever. Consequently, the Contractor shall restore all affected improvements to its original condition to the satisfaction of the City Engineer, at the Contractor's sole expense, and vacate the public right-of-way. Should the Contractor fail to restore the affected improvements to its original condition, the City shall either perform the restoration work or have the work performed by an outside contractor. The Permittee and the Contractor, jointly and individually, must reimburse the City for the cost of said City-financed restoration work within thirty (30) calendar days from the date of receipt of a statement from the City.

LICENSING

- Contractor shall maintain an active contractor's state license of the proper license class throughout the term of this permit.
- Contractor shall maintain an active City of Manhattan Beach business license throughout the term of this permit.

INSURANCE, SUBROGATION and INDEMNITY

- Permittee and/or Contractor shall maintain on City files throughout the term of this permit a City-approved general liability insurance policy and endorsement naming the City additional

insured on primary basis. Insurers must be admitted to do business in the state of California and possess a current A.M. Best rating of no less than "A.VII".

- Permittee and/or Contractor shall maintain on City files throughout the term of this permit a City-approved workers' compensation and employers' liability insurance policy or declaration.
- Acceptance of the right of way permit and/or initiating work in the right of way is prima facie evidence that Permittee and/or Contractor, jointly and individually, hereby waive(s) their/its right of subrogation against the City of Manhattan Beach, its officers, elected and appointed officials, employees and volunteers for any loss, liability, damage, or cost sustained by any person or property arising out of work or operations performed by or on behalf of the Permittee and/or Contractor, including materials, parts, or equipment furnished in connection with such work or operation.
- Acceptance of the right of way permit and/or initiating work in the right of way is prima facie evidence that Permittee and/or Contractor, jointly and individually, hereby agree(s) to indemnify, defend and hold harmless the City of Manhattan Beach, its officers, elected and appointed officials, employees and volunteers for any loss, liability, damage, or cost sustained by any person or property arising out of work or operations performed by or on behalf of the Permittee and/or Contractor, including materials, parts, or equipment furnished in connection with such work or operation.

NOTIFICATIONS

- Permittee and/or Contractor shall notify the Public Works Inspector three (3) working days prior to the commencement of any work within the public right-of-way.
- Permittee and/or Contractor shall notify affected residents and businesses (the public) three (3) working days prior to the commencement of any work within the public right-of-way.
- Permittee and/or Contractor shall provide a 72-hour notification to the Police Department and Fire Department in the event of a change in street/lane closure to traffic and/or public safety vehicles, parking restriction, and on each Monday morning during the construction period.
- Written notices shall provide the Permittee's and Contractor's 24-hour telephone number, the nature of the proposed work, as well as the anticipated time of commencement and completion of said work.
- All written notices that will be distributed to the public must be first submitted to the City Engineer and/or his representative for review and approval prior to distribution.

PROTECTION OF EXISTING UTILITIES

- Permittee and/or Contractor shall call Underground Service Alert prior to any excavation. Government Code Section 4216/4217 requires a Dig Alert identification number to be issued before a permit to excavate will be valid.
- It shall be the responsibility of the Contractor to locate all substructures within the alignment of the proposed improvements. In the event of substructure damage, the Contractor shall bear the total cost of repair or replacement.
- All existing utilities shall be maintained and protected in place by the Contractor, unless otherwise noted. Existing utilities and/or new improvements shall be supported as required by the City Engineer and in accordance with SPPWC Standard Drawing 224-2.

- Contractor shall remove all project related Underground Service Alert paint markings on pavement surfaces prior to final acceptance.

TRAFFIC CONTROL

- The Contractor shall submit a traffic control plan for approval prior to start of work for any conditions not covered by the “Work Area Traffic Control Handbook” (WATCH Manual) or CA MUTCD Contractor to the City Traffic Engineer and to the City Engineer or their representatives for approval.
- It is the responsibility of the Contractor performing work on a public street to install and maintain the traffic control devices according to the WATCH Manual or California MUTCD, to insure the safe movement of traffic and pedestrians through or around the work area and provide maximum protection and safety to construction workers. All barricades shall be equipped with flashing/steady burn warning lamps at night. All cones, delineators, barricades, and "k" rail shall be reflectorized. All traffic control shall be kept in their proper position at all times, and shall be repaired, replaced, or cleaned as necessary to preserve their appearance and continuity. Any devices not part of the required traffic control or detours shall be removed from the view of the travelling public immediately.
- The Contractor shall notify the Metro/Beach Cities Transit Bus Stops and Zones Dispatchers and any other affected transit services at least two working days prior to construction.
- The Contractor shall coordinate with the City Traffic Engineer on traffic signal timing adjustment at least two working day prior to applicable construction. Protect traffic signal detectors in place or replace within 5 calendar days of final paving.
- Contractor shall obtain approval of the City Traffic Engineer and/or his representative prior to posting No Parking signs. City approved “No Parking Sign” only must be utilized for posting. A sample layout of the City approved “No Parking Sign” can be found on the Engineering Division Website. Please order and pickup this sign from Maneri Sign Company located at 1928 W.135th Street, Gardena, CA 90249. Phone number is (310) 327-6261.
- Contractor shall post No Parking signs 72 hours prior to enforcement.
- Contractor shall ensure that construction vehicles use designated truck route to commute to project site.
- Any work or traffic control on Sepulveda Boulevard (State Highway Route 1), or on City cross streets which will impact Sepulveda Boulevard traffic, shall require a Caltrans Encroachment Permit prior to applying for a City permit.
- Any vehicular travel lane closures must be pre-approved by the appropriate City representative. At least one travel lane in each direction must be maintained at all times unless otherwise pre-approved by the appropriate City representative. Full street closure is strictly not permitted unless otherwise pre-approved by the appropriate City representative.
- Construction activities on Arterial and Collector roadways (see City website for Roadway Classification Map) cannot result in any travel lane impacts between 9 am and 3:30 pm.
- Flashing Arrow Boards and Changeable Message Signs are mandatory for lane closures on Arterial and Collector roadways. They shall operate until traffic control is removed.
- A pedestrian access plan must be prepared and submitted to the City for approval if pedestrian pathways are closed due to the affected work. Closed sidewalks shall be posted with

“SIDEWALK CLOSED” signs at each approach to the closure and an approved alternate route provided.

STANDARD OF PERFORMANCE

- All work shall comply with the latest edition of the “Standard Specifications for Public Works Construction” and all City standards.
- Contractor shall ensure that all works comply with the requirements of the latest edition of Cal/OSHA construction safety orders to the satisfaction of the City Engineer and/or his representative. Excavations that equal or exceed five (5) feet in depth, into which a person is required to descend, and the construction or the demolition of any scaffolding falsework, building or structure more than three stories high, requires a separate permit from Cal/OSHA.
- Contractor is advised to perform due diligence soils tests for possible contamination prior to any excavation. Contractor is responsible for handling and disposing of any contaminated soil excavated and must be handled appropriately in accordance with the requirements of the Department of Toxic Substance and the City’s Fire Department.
- Contractor shall ensure that all works comply with the requirements of the Clean Water Act (CWA) and the National Pollutant Discharge Elimination System (NPDES) to the satisfaction of the City Engineer and/or his representative. Contractor shall adhere to the selected Best Management Practices (BMP) plan and all additional corrective steps as required by the City Engineer and/or his representative. Contractor is hereby advised that Contractor shall be subject to fines from the CA Regional Water Quality Control Board (RWQCB), the State Department of Fish and Game and the United States Coast Guard for any water pollution caused by the Contractor.
- Permittee and/or Contractor shall keep the public right-of-way clean and clear for pedestrian and vehicular traffic at all times to the satisfaction of the City Engineer and/or his representative.
- Permittee and/or Contractor shall not store debris, materials or equipment within the public right-of-way without the prior written consent of the City Engineer and/or his representative.
- Permittee and/or Contractor shall enforce the City’s noise and dust control requirements at all times to the satisfaction of the City Engineer and/or his representative.
- All concrete and bituminous pavement must be saw cut prior to removal. Sections of concrete must be removed to the nearest score line or joint. All street pavement must be restored to the T-cut section per City Standard Drawing ST-10.
- Depth of any new substructure installed in the street must be 24-inches below the established flow line of the nearest gutter (or the nearest outermost edge of the traveled portion of the street). Depth of any new substructure installed in the parkway must be 16-inches below the nearest gutter
- All excavations shall be backfilled or steel plated (skid resistant and noise muffled) at the end of each working day and roads open to vehicular traffic unless otherwise approved by the City Engineer. Only recessed steel trench plates are allowed on any street that has a posted speed limit that exceeds 25 mph.
- All arterial & collector asphalt roadway lanes impacted by the trench excavation work shall be restored with 1-1/2-inch grind and cap. Similarly, local asphalt roadway lanes shall be restored with a Type II Slurry Seal application.

- Permanent pavement repairs shall be made within thirty (30) days after excavation work is completed. Permittee and/or Contractor is responsible for replacing all traffic striping and pavement markings.
- Any striped roadway that is to be left unstriped overnight shall be delineated with temporary raised reflective markers by the Contractor.
- Place temporary striping within 24 hours after final paving and place permanent striping and pavement markings within seven (7) calendar days after final paving.
- All existing survey monuments, markers and centerline ties within the work area (to be removed or damaged) must be identified and tied-out by a licensed surveyor and replaced at the Permittee's expense..
- Contractor's copy of this permit, including all attachments, along with an approved set of project plans and specifications shall be kept at the project site, ready for inspection by any authorized agent of the City upon demand.

REPORTS

- Permittee and/or Contractor shall submit the following to the Public Works Inspector during construction and prior to requesting Final Inspection:
 - o Concrete Material Classification Reports
 - o Asphalt Material Classification Reports
 - o Compaction Reports
 - o All other reports and documents as requested by the City Engineer and/or his representative

INSPECTION

- A preliminary inspection/pre-construction meeting is required prior to the start of work.
- Permittee and/or Contractor shall ensure that all works within the public right-of-way are inspected and approved by the Public Works Inspector.
- Permittee and/or Contractor shall arrange for Public Works inspection 24 hours in advance for normal on-going work, contact the Public Works Inspector at (310) 802-5306 for all inspection requests.
- Permittee and/or Contractor shall ensure that the public works inspector is scheduled to inspect one or more of the following activities:
 - o All forms have been properly installed and are ready to receive concrete.
 - o A substratum in a pavement section has been properly compacted as required, compaction test performed and is ready to receive the next layer of pavement.
 - o All pipes and conduits have been properly installed into their trenches and are ready to be covered.
 - o Concrete is being placed and finished.
 - o Subbase, base or asphalt concrete layer is being installed.
 - o Trenches are being backfilled and compacted.
- Permittee and/or Contractor shall ensure that the public works inspector is scheduled to inspect entire project when all work is done. All required reports and/or documents must be reviewed and approved by the City Engineer and/or his representative prior to City final sign-off to close out the permit.