



DEPARTMENT OF PUBLIC WORKS  
 50 PARK PLACE  
 BRISBANE, CA 94005  
 PHONE: 415.508.2130  
 FAX: 415.467.5547  
 INSPECTOR: 415.760.3053

DATE: \_\_\_\_\_

PROJECT ADDRESS: \_\_\_\_\_

**ENCROACHMENT PERMIT APPLICATION FOR WORK IN PUBLIC RIGHT OF WAY**

(SEE BRISBANE MUNICIPAL CODE SECTION 12.04.020 FOR APPLICATION PACKET REQUIREMENTS)

APPLICANT/PERMITTEE NAME	CONTRACTOR NAME
COMPANY	COMPANY
ADDRESS	ADDRESS
TELEPHONE	TELEPHONE
OWNER NAME AND ADDRESS	CONTRACTOR'S A LICENSE NO:  CITY BRISBANE LICENSE NO:
TELEPHONE	24 HOUR TELEPHONE
SOILS ENGINEER OF RECORD NAME	CIVIL ENGINEER/ARCHITECT OF RECORD NAME
TELEPHONE	TELEPHONE

Project related to current building permit:  NO  YES If YES, Building permit No.: \_\_\_\_\_  
 Project related to current planning application:  NO  YES If YES, planning app. No.: \_\_\_\_\_

**APPLICATION IS HEREBY MADE TO:**

EXCAVATE IN:  STREET  SIDEWALK  PLANTER STRIP  WATERCOURSE  OTHERS  
 TO INSTALL:  DRIVEWAY  CURB & GUTTER  SIDEWALK  PAVEMENT  STORM DRAIN  SIGN  TREE  
 SERVICE:  SEWER  WATER  ELECTRIC  GAS  TELEPHONE  CABLE TV  OTHER

**AND OTHERWISE ENCROACH BY:**

PER  PLANS  DIAGRAM

ESTIMATED START DATE \_\_\_\_\_ ESTIMATED COMPLETION DATE: \_\_\_\_\_  
 ESTIMATED COST \_\_\_\_\_ BASED ON ATTACHED  BID  CONTRACT  ENGINEER'S ESTIMATE

FEES:  NONE  PER ATTACHED  
 SURETY AMOUNT: \_\_\_\_\_ RECEIVED  BOND  CERT. OF DEPOSIT  LETTER OF CREDIT  
 SURETY INCLUDED IN ENCROACHMENT SURETY:  YES  NO

INSURANCE:  GENERAL LIABILITY  AUTOMOBILE LIABILITY  WORKERS COMPENSATION

I HEREBY AGREE TO ACCEPT AND ABIDE BY THE GENERAL ENCROACHMENT PERMIT PROVISIONS, THE CONDITIONS OF APPROVAL LISTED ON THIS PERMIT AND CHAPTER 12.04 OF THE BRISBANE MUNICIPAL CODE.

PERMITTEE \_\_\_\_\_ DATE \_\_\_\_\_  
 TITLE \_\_\_\_\_ COMPANY \_\_\_\_\_  
 CONTRACTOR \_\_\_\_\_ DATE \_\_\_\_\_  
 TITLE \_\_\_\_\_ COMPANY \_\_\_\_\_

THIS PERMIT IS TO BE STRICTLY CONSTRUED AND NO WORK OTHER THAN THAT SPECIFICALLY MENTIONED ABOVE IS AUTHORIZED HEREBY. PERMIT EXPIRES IN 90 CALENDAR DAYS IF WORK IS NOT STARTED.

**THIS PERMIT IS NOT VALID UNTIL SIGNED BY THE CITY OF BRISBANE**

DATE GRANTED: \_\_\_\_\_ BY \_\_\_\_\_  
 :

DATE EXPIRES: \_\_\_\_\_ DATE EXTENDED/BY: \_\_\_\_\_ DATE EXTENDED/BY: \_\_\_\_\_

DATE WORK COMPLETED \_\_\_\_\_  AS-BUILTS RECEIVED  MAINTENANCE BOND REQUIRED, AMOUNT \_\_\_\_\_

DATE BONDS RELEASED: PERFORMANCE \_\_\_\_\_ MAINTENANCE \_\_\_\_\_  
 FINAL INSPECTION: DATE: \_\_\_\_\_ INSPECTOR: \_\_\_\_\_

## **GENERAL ENCROACHMENT PROVISIONS**

1. All work shall be done in conformance with the approved plans.
2. This letter shall be kept on the premises at all times.
3. Permittee shall notify Public Works Department at least 24 hours in advance of any required inspections.
4. No work shall be performed during hours other than normal working hours which are Monday through Friday 8:00 a.m. to 5:00 p.m. For working hours other than specified, a special request in writing must be submitted for approval and the appropriate fees will be collected.
5. No work shall be done on the weekend without a special weekend permit issued by the Director of Public Works/City Engineer.
6. No work, traffic control, or traffic detours will be allowed within traffic lanes of Bayshore Boulevard, Guadalupe Canyon Parkway, Valley Drive, North Hill Drive, Tunnel Avenue, Lagoon Road, and Sierra Point Parkway before 9:00 a.m. or after 4:00 p.m. Monday through Friday.
7. Construction noise limitations shall be as specified in BMC 8.28.60 A and 8.28.60 B.
8. All Contractors and subcontractors shall obtain a City of Brisbane business license prior to performing any work within the City.
9. Erosion and sediment control measures must be in place and operational during the rainy season, defined by the Municipal Code as October 15 through April 15. An effective erosion and sediment control plan shall be prepared, submitted to the City for review and approval, and implemented, prior to the start of the rainy season. Temporary erosion and sedimentation controls shall remain in place until permanent post construction controls have been established.
10. Appropriate construction and post construction best management practices (BMPs) are required to control storm water quality impacts. Erosion and sediment control BMPs to be used during construction shall be selected as appropriate from the California Construction BMP Handbook (1993), ABAG Manual of Standards for Erosion and Sediment Control Measures (1995), or San Francisco Bay Regional Board Erosion and Sediment Control Field Manual. Implement permanent post construction controls as appropriate and ensure ongoing operation and maintenance of such controls.
11. All projects with 5 acres or more of disturbed area must file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the State General Construction Activity NPDES Permit and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared and implemented. A copy of the project's NOI and SWPPP shall be submitted to City prior to issuance of permit.
12. Work shall at all times be in conformance with the current Stormwater Management Plan as prepared by the San Mateo Countywide Stormwater Pollution Prevention Program and approved by the San Francisco Bay Regional Water Quality Control Board. City reserves the right to require immediate additional measures if in the City Engineer's sole judgment such additional measures are necessary.
13. Discharge of all potential pollutants, including but not limited to, petroleum products, solid wastes, and construction materials and pumped groundwater that occur on-site during construction shall be

controlled and prevented from discharging into the storm drain system. Appropriate construction site BMPs shall be continuously employed.

14. Permittee shall obtain prior approval before discharging any fluids into City sanitary sewer system. This flow shall be metered, and a volume and strength charge will be assessed.
15. All traffic control measures shall be per the plan submitted and approved by City prior to start of operations, or per the latest edition of the Work Area Traffic Control Handbook. City reserves the right to adjust or require additional traffic control measures if in the City Engineer's sole judgment such adjustment or additional measures are necessary.
16. Contractor's traffic control plan shall provide two-way traffic on all two-way streets at all times. If required to maintain two-way traffic, contractor shall provide flaggers with radios at each end of construction detour.
17. Staging, including the storage of equipment and stock piling of materials, shall not be allowed within the public right-of-way. Upon demand of City, Permittee shall provide written proof of permission to utilize private property within City limits for staging.
18. Trucks delivering materials shall not block public traffic at any time.
19. Construction equipment will be allowed to transit the public right-of-way with proper traffic control, including flagging, in order to access the jobsite. Permittee shall provide proper safety measures at all times. No open trenches shall be allowed next to live traffic without proper safety controls, to include K-rail, trench shoring, and other measures necessary to protect motorists.
20. All trenches in existing pavement shall be neatly saw cut. Trenches not protected by K-rail shall be plated at the end of every workday. Only nonskid steel traffic plates shall be used to cover the trench. The edges of traffic plates perpendicular to traffic shall be ramped with cold mix "cut back" A.C. at a ratio of 30:1 for 45 MPH and greater, and 15:1 for less than 45 MPH (measurement for ramp is relative to height of traffic plate above FG). The edges of traffic plates parallel to traffic shall be ramped with cold mix "cut back" A.C. at a ratio of 10:1 for 45 MPH and greater, and 5:1 for less than 45 MPH. The contractor shall pin the plates as necessary to prevent shifting, and shall respond to and correct shifting trench plates regardless of the time of day. In all cases, when five or more trench plates are installed contiguously, they shall be tack welded to each other to prevent shifting and rattling. The maximum duration that trench plates may be left in any one location is five (5) working days. Trenches protected by K-rail may be left open at night provided that plastic barricade fencing or other barricade acceptable to the City Engineer is used to secure the open trench and prevent access from unauthorized personnel during non-work hours. All trenches shall be fully restored within ten (10) days of initial opening. The maximum length of any open or traffic plated trench shall not exceed five hundred (500) feet at any time.
21. Rocksaws, trenchers, boring equipment, and any other equipment which does not utilize a bucket to perform excavation, are not allowed without the specific permission of the Director of Public Works/City Engineer.
22. As soon as practical after the installation of Facilities by Contractor, and as a condition precedent to the release of surety, Applicant shall submit a set of "as-built" drawings that accurately reflect the location of Facilities installed in the Public Right of Way, unless this requirement is specifically waived by the Director of Public Works/City Engineer.
23. The City of Brisbane reserves the right to occupy the Public Right-of-Way, or any part thereof, which is proposed to be occupied by any Facilities constructed under this permit. In the event that the existence of the Facilities is or will be detrimental to the City's use of the Public Right-of-Way, as reasonably determined by the Director of Public Works/City Engineer, Applicant shall at its own cost

and expense temporarily or permanently remove, relocate, adjust, and/or support the Facilities, or any part thereof, to such other location or locations in the Public Right-of-Way, or in such manner, as appropriate, as may be designated or approved, in writing and in advance, by City. City will not unreasonably withhold approval of any plan for removal, relocation, adjustment and/or support of the Facilities. Such removal, relocation, adjustment and/or support shall be completed within the time prescribed by the Director of Public Works/City Engineer. If the Facilities are not removed, relocated, adjusted and/or supported as prescribed by the Director of Public Works/City Engineer and within the prescribed time, City may take all reasonable, necessary, and appropriate action, including removing the Facilities, and shall charge the reasonable costs actually incurred, including but not limited to administrative costs, to Applicant

24. Applicant may notify City, or City may determine, that the Facilities or any part thereof, are abandoned or no longer used or useful by Applicant in providing service. At City's request, Applicant shall promptly provide information to City, describing in detail the location of such facilities. At City's sole option, Applicant shall convey such Facilities to City at no cost or promptly remove the Facilities, all at Applicant's sole cost and expense. If Applicant fails to remove the Facilities and restore City property as required by City, City shall be entitled to remove the Facilities and restore City property on behalf of Applicant and charge the reasonable costs actually incurred, including but not limited to administrative costs, to Applicant. Upon City's demand, Applicant shall execute such documents of title as will convey all right, title, and interest in the abandoned Facilities, or any part thereof, to City free and clear of liens and/or adverse claims of title.
25. When granted for potholing operations, this permit is only valid for excavations less than twenty-five (25) square feet. All potholes in existing pavement shall be neatly saw cut. Excavations shall be plated or backfilled at the end of every workday. Only nonskid steel traffic plates shall be used to cover the excavation. The edges of traffic plates perpendicular to traffic shall be ramped with cold mix "cut back" A.C. at a ratio of 30:1 for 45 MPH and greater, and 15:1 for less than 45 MPH (measurement for ramp is relative to height of traffic plate above FG). The edges of traffic plates parallel to traffic shall be ramped with cold mix "cut back" A.C. at a ratio of 10:1 for 45 MPH and greater, and 5:1 for less than 45 MPH. The contractor shall pin the plates as necessary to prevent shifting, and shall respond to and correct shifting trench plates regardless of the time of day. The maximum duration that trench plates may be left in any one location is five (5) working days. All excavations shall be fully restored within ten (10) days of initial opening.
26. Dust created by any grading, trenching, or excavation operation shall be controlled per Section 15.01.330 of the Brisbane Municipal Code and to the satisfaction of the City.
27. Underground Service Alert shall be contacted 48 hours prior to start of work, and all excavation work shall be fully in compliance with §4216 et. seq. of the California Government Code.
28. If the Contractor using hand excavating is unable to determine the exact location of a subsurface installation shown on the Contractor's plans or field marked by the utility operator, the Contractor shall request additional information from the utility operator prior to utilizing any power-operated or power-driven excavating or boring equipment in the approximate location of the subsurface facility.
29. Should the Contractor damage a subsurface installation, regardless of whether or not the Facility was properly marked, the Contractor shall immediately notify the utility operator of the damaged Facility, and shall not backfill the excavation until the operator has had time to repair its Facility. Should the Contractor damage any of the facilities exempted from surface marking requirements by §4216. (j) of the California Government Code (i.e., nonpressurized sewerlines, storm drains, and other nonpressurized drain lines), then the Contractor shall immediately repair these facilities to the satisfaction of the Public Works Inspector, and shall not backfill the repair until the Inspector has reviewed and approved the repair.

30. The location of traffic signal circuits and interconnect conduits may not be shown on the Applicant's plans or field marked on the street surface. As a condition of accepting this Permit, the Contractor and Applicant agree to make every effort to locate and protect these circuits and conduits, or to fully repair any circuits or conduits damaged by their excavations to the satisfaction of the Director of Public Works/City Engineer.
31. Final street section, backfill above pipe zone, curb and gutter repairs, sidewalk repairs, traffic striping and pavement marking repairs, and repairs to other publicly owned facilities damaged during operations under this permit shall be as directed by the City Engineer acting directly or through the City's Public Works Inspector.
32. Prior to placement of any A.C. overlay that may be required as a condition of the Permit, the Contractor shall mark the location of surface access points to underground facilities to facilitate their ultimate adjustment to grade, to the satisfaction of the Director of Public Works/City Engineer or the Public Works Inspector.
33. This permit is valid only for work in the City of Brisbane. Applicant shall obtain necessary easements from private property owners where work is proposed outside the City's right-of-way.

### **CONDITIONS OF APPROVAL**

A.