



RIGHT-OF-WAY CONSTRUCTION PERMIT

CITY OF MARSHALL

Telephone 903-935-4489

Permit #: RW-_____ (Office Use Only)

APPLICANT MUST COMPLETE SECTIONS I, II, & III

SECTION I – GENERAL PROJECT INFORMATION

Please type or print the following:

Applicant (company name): _____

Contact person: _____

Title: _____

Physical address: _____ Mailing address (if different): _____

City, State, ZIP: _____ City, State, ZIP: _____

Telephone: (____) ____ - ____ FAX: (____) ____ - ____ e-mail: _____

Work to be permitted: (fiber-optic cable installation; natural gas line installation; etc. - please be specific:)

Estimated beginning and ending dates of construction: _____ to _____

Emergency contact: Name: _____ 24-hour telephone number(s): (____) ____ - ____

Design Engineer: _____ Address: _____

Telephone: (____) ____ - ____ FAX: (____) ____ - ____

Contractor: _____ Address: _____

Telephone: (____) ____ - ____ FAX: (____) ____ - ____

Certificated Telecommunications Providers: Provide your Texas PUC certificate number: _____

SECTION II – REQUIRED SUBMITTALS

The following items must be attached to this permit application:

- ☐ One set of construction plans and specifications for review
- ☐ One set of Traffic Control Plans (if applicant is requesting street closure)
- ☐ Restoration Bond - \$3,000



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SECTION III – CERTIFICATION AND INDEMNIFICATION

Applicant agrees to perform all work in City right-of-way or public easement in accordance with City ordinances, specifications, standards, and approved construction plans. No changes shall be made to approved construction plans without prior written approval from the Department of Public Works & Utilities, Engineering Services Division.

The Contractor shall defend, indemnify and hold harmless the City of Marshall and the city's officers, agents, servants, and employees; from any and all suits, actions, claims, losses or damage of any character and from all expenses incidental to the defense of such suits, actions or claims, based upon or arising out of or alleged to be based upon or arising out of:

- (1) any injury, disease, sickness or death of any person or persons,
- (2) any damages to any property including in part loss of use thereof, caused by any act or omission of the Contractor, of any subcontractor of the Contractor, or by their officers, agents, servants, employees, or anyone else under the Contractor's direction and control, and arising out of, occurring in connection with, resulting from, or caused by the performance or failure of performance of any work or services called for by the Contract or from conditions created by the performance or non-performance of said work or services, but not to the extent that said injury, disease, sickness, death or damages arise out of the negligence of any party herein indemnified.

Applicant agrees that whenever by reason of widening or straightening of streets, sidewalks, water or sewer line projects, of any other City project, it is deemed necessary to remove, alter, change, adapt, or conform the Applicant's utility such alterations, adjustments, or relocations shall be performed solely at the expense of the Applicant.

Applicant agrees to furnish the Department of Public Works & Utilities, Engineering Services Division with electronic and hardcopy record drawings of installed utilities within sixty (60) days of substantial completion of construction.

Applicant must telephone the following entities at least two (2) working days prior to excavation:

**TEXAS EXCAVATION SAFETY SYSTEMS AND CITY UTILITIES (confirmation required)
1-800-344-8377 (1-800-DIG-TESS) for line locates**

****APPLICANT IS CAUTIONED THAT THERE ARE NUMEROUS PRIVATE UTILITIES IN CITY
RIGHT- OF-WAYS THAT DO NOT PARTICIPATE IN A ONE-CALL NOTIFICATION SYSTEM****

CONTACT DIVISION OF ENGINEERING SERVICES AT 903-935-4489 FOR INSPECTION

APPLICANT (signature): _____ DATE: _____

PRINTED NAME: _____

TITLE: _____



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SECTION IV – APPROVAL BY CITY ENGINEER

Construction plans approved (date):

Date of receipt of two (2) sets of plans & stamping “approved for construction”

Traffic Control Plan required? ☐ yes \ ☐ no - date approved:

Special conditions or comments as part of approval:

☐ PERMIT APPROVED

City Engineer

Date



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APPLICATION INSTRUCTIONS

ENGINEERING & CONSTRUCTION REQUIREMENTS

All persons not holding a franchise agreement with the City of Marshall must complete and submit a Right-of-way (ROW) construction permit application to permit installing, servicing, repairing, upgrading, or modifying any facility in, above, or under the surface of the public ROW or easements within the city limits of Marshall.

A permit **is required** for any and all activity within the ROW even if the work consists exclusively of a service connection on the same side of the public ROW and the connection does not require a pavement cut; the replacement of a single damaged pole; or the relocation of one pole. Proper restoration and cleanup of the public ROW is required whether it be in the pavement or on the grass shoulders.

APPLICATION INSTRUCTIONS

Applicant (company name). Please provide the full name of the company responsible for the construction of the project.

Contact person. Please provide the name of the utility company representative responsible for the project. The contact person should be someone readily familiar with the proposed work who can answer specific questions regarding the project.

Title. Please list the title of the contact person (i.e., electrical engineer, president, project manager, etc.)

Work to be permitted. Please list the specific addresses and streets where most of the work will occur. Note the work limits by addresses or street names. If most of the work is within one subdivision, provide the name of the subdivision. Provide the utility owner's project number if available.

ENGINEERING & CONSTRUCTION REQUIREMENTS

1. Applicant must perform research to determine if conflicting utilities are located in the project area. Contact Mr. John Clark at 903-935-4487 for water and sanitary sewer record drawings. Applicant must telephone a one-call utility notification center (i.e., Texas Excavation Safety Systems, 1-800-DIG-TESS) at least two (2) working days prior to excavation.
2. A traffic control plan must be prepared and submitted for construction that significantly impacts traffic flow or requires temporary lane closures. The traffic control plan must be prepared by a licensed professional engineer and shall be in accordance with the Texas Manual of Uniform Traffic Control Devices and must be approved by the City Engineer prior to implementation. Traffic control plans that involve state highways must be approved by the Texas Department of Transportation.
3. The contractor must secure and maintain insurance during construction. The insurance must include, as a minimum, the following:
 - a. Workmen's Compensation including Occupational Disease, and Employer's Liability Insurance



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- b. Public Liability Insurance in an amount not less than One Million Dollars (\$1,000,000) for damages arising out of bodily or personal injury, sickness or disease, or death of one person and subject to the same limit for each person in an amount not less than One Million Dollars (\$1,000,000) in any one occurrence; and property damage in an amount not less than One Million Dollars (\$1,000,000) for all single combined damages arising out of injury to or destruction of property of others in any one occurrence with an aggregate limit in the same amount. The Property Damage portion of this coverage shall include an explosion, collapse and, underground exposure coverage. In addition, where Completed Operation Insurance coverage is applicable, such coverage will be maintained after completion and acceptance of the project for the full guarantee period.
- c. Automobile Liability Insurance coverage on all self-propelled vehicles designed for travel on public roads used in connection with the project, whether owned, non-owned, or hired. The liability limits shall not be less than Two Hundred Fifty Thousand Dollars (\$250,000) for injury or death of one person and in an amount not less than Five Hundred Thousand Dollars (\$500,000) in any one occurrence; and Property Damage limits of not less than One Hundred Thousand Dollars (\$100,000) in any one occurrence.
- d. Contractual Liability Coverage: Each and every policy for Liability Insurance carried by each Contractor and Subcontractor will include a "Contractual Liability Coverage" endorsement sufficiently broad to ensure the provision titled "Indemnity" hereinafter set forth.
- e. Indemnity: The Contractor shall defend, indemnify and hold harmless the City of Marshall and the city's officers, agents, servants, and employees; from any and all suits, actions, claims, losses or damage of any character and from all expenses incidental to the defense of such suits, actions or claims, based upon or arising out of or alleged to be based upon or arising out of (1) any injury, disease, sickness or death of any person or persons, (2) any damages to any property including in part loss of use thereof, caused by any act or omission of the Contractor, of any subcontractor of the Contractor, or by their officers, agents, servants, employees, or anyone else under the Contractor's direction and control, and arising out of, occurring in connection with, resulting from, or caused by the performance or failure of performance of any work or services called for by the Contract or from conditions created by the performance or non-performance of said work or services, but not including the sole negligence of any party herein indemnified.
- f. The City of Marshall must be named as a certificate holder as follows:
City of Marshall
Attention Public Works and Utilities
Division of Engineering Services
PO Box 698, Marshall, Texas 75671

In the description line, it must reflect City of Marshall and must reference the job location. City of Marshall must be named as an additional insured.

- 4. Construction plans must include the following:



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- a. Limits of proposed work.
- b. Location of all existing and proposed utilities, including city water lines, sanitary sewer mains, storm drains, and other facilities.
- c. Details of the facility installation, including the size of the pipes, the number of ducts, etc.
- d. Surface restoration details.
- e. Bore details, including length and depth. All utilities under city streets must be dry bored and steel encased. Driveways may be wet bored and un-encased.
- f. Detailed drawings of bores, trenches, handholds, manholes, vaults, switch gears, transformers, pedestals, and other permanent fixtures to be constructed in the ROW.
- g. Length and depth of directional bores. A 54" minimum cover is required under paved surfaces. 36" minimum cover is permissible elsewhere.
- h. Proposed facilities must have a five (5) feet minimum horizontal and a two (2) feet minimum vertical clearance from city facilities. Crossing locations must be verified by potholing. Potholing shall be performed at no cost to the City.
5. All directional boring shall have the locator place bore marks and depths while the bore is in progress. Locator shall place a mark at each stem with a paint dot and depth at least every other stem. Directional boring will not be permitted alongside of or across water or sewer mains 12" in diameter and larger.
6. Contractor will be required, at his own expense, to pothole city utilities to verify minimum clearance requirements.
7. The contractor is not permitted to operate city water valves.
8. The contractor must clean sediment and mud from streets and other paved surfaces by picking it up and sweeping. Washing down streets is not permitted.
9. The contractor must pick up construction debris and trash daily.
10. The contractor must stabilize disturbed areas in established lawn areas with whole block sod. Erosion control matting and/or hydro-mulch seeding and fertilizing are permissible in other areas.
11. Upon project completion, the contractor must place a sign at each end of the project indicating the company name and telephone number.
12. The contractor will not be permitted to close traffic lanes between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:30 p.m.
13. The contractor is permitted to work between the hours of 6:00 a.m. and 9:00 p.m. on Mondays through Friday. Saturday work is permitted between the hours of 7:00 a.m. and 7:00 p.m. only if an arrangement for inspection is made with the City inspector no later than the preceding Thursday at 9:00 a.m. The contractor is not permitted to work on Sundays or City holidays except in the event of an emergency.
14. The Contractor shall post with the City a restoration bond in the amount of \$3,000 by either a cashiers check or letter of credit.



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REVIEW BY CITY ENGINEER'S OFFICE

Once an application has been submitted and includes all necessary attachments, the City Engineer will then have up to ten (10) business days to review and approve or deny the application. No work of any kind is allowed to commence until an approved permit has been issued by the City Engineers office.