2020 Retaining Wall Project Questions

- Q: Are you accepting alternate wall systems?
- A: No, we are not accepting alternate wall systems.
- Q: Do you have a Michigan Department of EGLE permit for the project and is it paid for?
- A: Yes. It is also already paid for. It is attached for your reference.
- Q: Do you have a MDOT permit for this project?
- A: Yes. It is attached for your reference. Note that this permit is only valid for working in MDOT's Right-of-Way and **does not** include any language for lane closures. If the Contractor wants to close a lane on M-21, it is their responsibility to get an MDOT permit for the lane closure.
- Q: What if the geotechnical design causes additional excavation, geotextile, backfill?
- A: An estimate given the **preliminary** geotechnical review results in **approximately** 300 cubic yards of soil to be removed from behind the existing wall.
- Q: Can you provide direction as to where [Vertica Pro Straight Faced block] may be available?
- A: This is a link to Anchor Wall's website with suppliers for the block: https://www.anchorwall.com/where-to-buv?postalcode=48867&distance=250&product=62
- Q: Can you please clarify line item #1 on the proposal form "geotechnical investigation and design"? Seeing as the geotechnical report is already published for the bidding documents, is this line item strictly related to the design of the retaining wall?
- A: The geotechnical report included in the bid documents is for information only. Those tests were done in 2014 when a different type of wall was being considered. For this project, a new geotechnical investigation and design shall be done in accordance with the Special Provision "Geotechnical Investigation and Design".



NOTICE OF AUTHORIZATION

Permit Number: WRP017546 v. 1 Date Issued: July 25, 2019
Site Name: 78 - City of Owosso Retaining Wall Expiration Date: July 25, 2024

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; specifically:

≥ Part 31, Floodplain Regulatory Authority of the Water Resources Protection.	
⊠ Part 301, Inland Lakes and Streams.	
☐ Part 303, Wetlands Protection.	
☐ Part 315, Dam Safety.	
☐ Part 323, Shorelands Protection and Management.	
☐ Part 325, Great Lakes Submerged Lands.	
☐ Part 353, Sand Dunes Protection and Management.	

Authorized activity:

Remove and rebuild approximately 110 feet of 10-foot high by 2.2-foot wide retaining wall with concrete block (approximately 97 cubic yards). Remove and reconstruct with approximately 3775 square feet of 4-inch thick sidewalk. The proposed project will result in net 12 cubic yards of fill in the 100-year floodplain.

To be conducted at property located in: Shiawassee County, Waterbody: Shiawassee River Section 24, Town 07N, Range 02E, City of Owosso

Permittee:

Clayton Wehner City of Owosso 301 W Main Street Owosso, MI 48867

> James Watling, PE Transportation Review Unit Water Resources Division 517-599-9002



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY WATER RESOURCES DIVISION PERMIT

Issued To:					
City of Owosso 301 W Main Street Owosso, MI 48867					
Permit No: Submission No.: Site Name: Issued: Revised: Expires:	WRP017546 v.1 HNN-HX94-VD2DH 78 - City of Owosso Retainin July 25, 2019 July 25, 2024	g Wall			
Water Resources D		artment of Environment, Great Lakes, and Energy (EGLE), visions of the Natural Resources and Environmental PA); specifically:			
 ☑ Part 301, Inland Lakes and Streams ☐ Part 303, Wetlands Protection ☐ Part 325, Great Lakes Submerged Lands ☐ Part 315, Dam Safety ☐ Part 353, Sand Dunes Protection and Ma ☑ Part 31, Water Resources Protection (Floodplain Regulatory Authority) 					
Permission is hereband permit conditio	, .	e assurance of adherence to State of Michigan requirements			
Authorized Activit	ty:				
Remove and rebuild approximately 110 feet of 10-foot high by 2.2-foot wide retaining wall with concrete block (approximately 97 cubic yards). Remove and reconstruct with approximately 3775 square feet of 4-inch thick sidewalk. The proposed project will result in net 12 cubic yards of fill in the 100-year floodplain.					
Waterbody Affected	d· Shiawassee River				

Waterbody Affected: Shiawassee River

Property Location: Shiawassee County, City of Owosso, Town/Range/Section 07N02E24

Property Tax No.

Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.

- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify EGLE within one week after the completion of the activity authorized by this permit by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of EGLE.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).
- M. In issuing this permit, EGLE has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, EGLE may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, EGLE may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from EGLE. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to being implemented.
- Q. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE will review the request and, if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.

EGLE-WRD WRP017546 v1.0 Approved Issued On:07/25/2019 Expires On:07/25/2024

- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources (MDNR), Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
 - Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit www.mi.gov/deqstormwater and select "Soil Erosion and Sedimentation Control Program" under "Related Links."
 - 2. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
 - 3. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
 - 4. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
 - 5. The permit placard shall be kept posted at the work site in a prominent location at all times for the duration of the project or until permit expiration.
 - 6. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.
 - 7. Stormwater shall not directly outlet to the water.
 - 8. All riprap shall be properly sized and graded and shall consist of clean natural field stone or rock (free of paint, soil or other fines, asphalt, soluble chemicals, or organic material). Broken concrete may NOT be used.
 - During removal or repair of the existing structure, every precaution shall be taken to prevent debris from entering any watercourse. Any debris reaching the watercourse during the removal and/or

reconstruction of the structure shall be immediately retrieved from the water. All material, including slurry water from hydrogeodemolition, shall be disposed of in an acceptable manner consistent with local, state, and federal regulations.

10. Work must be performed in the dry. Group 2 T&E mussels may be present at this location in the Shiawassee River. If work must be performed in the water, EGLE must be contacted to determine the need for a mussel survey.

Issued By:

James Watling, PE

Transportation Review Unit Water Resources Division 517-599-9002

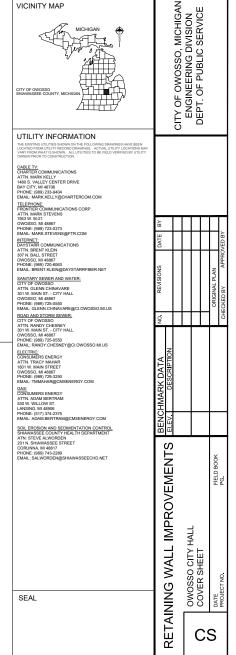
cc: City of Owosso Clerk
Shiawassee County Drain Commissioner
Shiawassee County CEA
Chris Clampitt, EGLE, WRD
Cheri Meyer, EGLE, WRD
Brian Gunderman, MDNR-Fisheries

City of Owosso Retaining Wall Improvements

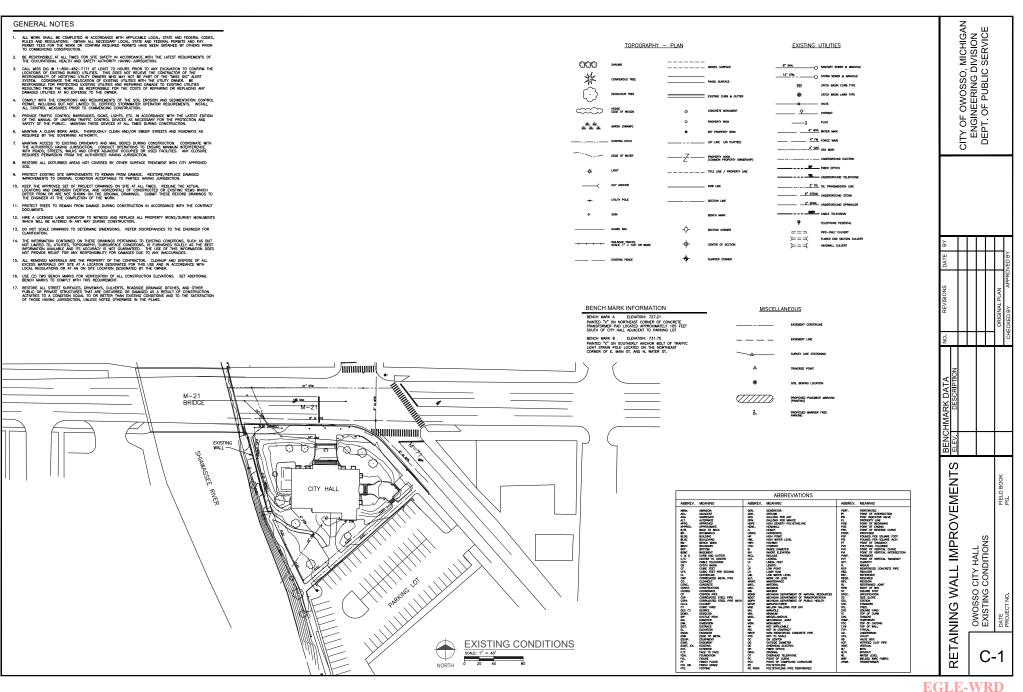
Shiawassee County, Michigan

LOCATION MAP

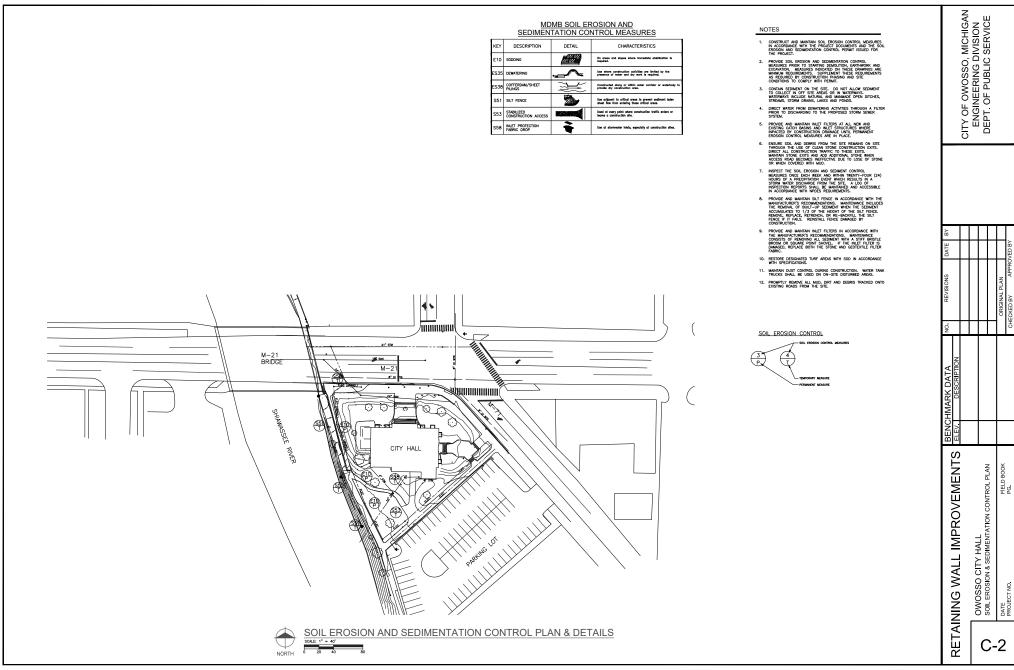
GRATIO1 COUNTY THIS IS A PROJECT BEING CONSTRUCTED BY OWOSSO DPW CREWS SHEET LIST EXISTING CONDITIONS SOIL EROSION & SEDIMENTATION CONTROL PLAN & DETAILS **PROJECT** UTILITY/GRADING/LAYOUT PLAN LOCATION DETAIL SHEET DETAIL SHEET SHIAWASSEE COUNTY

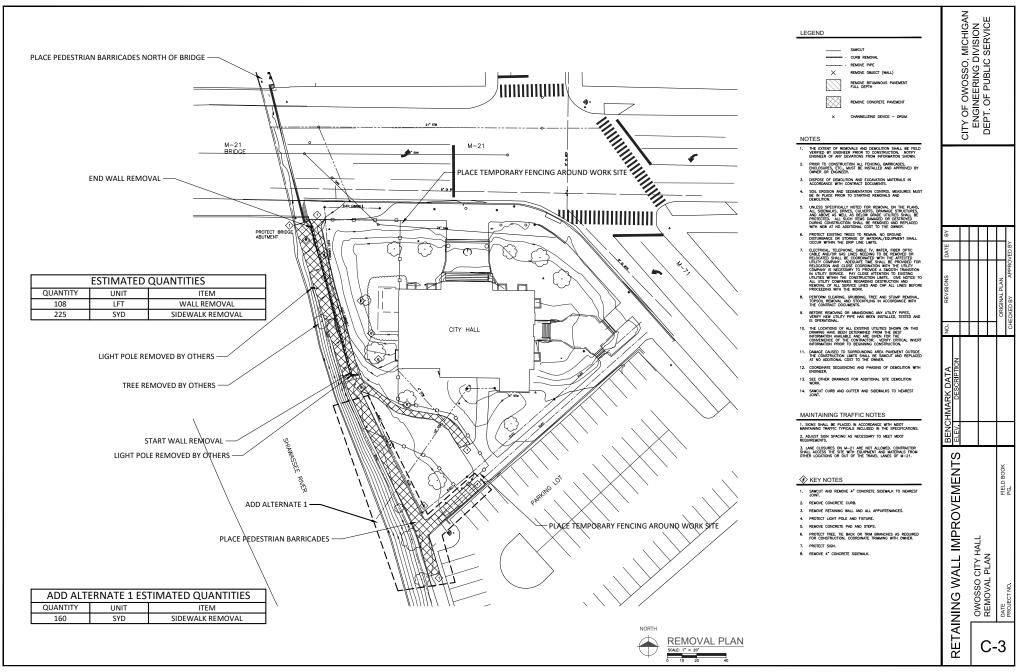


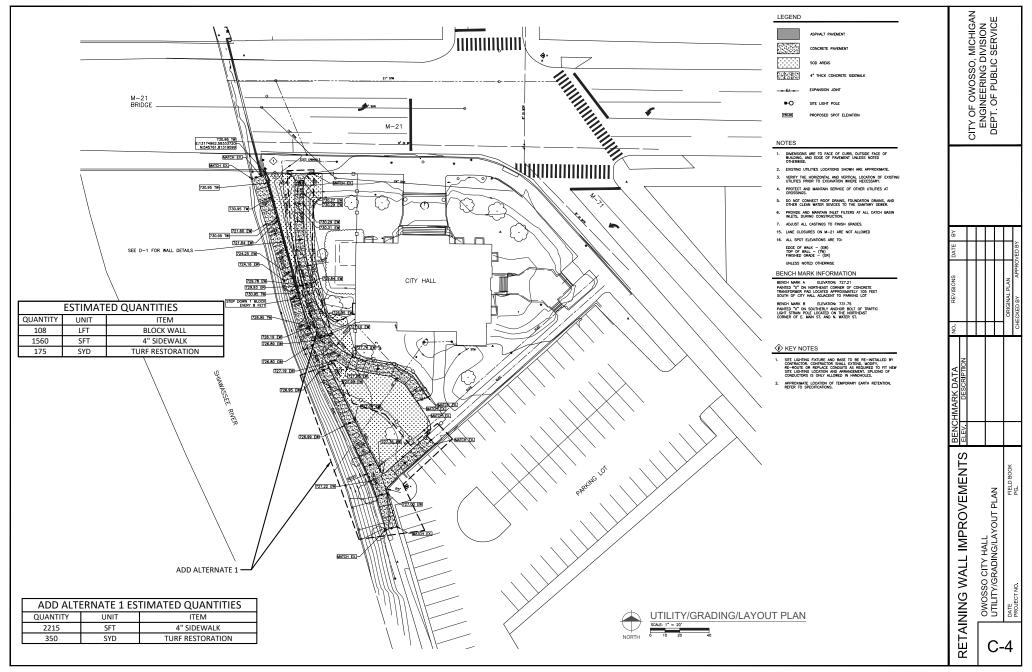
VICINITY MAP

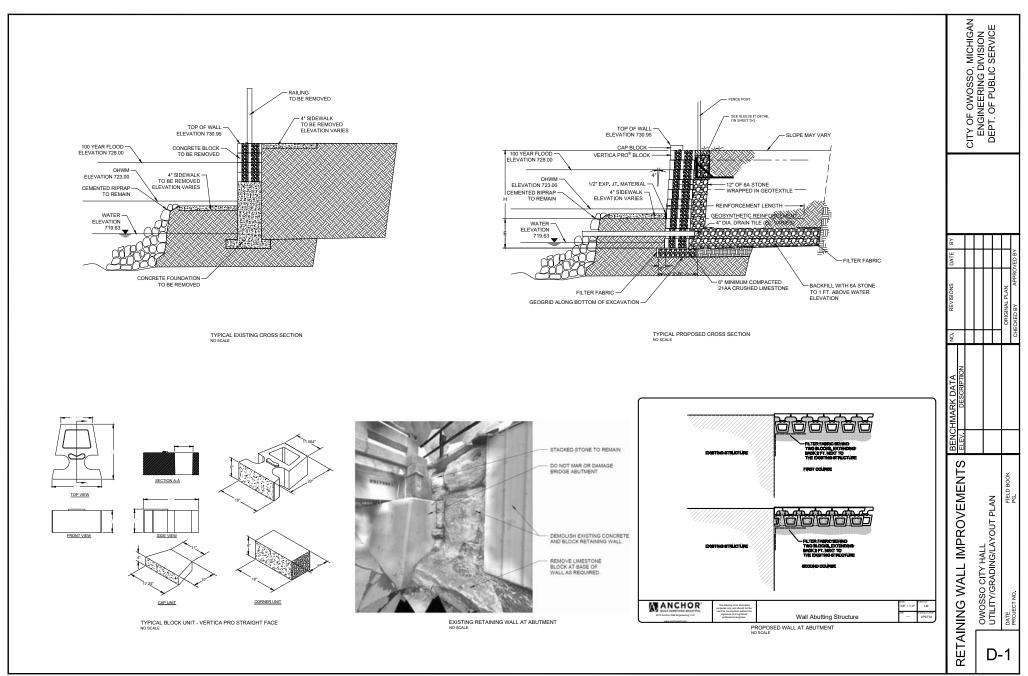


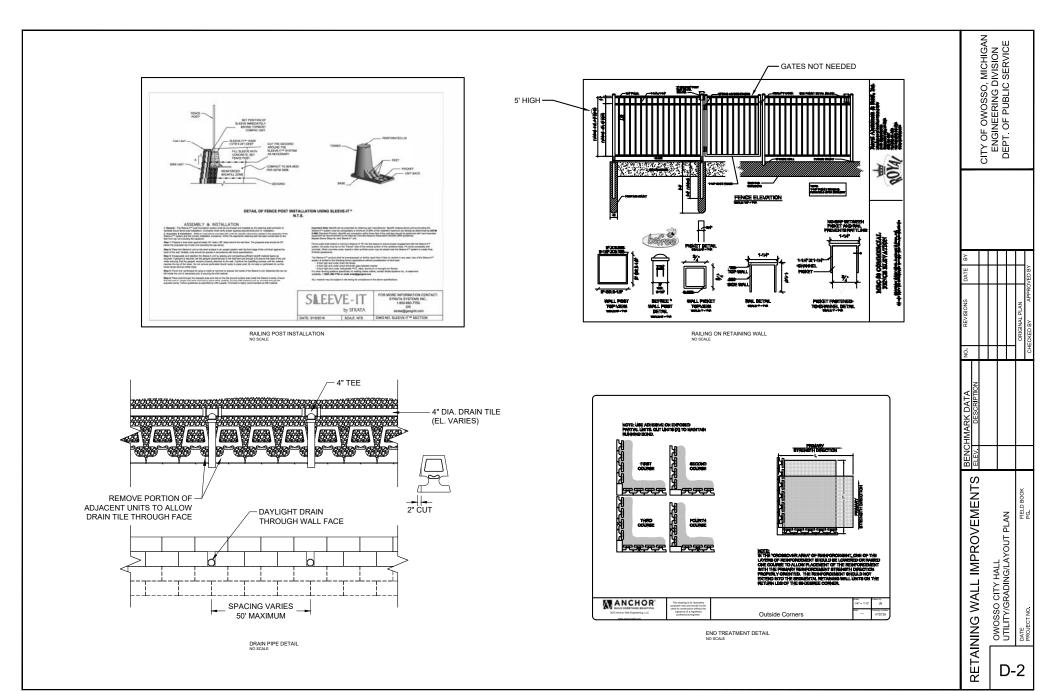
EGLE-WRD WRP017546 v1.0 Approved Issued On:07/25/2019 Expires On:07/25/2024











RETAINING WALL IMPROVEMENTS

OWOSSO CITY HALL

CHECKED BY

PROPRIODE

OWIGHAL PLAN

ORIGINAL PLAN

CHECKED BY

PAPER OFFICE

ORIGINAL PLAN

CHECKED BY

PAPER OFFICE

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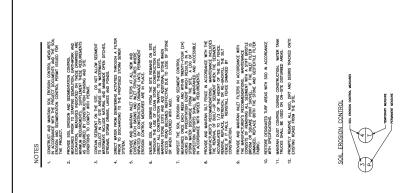
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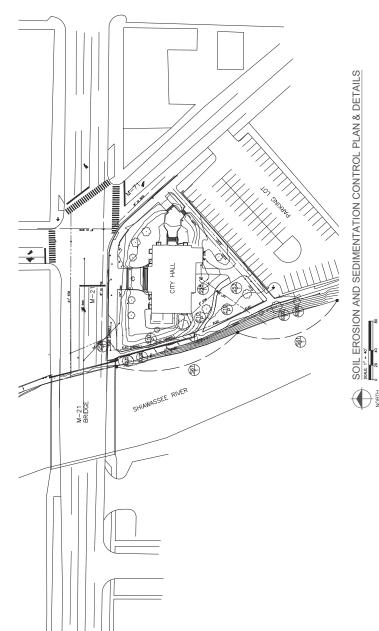
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MDMB SOIL EROSION AND SEDIMENTATION CONTROL MEASURES	CHARACTERISTICS	On orest and alopes where immediate abadilization is required.	Use where construction catalities are limited by the presence of water and dry work is required.	Constructed along or within woter confidor or waterbody provide dry construction area.	Used at every point where construction traffic enters or leaves a construction afte.	Use of atamwater hields, especially of construction sites.	Use during construction editions to a water source, to contain audient within the work area when other EMP's centrel be used.
	DETAIL		ζ,	**	Y	1	_
	DESCRIPTION	E10 SOBDING	ES35 DEWATERING	ES38 COFFERDAM/SHEET	STABILIZED CONSTRUCTION ACCESS	INLET PROTECTION FABRIC DROP	S61 TURBIDITY CURTAIN
	KEY	E10	ES35	ES38	S53	858	S61

EGLE-WRD WRP017546 v1.0 Approved ssued On: 07/25/2019

Expires On:07/25/2024



INDIVIDUAL CONSTRUCTION PERMIT For Operations within State Highway Right-of-Way

Issued To: City of Owosso

301 W MAIN ST OWOSSO MI 48867-2915

Contact: Clayton Wehner 989-725-0551(O) 989-666-8203(Cell) clayton.wehner@ci.owosso.mi.us Permit Number: 76062-065

76062-065933-19-092719 Individual Application

Permit Type: Permit Fee:

Effective Date: Sep 27, 2019 **to** Sep 27, 2020

Bond Numbers:

Liability Insurance Expiration Date:

THIS PERMIT IS VALID ONLY FOR THE FOLLOWING PROPOSED OPERATIONS:

PURPOSE:

The City of Owosso is planning on replacing the retaining wall and sidewalk on the west side of City Hall. The existing concrete wall and sidewalk are in poor condition and need to be replaced. The existing concrete wall comes up to the M-21 bridge abutment. The plan is to remove the existing concrete wall and replace it with a segmental block wall. See sheet D-1 for details working around the bridge abutment. We do not plan on tying the wall directly into the abutment. New sidewalk will then be constructed in accordance with ADA Standards.

STATE ROUTE: M-21	CITY OF:	Owosso	COUN	NTY: S	hiawassee	County
NEAREST INTERSECTION:	SIDE OF ROAD:	DISTANCE TO ⁽ⁱ NEAREST INTERSE	n feet) ECTION:		TION TO ECTION:	NEAREST
M-21 and M-71	S	185.00		East		
CONTROL SECTION:	MILE POINT FROM:	MILE POINT TO:	LEFT	LOCA MEDIAN	TION:	TRANSVERSE
76062	0.160	0.160			X	TRANSVERSE
REQUISITION NUMBER:	WORK ORDER NUMBE	R: MDOT JOB NUMBE	R:	ORG J	IOB NUM	BER:

This permit is incomplete without "General Conditions and Supplemental Specifications" I certify that I accept the following:

- 1. I am the legal owner of this property or facility, the owner's authorized representative, or have statutory authority to work within state highway Right-of-Way.
- 2. Commencement of work set forth in the permit application constitutes acceptance of the permit as issued.
- 3. Failure to object, within ten (10) days to the permit as issued constitutes acceptance of the permit as issued.
- 4. If this permit is accepted by either of the above methods, I will comply with the provisions of the permit.
- 5. I agree that Advance Notice for Permitted Activities for shall be submitted **5 days prior** to the commencement of the proposed work.

I agree that Advance Notice for Permitted Utility Tree Trimming and Tree Removal Activities shall be submitted **15** days prior to the commencement of the proposed work for an annual permit.

CAUTION

Work shall <u>NOT</u> begin until the Advance Notice has been approved. Failure to submit the advance notice may result in a Stop Work Order.

City of Owosso	Craig Innis	September 27, 201
	MDOT	Approved Date
TSC Contact Info	Davison TSC	(810) 653-7470

THE STANDARD ATTACHMENTS, ATTACHMENTS AND SPECIAL CONDITIONS MARKED BELOW ARE A PART OF THIS PERMIT.

STANDARD ATTACHMENTS:

1 General Conditions for Permit (General Conditions)

ADDITIONAL ATTACHMENTS:

- 1 City Hall Retaining Wall Plans Revised 5-20-19 8.5x11.pdf
- 2 SIGNED PERMIT WRP017546 for City of Owosso Retaining Wall.pdf
- 3 City of Owosso.pdf
- 4 m0110a.pdf

AMENDMENT ATTACHMENTS:

76062-065933-19-092719 Issued To:City of Owosso

SPECIAL CONDITIONS:

- 1 All disturbed areas within the right of way shall be top-soiled, seeded and mulched to match existing areas per current MDOT standards and specifications.
- 2 No lane closure will be allowed.

GENERAL CONDITIONS

(See new condition 23)

This permit is issued subject to the following conditions:

- This permit grants to the permittee only those rights specifically stated and no other. Maintenance work within the trunkline right of way may require a separate permit unless authorized within the scope of the annual permit.
- Issuance of this permit does not relieve permittee from meeting any and all requirements of law, or of other public bodies or agencies. The permittee shall be responsible for securing including but not limited to any other permissions including or required by law including but not limited to cities, villages, townships, corporations, or individuals for the activities hereby permitted.
- 3. The permittee agrees as a condition of this permit to:
 - a. Have in the permittee's or the permittee's representative's possession on the job site at all times the approved permit, advanced notice and any necessary plans or sketches.
 - b. Submit Advance Notice through the online Construction Permit System (CPS) at least five (5) working days prior to commencement of any operations covered by this permit. No work shall start until an approved Advance Notice is e-mailed to the permittee.
 - c. Perform no work except emergency work, unless authorized by the Department, on Saturdays, Sundays, or from 3:00 p.m. on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 - d. Provide and maintain all necessary precautions to prevent injury or damage to persons and property from operations covered by this permit.
 - e. Furnish, install and maintain all necessary traffic controls and protection during permittee's operations in accordance with the Michigan Manual of Uniform Traffic Control Devices and any supplemental specifications set forth herein.
 - f. Notify the Department of completion of work authorized by this permit through CPS, so that final inspection may be made and surety deposit released (where applicable). Surety deposit will not be released until the work authorized by the permit has been completed and inspected, and all inspection charges billable to the permittee are paid.
- 4. Nothing in this permit shall be construed to grant any rights what so ever to any public utilities, except as to the consent herein specifically given, nor to impair any existing rights granted in accordance with the constitution or laws of this state.
- 5. Any operations in the trunkline right of way not covered by permit and the appropriate Department specifications are in violation of the jurisdictional authority of the Department, with respect to the control of the trunkline right of way, unless approved by the Department. Any change or alteration in the permit activities requires prior approval of the Department and may require a new permit.
- 6. Performance of the requirements of this permit is the responsibility of the permittee. The permittee shall complete all operations for which this permit is issued in accordance with the conditions of this permit, by the specified completion date. The permittee shall meet all requirements of the current Department Standard Specifications for Construction, and the Supplemental Specifications set forth on/or incorporated as a part of this permit.

- 7. The construction, operation and maintenance of the facility covered by this permit shall be performed without cost to the Department unless specified herein. The permittee shall be responsible for the cost of restoration of the state trunkline and right of way determined by the Department to be damaged as a result of the activities of the permittee.
- 8. Facilities allowed on state trunkline right of way shall be placed and maintained in a manner which will not impair the state trunkline or interfere with the reasonable safe and free flow of traffic. Failure of the permittee to maintain the facilities located within the State trunkline right of way so as not to interfere with the operation, maintenance or use of the state trunkline by the traveling public may result in revocation of the permit.
- The permittee is solely and fully responsible for all activities undertaken pursuant to the permit. Any and all actions by the Department and those governmental bodies performing permit activities for the Department pursuant to a maintenance contract, including but not limited to any approved reviews and inspections of any nature, permit issuing, and final acceptance or rejection of the work or activity authorized by the permit shall not be construed as a warranty or assumption of liability on the part of the Department or those governmental bodies. It is expressly understood and agreed that any such actions are for the sole and exclusive purposes of the Department and the governmental bodies acting in a governmental capacity. Any such actions by the Department and governmental bodies will not relieve the permittee of its obligations hereunder, nor are such actions by the Department and the governmental bodies to be construed as a warranty as to the propriety of the permittee's performance. The permittee shall indemnify and save harmless the State of Michigan, Michigan Transportation Commission, the Department and all officers, agents and employees thereof, and those governmental bodies performing permit activities for the Department and all officers, agents and employees thereof, pursuant to a maintenance contract, against any and all claims for damages arising from operations covered by this permit except claims resulting from the sole negligence or willful acts or omissions of said indemnities, its agent, or employees. In addition, permittee upon request shall furnish proof of insurance coverage for the term of this permit in an amount pre-specified.
- 10. The permittee or representative must ensure that all insurance policies and binders include an endorsement by which the insurer agrees to notify the Department in writing at least 30 days before there is a cancellation or material change in coverage. The permittee or representative must stop operations if any insurance is cancelled or reduced, and must not resume operations until new insurance is in force. The State of Michigan, Michigan Transportation Commission, Department of Transportation, and governmental bodies performing permit activities under a maintenance contract, and all officers, agents, and employees of all the above, for claims arising out of, under, or by reason of operations covered by the permits issued to the permittee.
- 11. This permit is not assignable and not transferable unless specifically agreed to by the Department.
- 12. The permittee, upon request of the Department, shall immediately remove, cease operations, and surrender this permit, or alter or relocate, at the permittee's own expense, the facility for which this permit is granted. Upon failure to do so, the Department may take any necessary action to protect the trunkline interest and the permittee shall reimburse the Department for its costs in doing same. The permittee expressly waives any right to claim damages or compensation in the event this permit is revoked.

MDOT 2205-1 (08/18) Page 2 of 3

- 13. The permittee shall, upon request by the Department, furnish a performance surety deposit in the form of a bond, cash, certified check, or (when authorized by the Department) an irrevocable letter of credit in such amount as deemed necessary by the Department to guarantee restoration of the trunkline highway or performance under the conditions of the permit.
- 14. The permittee hereby acknowledges and agrees that the Department has the right to demand completion by the permittee, or the performance surety, or to complete any uncompleted activity authorized by this permit which adversely affects the operation and/or maintenance of the state trunkline highway, or which is not completed by the expiration date of the permit, including:
 - a. Completion of construction of driveway and/or approach (not authorized by annual permit).
 - b. Removal of materials.
 - Restoration of the trunkline facilities and right of way as necessary for the reasonably safe and efficient operations of the trunkline highway.

The permittee further agrees to immediately reimburse the Department in full for all such costs incurred by the Department upon receipt of billing, and that upon failure to pay, the Department may affect payment with the performance surety deposit. Should the surety deposit be insufficient to cover expenses incurred by the Department, the permittee shall pay such deficiency upon billing by the Department. If the surety deposit exceeds the expense incurred by the Department, any excess will be returned or released to the depositor upon completion of the work to the satisfaction of the Department.

- 15. The Department reserves the right during the time any or all of the work is being performed to assign an inspector to protect the trunkline interest, and to charge the permittee all such costs incurred. In addition, the permittee may be billed any engineering and review fees incurred by the Department or its agent in connection with the work covered by this permit.
- 16. Emergency Operations: In time of disaster or emergency, or when utility lines or facilities are so damaged as to constitute a danger to life and/or property of the public, access to the same may be had by the most expeditious route. Work is to be completed in a manner which will provide the traveling public with maximum possible safety and minimize traffic distribution. Notice of such situations shall be given to the nearest police authority and the department as soon as can reasonably be done under the circumstances. During normal Department work hours, the facility owner shall advise the Department of any operations within right of way which affect traffic operations or the highway structure or facilities prior to performance of the work. After normal Department work hours, the permittee, at the beginning of the first working day after the emergency operation, shall advise the Department of any operations which affect traffic operations or the highway structures and facilities. If determined necessary by the Department, the permittee shall secure an individual permit for such work after notification.
- 17. Upon the Department's request, as built drawings of work performed will be furnished to the Department within 30 days after completion of the work.
- The permittee shall give notice to public utilities in accordance with Act 174 of 2013, as amended, and comply with all applicable requirements of this act. The permittee shall also comply with requirements of Act 451, P.A. of 1994, as amended.

- 19. The permittee acknowledges that the Department is without liability for the presence of the permittee's facility which is located within the trunkline right of way. Acceptance by the Department of work performed, and/or notice of termination of performance obligations for the surety and/or the permittee do not relieve the permittee of full responsibility for the permittee's work or for the presence of the permittee's facility in the trunkline right of way.
- 20. Where the Department has accepted an Indemnification Commitment in lieu of bond and/or insurance policies, such commitment is incorporated into this permit by reference.
- 21. It is illegal to discharge substances other than storm water into the Department's storm sewer system unless permission has been obtained in writing for other discharges.
- 22. The permittee shall be responsible for obtaining information on permitted environmental site closures within MDOT right of way. MDOT has implemented a program that allows environmental contamination to remain within the right of way by use of a permit. Issued permit information can be obtained from the Region/TSC in which the permit is issued. If the permittee will encounter a site area identified as a site closure permit area, the permittee shall follow instructions and conditions set forth in Supplemental Specifications #3 and specifications found in form 2205-C, "Special Conditions for Underground Construction".

>>>NEW>>>

23. Other than for normal daily vehicle and equipment usage requirements, the permittee shall not use or store unattended equipment, or the following types of hazardous materials on, over, under, or immediately adjacent to Department or Local Agency owned buildings, bridges and structures, unless expressly approved by the Department in writing;

Explosive, flammable gas, non-flammable gas, inhalation hazard, oxygen, flammable liquids, fuel oil, combustible, gasoline, flammable solids, spontaneously combustible, dangerous-when-wet, oxidizer organic peroxide, toxic, poisonous, inhalation hazard, infectious, radioactive, corrosive, or any other potentially hazardous material.

Furthermore, the permittee shall not allow hazardous or unreasonably objectionable smoke, fumes, vapor, or odors to emit from any permitted operation. No junk, garbage, refuse or unused construction materials shall be stored or accumulated within the MDOT Right-of-Way.

SUPPLEMENTAL SPECIFICATIONS

 Construction and Maintenance of Facilities – To construct and maintain utility crossings of limited access highways, access for the utility's service vehicles may be from county roads, service roads, and openings authorized in limited access right of way fences. The construction of utilities across limited access highways should be for the purpose of serving a general area rather than providing individual services, unless extenuating circumstances necessitate such crossings.

Equipment, vehicles or personnel will not operate within a distance of 30 feet from the edge of the pavement of roadways or ramps on limited access highways. At locations where utilities have been constructed in medians having a width greater than 80 feet or have otherwise been allowed to remain or to be constructed in limited access right of way, ingress and egress shall be by such routes as specified by the Department, which may also specify additional safety provisions.

- Restoration- Restoration of the trunkline highway and right of way will be such that it will provide a condition equal to or better than the original condition, in accordance with Michigan Department of Transportation Standard Specifications.
- 3. Excavation and Disposal of Excavated Material The permittee shall provide and place the necessary sheeting, shoring and bracing required to prevent caving, loss or settlement of foundation material supporting the pavement, or any other highway installation such as sewers, culverts, etc. The permittee shall assume the full responsibility for this protection and shall not proceed in these areas before approval of the methods by the Department.

Construction equipment and excavating material shall not be stocked in such locations that it creates a traffic hazard or interferes with the flow of traffic; and on limited access highways, shall be a minimum of 30 feet from the traveled way. Sod and topsoil shall be stacked separately from other excavated material. The permittee shall dispose of all surplus and unsuitable material outside of the limits of the highway, unless the permit provides for disposal at approved locations within right of way. In the latter case, the material shall be leveled and trimmed in an approved manner.

When the permittee is excavating within trunkline right of way and discovers existing contaminated soil and/or an abandoned underground storage tank, special permit specifications entitled "Special Conditions for Underground Construction" (Form 2205-C) shall apply.

Utility Cuts, Trenches and Pavement Replacement - Utility crossing by pavement cutting and removal are generally prohibited. If extenuating circumstances make tunneling, boring and jacking impractical pavement cutting may be used with approval of the Department. All utility cuts, trenching and pavement replacement shall comply with the requirements of the Standard Specifications and the Standard Plan "Utility Cuts, Trenches and Pavement Replacement". Unless otherwise specified, cuts in concrete residential and commercial drives shall be as above; except that the patch width shall be a minimum of 3 feet and the remaining slab from patch to existing joint shall be a minimum of 3 feet. Backfill shall be made with sand-gravel as specified in the Standard Specifications, unless otherwise directed. After the backfill has been placed and compacted by controlled density method, the pavement shall be replaced with new pavement of the original type and quality, unless at the season of the year when it is not feasible to replace pavement in kind. In this case, a temporary surface of bituminous material shall be placed with Department approval and later replaced with pavement of the original type at the applicant's expense. Other pavement types may be allowed with prior approval of the Department.

- Crossing Roadbed by Tunneling or Boring and Jacking All
 crossing of roadbed operations involving tunneling, boring and
 jacking shall comply with the Department's special provisions
 for such work.
- 6. <u>Backfilling and Compacting Backfill</u> Unless otherwise specified, all trenches, holes and pits shall be filled with sound earth or with sand-gravel if so provided, placed in successive layers not more than 9 inches in depth, loose measure, and each layer shall be thoroughly compacted by tamping. All backfill compaction will be subject to check by the controlled density method.
- 7. <u>Depth of Cover Method</u>- Unless otherwise authorized, pipes shall be placed to a depth that will provide not less than 4 feet of cover between the top of the roadway surface and the pipe, 3 feet cover below the ditch line and the pipe.

8. Trees:

- The permittee is responsible for obtaining permission from abutting owners when trimming or removing trees on easement right of way.
- b. Tree removal or trimming may be undertaken only after submission of an "Advance Notice" through CPS, a field review by the Region Resource Specialist and an approved copy of the advanced notice is e-mailed to the permittee.
- Limbs, logs, stumps and litter shall be disposed of in a manner acceptable to the Department.
- d. Tree roots shall be bored a distance of one foot for each one inch of trunk diameter for underground utility installations
- Aerial Wire Crossings Vertical clearance of wires, conductors and cables over state trunkline shall not be less than required by Section 232 of the National Electrical Safety Code, except in no case shall the under-clearance below any wire, conductor, or cable, under any temperature or loading condition, be less than eighteen feet (18').