

# APPLICATION AND AGREEMENT FOR USE OF HIGHWAY RIGHT-OF-WAY FOR UTILITIES ACCOMMODATION

FOR DEPARTMENT USE ONLY									
Permit Number 29U-2017-045		way Nun 61	nber			Coun Des	nty Moine	es	
DOT Project Number					1	Expir	ation/	Completi	on Date
F-301(5) / NHSX-061-2(62)3H-29						12/3	31/17		
APPLICANT (INDIVIDUAL OR COMPANY)									
First Name Chad	Middle Initi M	al Last N Rude					ie Nun 728-12		Ext. 7337
Company Name Eastern Iowa Light & Power REC							ie Nun 728-12		Ext.
Street Address 1705 W 3rd St				City/Town Wilton				ZIP Cod 52778-3	
e-Mail Address chad.ruden@easterniowa.com			Secor	ndary e-Mail Address	\$				
INSTALLATION TO BE ACCOMMODATED Approval is hereby requested to enter within the stat and further described as follows.	te highway rig	ht-of-way	for the a	accommodation of a uti	ility installation	as de	etailed	on the att	achments
The installation shall consist of: Move utility for Hwy#61 road grade from Burlingt 7200v Bore under new Hwy#61 20ft Deep installed Cable Highlighted to be installed.	d in 2" Duct a	& 4' Duct	. also ple	owing cable. See attacl	hments for Sta	tion N	Marker	s and rout	te of
and shall be located as shown on the detailed Accommodation Policy for submittal of detailed									
WORK SITE LOCATION									
The proposed work as described above is loca	ated in Secti	on 23		, Twp. <u>70</u>	N				
Range <u>3W</u> on	Highway N	o. <u>61</u>	g	enerally located <u>1</u>		_ (mi	iles) <u>1</u>	North	
(direction) from Burlington				(city, county line, or	r other landm	ark).	Work	proposed	d is more
specifically located as being from 44- 44.32			()	/lilepost #) and 1214	<del>5+30</del> 121	5+90	(	Highway	Station)
to <u>53</u> 44.51 (Milepost #) and <u>16</u>	<del>551+10-</del> <sup>1</sup>	.06+71	(ł	lighway Station) on	the <u>E &amp; W</u>			side of h	nighway.

**Disclosure Statement:** The information furnished on this form will be used by the Department of Transportation to determine approval or denial of the application. Failure to provide all pertinent information will result in denial of the application. Information furnished is public information and copies may be provided to the public upon request.

The utility company, corporation, applicant, permit holder or licensee, (hereinafter referred to as the Permit applicant) agrees with the lowa Department of Transportation (hereafter referred to as the Department) that the following stipulations and those special requirements as listed on this document shall govern under this permit after it is approved by the Department.

### A. General

1. The installation shall meet the requirements of local municipal, county, state, and federal franchise rules and regulations, regulations and directives of the Iowa State Commerce Commission; the Iowa Department of Natural Resources, all rules and regulations of the Department and any other laws or regulations applicable.

2. The Permit Holder shall be fully responsible for any future adjustments of the facilities within the established highway right-of-way caused by highway construction or maintenance operations.

3. As per Section 115.8(8) of the Utility Accommodation Policy, As-Built plans are due within 90 days after completion of construction, the utility owner shall submit to the district representative an as-built plan.

4. The work described in this permit shall be completed as proposed in compliance with the stipulations and special requirements within one year from the date Department approval is received for said request. Failure on the part of the Permit Holder to abide by the stipulations or in constructing the work described as stipulated and within the time frame stated shall render this agreement and request null and void. The Permit Holder also agrees to save the State of Iowa and the Department harmless of any damages or Iosses that may be sustained by any person, or persons, on account of the conditions and requirements of this agreement.

5. Non-compliance with any of the terms of the Department's policy, permit, or agreement, may be considered cause for shut-down of construction operations, revocation of the permit, or withholding of relocation reimbursement and/or withholding of future application approvals until compliance is confirmed. The cost of any work deemed necessary to be performed by the State in removal of non-complying construction will be assessed against the Permit Holder.

## B. Construction and Maintenance

1. The location, construction and maintenance of the utility installation covered by this application shall be in accordance with the current Department's Utility Accommodation Policy. <a href="http://www.iowadot.gov/traffic/pdfs/UtilityPolicy.pdf">http://www.iowadot.gov/traffic/pdfs/UtilityPolicy.pdf</a>

2. Before beginning any work in the highway right-of-way, it is the responsibility of the Permit Holder to obtain an easement from the drainage district if necessary. The Department assumes no responsibility for advising the Permit Holder of each location of a drainage district crossing. It is the Permit Holder's responsibility to locate these crossings and obtain any necessary easements or permission from the drainage district. See Code of Iowa, Chapter 468 for additional information.

3. A copy of the approved permit shall be available on the job site at all times for examination by Department personnel.

4. Operations in the construction and maintenance of this utility installation shall be carried on in such a manner as to cause minimum interference to or distraction of traffic on said highway.

5. Traffic protection shall minimally be in accordance with Part VI of the current Manual on Uniform Traffic Control Devices for Streets and Highways. The applicant shall be responsible for correctly using traffic control devices including signs, warning lights, and channelizing devices as needed while work is in progress or the clear zone is impacted. Flagging operations are the responsibility of the applicant. The Department's TC XXX Series Standards are the preferred traffic control specification plans.

## http://www.iowadot.gov/design/stdplne\_tc.htm

6. The applicant shall seed and mulch all disturbed areas within the highway right-of-way and shall be responsible for the vegetative cover until it becomes well established. Any surfaced areas such as driveways or shoulders and sodded waterways and plantings which are disturbed shall be restored to their original condition. Any damage to any other underground facilities during installation shall be repaired at the permit holder's expense.

7. All personnel in the highway right-of-way shall wear ANSI 107 Class 2 apparel at all times when exposed to traffic or construction equipment.

8. As per Policy Section 115.4(9) parking or storage in the clear zone is prohibited. When not in actual use, vehicles, equipment and materials shall not be parked or stored within the clear zone or median.

9. Unless specifically noted in Special Requirements section, all work performed within the right-of-way shall be restricted to 30 minutes after sunrise to 30 minutes before sunset.

10. Pedestals shall be placed within 12 inches of the right-of-way line.

11. All above and below ground appurtenances (pedestals, hydrants, drains, accesses, etc.) shall be marked with high visibility posts and signs. The minimum height requirement for the signs shall be 5 foot. Urban Roadway Sections may be exempted with department approval.

## C. Liability

1. To the extent allowable by law, the Permit Holder agrees to indemnify, defend, and hold the Department harmless from any action or liability arising out of the design, construction, maintenance, placement of traffic control devices, inspection, or use of the Permit Holder's facilities. This agreement to indemnify, defend, and hold harmless applies to all aspects of the Department's application review and approval process, plan and construction reviews, and funding participation.

2. The Permit Holder shall indemnify and save harmless the State of Iowa, its agencies and employees, from any and all causes of action, suits at law or in equity, for losses, damages, claims or demands, and from any and all liability and expense of whatsoever nature, arising out of or in connection with the Permit Holder's use or occupancy of the public highway.

3. The State of Iowa and the Department assume no responsibility for damages to the Permit Holder's property occasioned by any construction or maintenance operations on said highway if the facilities are not located in accordance with this permit.

4. The State of Iowa, its agencies or employees, will be liable for expense incurred by the Permit Holder in its use and occupancy of the highway right-of-way only when negligence of the State, its agencies or employees, is the sole proximate cause of such expense. Whether in contract, tort or otherwise, the liability of the State, its agencies and employees, is limited to the reasonable, direct expense to repair damaged utilities, and in no event will such liability extend to loss of profits or business, indirect, special, consequential or incidental damages.

# **D. Notification**

1. The Permit Holder is responsible for contacting **lowa One-Call (1-800-292-8989)** and request the location of all underground utilities forty-eight (48) hours before excavation. Before beginning work in the highway right-of-way, the Permit Holder shall also contact any other known utility located in the area of the proposed work.

2. The Permit Holder agrees to give the Department forty-eight (48) hour notice of its intention to start construction or to perform routine maintenance on the highway right-of-way. Said notice shall be made to the local DOT contact person whose name is shown on Page 3.

3. **511** Notification-In accordance with Iowa Code section 321.348, cities and utilities may not obstruct or close primary highways or primary highway extensions (State highways within city limits) without prior consent of the Iowa DOT, except in emergency situations. Before setting up a lane closure or a vertical/horizontal restriction of any kind on a primary highway, call your local lowa DOT Maintenance garage and call the Traffic Management Center per attached documents. Except in emergency situations, a 10 day advance notice is required.

http://www.iowadot.gov/traffic/utility/pdfs/511UtilityNotification.pdf

### E. Buy America

Buy America applies to relocations of utility facilities that must move due to highway projects under certain specific conditions that include reimbursable locations and relocations due to interstate projects.

Please contact the Department's District Engineering Operation Technician (EOT) for more information on Buy America requirements or visit the following link: http://www.iowadot.gov/traffic/utility.html

e-Mail Address

lauren.giarmo@iowadot.us or marv.may@iowadot.us

Special Requirements - in addition to the stipulations above, the following special requirements shall apply to this permit:

# Applicant Signature and Agreement

The undersigned have read the stipulations of this permit agreement as stated, as well as attachments which may be included, and by signing this application agree to abide by all stipulations and to complete the work as proposed in compliance with the stipulations and attachments within one year from the date Department approval is granted for said request. Failure on the part of the applicant to abide by the stipulations or to construct the work desired as stipulated and within the time frame stated shall render this agreement and request null and void. The undersigned also agrees to save harmless the State of Iowa and the Iowa Department of Transportation from any damage or losses that may be sustained by any person or persons on account of the conditions and requirements of this agreement.

Name of Agent <i>(Print or Type)</i> Chad Ruden	Agent/Owner (Signature)	Title Engincering Tech
Name of Owner ( <i>Print or Type</i> ) Eastern Iowa Light & Power REC		Date 10-11-2017
e-Mail Address chad.ruden@easterniowa.com		

CITY ACTION (IF PROPOSED WORK IS WITHIN AN INCORPORATED CITY, CITY ACTION IS REQUIRED)

"The undersigned city joins in the grants embodied in the above permit executed by the lowa Department of Transportation on condition that all of the covenants and undertakings therein running to the Iowa Department of Transportation shall inure to the benefit of the undersigned city and recommends action on said permit application as noted below by the delegated city official". December 1

	Do Not Recommend Approval	None Required
Handwritten Signature	Title	Date
Type or Print Name	Auth	norized Official for the City of
e-Mail Address		

COUNTY ACTION (IF PROPOSED WORK CROSSES COUNTY RIGHT-OF-WAY, COUNTY ACTION IS REQUIRED)

"The undersigned county joins in the grants embodied in the above permit executed by the Iowa Department of Transportation on condition that all of the covenants and undertakings therein running to the Iowa Department of Transportation shall inure to the benefit of the undersigned county and recommends action on said permit application as noted below by the delegated county official".

#### 4 Recommend Approval Do Not Recommend Approval None Required Handwritten Signature Title Date 0

- Eft	County Engineer	10-11-17
Type or Print Name Brtan Car for	Authorized O	fficial for the County of
e-Mail Address	Vesi	hoines
office @ dueros	-ds. ang	
FEDERAL HIGHWAY ADMINISTRATION AC	TION (WHEN REQUIRED)	
	Do Not Recommend Approval	× None Required
Authorized FHWA Representative Signature		Date
DEPARTMENT OF TRANSPORTATION FINA Application Approved	AL ACTION Application Denied	Permit Number: 29U-2017-045
Authorized Highway District Representative Brenda Sanders	Signature	Date 11/27/17
e-Mail Address	La felle	11/2//17
brenda.sanders@iowadot.us		
Notice of intention to commence activities on the actually commencing the activities as herein gran Transportation representative. Except in emerger	ncies a 10 day advance notice is required for	be diven to the following lows Department
Local DOT Contact Person (Type or Print Nan	ne)	Phone Number
Lauren Giarmo or Marv May		319-385-2211
Street Address	City/Town	State ZIP Code
205 E Taft St.	Mt Pleasant	IA IA





Minimum Policy Requirements Rura Section Non-Freeway Highway



8-3

Notes: Utilitie

Utilities shall be locted between the toe of foreslope and the highway now line. Utilities should be located as near to the highway now the as practica. See Utility Policy, Section 115.13 for further details.

01/2015

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NOTES: Notes: disturbed vithin the right-of-way (putside she stoadwy imbent meet free " ) timite shell be repaired as

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S) reach shall be backfilled with 8 inches loose meterial, compacted to 6 inches with a minimum of 95% compaction of neckness density. The second drain the to be completed by And until new the is completely covered. Resployer of the trench shell be backfilled by acceptformation-of the trench shell be backfilled by acceptable methods.

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9+0	30	72	12	81	12	51	15			Concrete Pipe
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A minimum of 24" shall be excerniced subside the normal utility thrench will be tuch greater vidth as may be required to excern a minimum of 12" of undergood drain tile







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# www.iowadot.gov

Office of Traffic and Safety 800 Lincoln Way Ames, Iowa 50010 Phone: 515-239-1014 Email: bryan.bradley@dot.iowa.gov

# Notification of width or height restrictions on Iowa primary highways – LANE CLOSURE RESTRICTIONS AND PROCEDURES

# To: Contractors initiating a lane closure on public primary highways

Subject: Notification of width or height restrictions on Iowa primary highways

# Date: February 17, 2014

In accordance with the stipulations on all Utility Accommodation permits, utilities may not obstruct or close primary highways without prior consent of the Iowa DOT, except in emergency situations. The permit holder must notify the DOT 48 hours in advance of its intention to start construction or perform routine maintenance on the highway right-of way. The purpose of this note is to remind you of these requirements and provide guidance on how to give proper notice and information to the Iowa DOT.

Even short term partial closures can have a significant impact on the operation of highway system. The lowa DOT is working hard to improve the accuracy of the information provided by the lowa 511 traveler information system, (<u>http://511ia.org/</u>) but we need your help. Besides providing real-time information to the traveling public, this system is also used by the lowa DOT to route oversize loads. Having accurate information on the location, extent and duration of lane restrictions is critical for their routing processes.

Before setting up a lane closure or any vertical/horizontal restriction on a primary highway, call your local Iowa DOT maintenance garage, as shown on the Iowa DOT Districts web page, <u>http://www.iowadot.gov/districtshome.html</u> to discuss timing and date of the closure/restriction. Once the maintenance garage concurs with the timing and date, it is your responsibility to call the Iowa DOT Traffic Operations Center (TOC) at (515-239-1440). The TOC will add the information to the 511



system, which generates an automatic message to Iowa DOT Motor Carrier Services (MCS) and the District office.

# This notification does not replace the need for a permit application. Permits are required for utility accommodation and for any and all work on right of way, except emergency work.

Except in emergency situations, 48 hour advance notice is the minimum required. <u>The preference is for</u> a 10 day notice as permits for oversize loads are issued up to 10 days in advance. If a 10 day notice is not possible, MCS will have to check for permitted loads on those routes for possible conflicts and work with the permit holders and DOT Maintenance office to resolve the conflicts. In emergency situations, notification should be provided as soon as possible.

When providing notice to the Iowa DOT, you will need to supply detailed information about the restriction. It is advised you have this information (last 2 pages) when you call the TOC. The same detailed information to be provided is also listed at:

http://www.iowadot.gov/local\_systems/mailing/2014/january/511\_information\_form.pdf.

If you have any questions, **please do not reply to this note**. Instead, you may contact either your local Iowa DOT maintenance garage or the TOC.

Thank you in advance for your cooperation.

Sincerely,

Sujan S. Brolley

Bryan Bradley State Utility Engineer 515-239-1014 <u>bryan.bradley@iowa.gov</u> Iowa Department of Transportation



# **511 Information Required**

Before setting up a lane closure or a vertical/horizontal restriction of any kind on a primary highway extension, call your local lowa DOT maintenance garage to discuss timing and date of the closure/restriction. Once the maintenance garage concurs with the timing and date, call the lowa DOT Traffic Operations Center (TOC) at **515-239-1440**. The TOC will put the information in the 511 system, which generates an automatic message to lowa DOT Motor Carrier Services (MCS) and the District office.

The following information is required to enter a maintenance/construction event into the Iowa DOT 511 system.

Requestor:	Contact number:
•	

Route(s) affected:

Project description:

Project begin location (detailed description including cross streets and mile markers):

Project end location (detailed description including cross streets and mile markers):

County/Counties:

24 hour project contact:	
Name	Phone
Describe the impact on traffic:	
	Right lane closed
Closed intermittently	Left lane closed
Intermittent lane closure	Center lane closed
Alternating lane closures	Right shoulder closed
Reduced to one lane	Left Shoulder closed
Reduced to two lanes	Exit ramp closed
Reduced to three lanes	Entrance ramp closed

<ul> <li>Left exit ramp closed</li> <li>Shoulder closed</li> <li>Bridge closed</li> <li>Intersecting road closed</li> <li>Local road closures in area</li> <li>Left lane of exit ramp closed</li> </ul>	<ul> <li>Road construction</li> <li>Work in the median</li> <li>Opposing traffic</li> <li>Single lane traffic alternating direction</li> </ul>
Additional project information (pilot car, flagg	er, etc.):
Will there be temporary overhead signals? (1	5' standard height restriction) porary overhead signals in the space provided.
Are there any other width or height restriction □ Yes □ No	IS:
If yes, please describe:	
If yes, please describe: Additional public website comments:	
Additional public website comments:	
Additional public website comments:	 