



Form 810025 (03-16)

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

### FOR DEPARTMENT USE ONLY

Permit Number <u>294-2017-009</u>	Highway Number 61	County Des Moines
DOT Project Number NHSX-061-2(62)--3H-29		Expiration/Completion Date <u>October 1, 2017 12-31-17</u>

### APPLICANT (INDIVIDUAL OR COMPANY)

First Name Mike	Middle Initial F	Last Name Broderick	Phone Number 515-725-4610	Ext.
Company Name Iowa Communications Network (ICN)			Phone Number	Ext.
Street Address Grimes State Office Bldg. 400 E. 14th Street		City/Town Des Moines	State Ia	ZIP Code 50319
e-Mail Address mike.broderick@iowa.gov		Secondary e-Mail Address		

### INSTALLATION TO BE ACCOMMODATED

Approval is hereby requested to enter within the state highway right-of-way for the accommodation of a utility installation as detailed on the attachments and further described as follows.

The installation shall consist of:

Plowing (1) 12 count fiber optic cable along the West ROW of Hwy 61 between stations 1306+70 to 1345+22 as referenced by IDOT project plans NHSX-061-2(62)--3H-29.

and shall be located as shown on the detailed plan attached hereto. (See current Iowa Department of Transportation Utility Accommodation Policy for submittal of detailed plan requirements. See Section 115.8 (3). <http://www.iowadot.gov/traffic/pdfs/UtilityPolicy.pdf>)

### WORK SITE LOCATION

The proposed work as described above is located in Section 2 & 11, Twp. 70 N, Range 03 W on Highway No. 61 generally located 2.52 (miles) North (direction) from West Burlington Corporate Boundary (city, county line, or other landmark). Work proposed is more specifically located as being from 46.08 (Milepost #) and 1306+70 (Highway Station) to 46.80 (Milepost #) and 1345+22 (Highway Station) on the West side of highway.

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 Iowa 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 losses 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. <http://www.iowadot.gov/traffic/pdfs/UtilityPolicy.pdf>
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/stdpln\\_tc.htm](http://www.iowadot.gov/design/stdpln_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 Iowa 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 Iowa 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/utility.html>

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 (Print or Type) Mike Broderick	Agent/Owner (Signature) 	Title OSP Engineer
Name of Owner (Print or Type) Iowa Communications Network (ICN)		Date 8-9-17
e-Mail Address mike.broderick@iowa.gov		

**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 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 city and recommends action on said permit application as noted below by the delegated city official".


Recommend Approval     Do Not Recommend Approval     None Required

Handwritten Signature	Title	Date
Type or Print Name	Authorized 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".

Recommend Approval     Do Not Recommend Approval     None Required


Handwritten Signature 	Title County Engineer	Date 8-31-17
Type or Print Name Brian Carter	Authorized Official for the County of Des Moines	
e-Mail Address office@iowaroads.org		

**FEDERAL HIGHWAY ADMINISTRATION ACTION (WHEN REQUIRED)**

Recommend Approval     Do Not Recommend Approval     None Required







Authorized FHWA Representative Signature	Date
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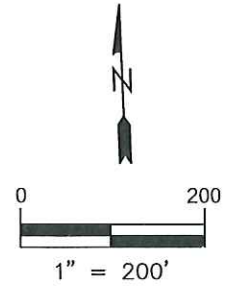
**DEPARTMENT OF TRANSPORTATION FINAL ACTION**

<input checked="" type="checkbox"/> Application Approved <input type="checkbox"/> Application Denied	Permit Number: 29U-2017-009
Authorized Highway District Representative Nora Lind	Signature 
e-Mail Address Nora.lind@iowadot.us	Date 9/11/17

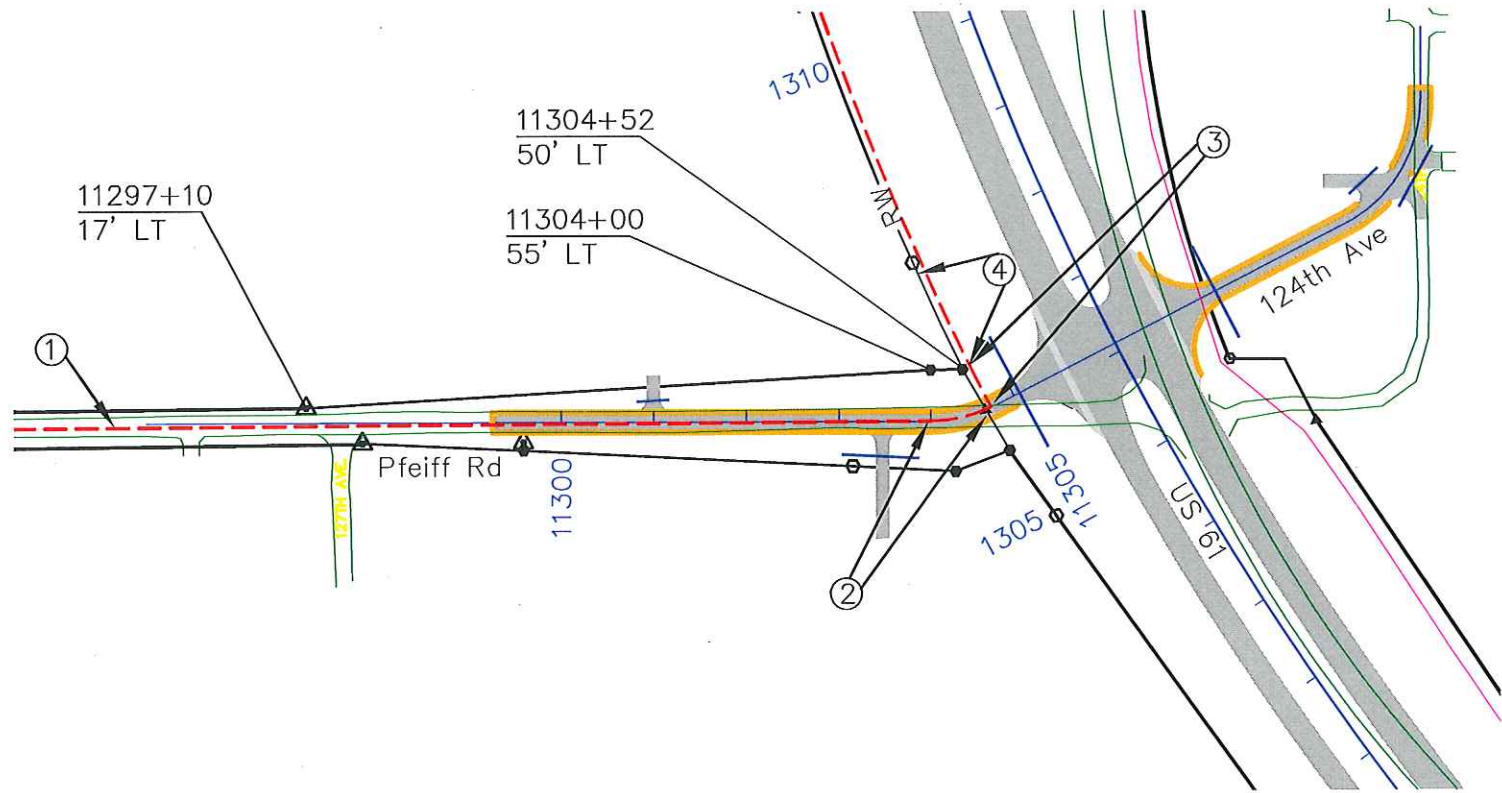
Notice of intention to commence activities on the highway rights-of-way shall be submitted by the applicant a minimum of 48 hours prior to actually commencing the activities as herein granted by this approved application. Notice is to be given to the following Iowa Department of Transportation representative. Except in emergencies a 10 day advance notice is required for lane restrictions of any kind:

Local DOT Contact Person (Type or Print Name) Nora Lind	City/Town	State	ZIP Code	Phone Number
Street Address 205 E. Taft St	MT. Pleasant	IA	52641	
e-Mail Address Lauren.Giamoc@iowadot.us	/ margo.may@iowadot.us			

LEGEND	
	EXISTING EDGE OF PAVEMENT
	EXISTING ICN FIBER
	RIGHT-OF-WAY
	EXISTING CULVERT
	PROPOSED CULVERT
	PROPOSED ICN FIBER

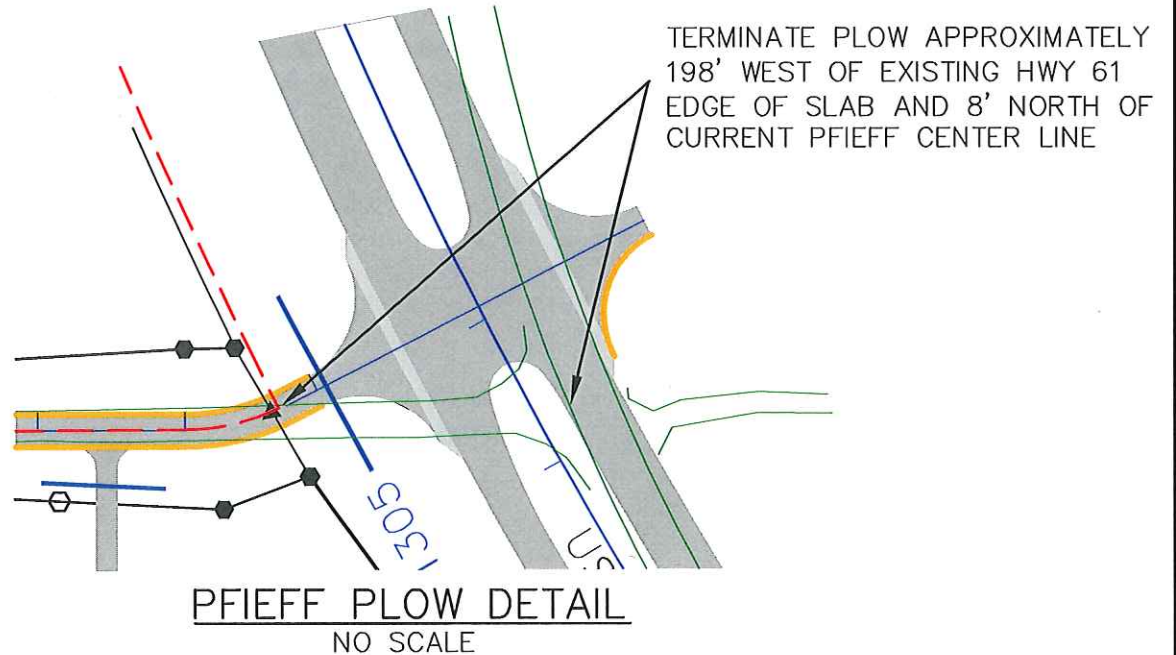


**T-70N R-3W  
SECTION 11**




**PLAN NOTES**

1. PROPOSED ICN 12F CABLE, PLOW ALONG CENTERLINE OF EXISTING PflEFF RD ALIGNMENT.
2. NOTE CHANGE IN RD ALIGNMENT BETWEEN EXISTING PflEFF AND PROPOSED PflEFF. THE FINAL 70' OF THIS PLOW WILL TRANSITION FROM THE CENTER LINE TO 8' NORTH OF EXISTING PflEFF CENTER LINE. (SEE PLOW DETAIL)
3. BEGIN NORTHWESTERLY BORE AT TERMINUS POINT OF PLOW. MINIMUM 6' DEPTH TO STA. 11304+52 (APPROX 52')
4. TRANSITION BORE DEPTH FROM 6' DEEP TO 9' DEEP. BORE AT 9' DEPTH APPROXIMATELY 130' (MAIN LINE STATIONING 1306+58 TO 1307+88)



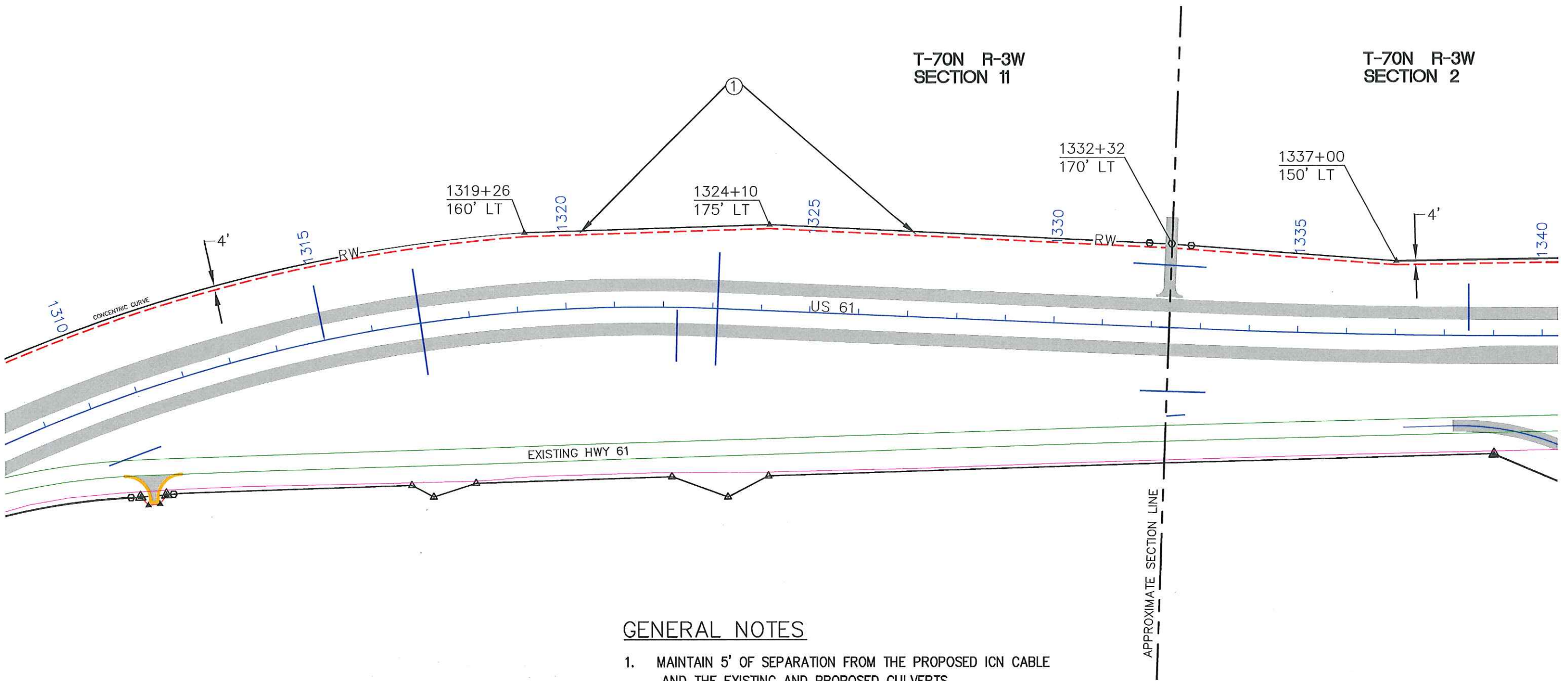
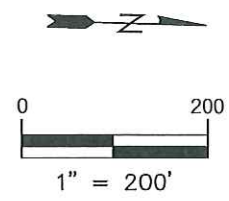
**GENERAL NOTES**

1. MAINTAIN 5' OF SEPARATION FROM THE PROPOSED ICN CABLE AND THE EXISTING AND PROPOSED CULVERTS.
2. SEED DISTURBED AREAS PER PROVIDED DOT SPEC.
3. PLACE ORANGE SAFETY FENCE AROUND THE EXCAVATED AREAS AND SUPPORT WITH STEEL POSTS
4. 42" MINIMUM CABLE DEPTH EXCEPT WHERE NOTED.
5. MAINTAIN A 4' OFFSET DISTANCE FROM THE ROW LINE.

<b>IOWA COMMUNICATIONS NETWORK</b> <small>400 EAST 14TH STREET, GRIMES STATE OFFICE BUILDING, DES MOINES, IOWA 50319          ICN © 2015, COPY WITH PERMISSION</small>		<small>THIS DRAWING IS PROVIDED FOR GENERAL INFORMATION ONLY AND IS NOT TO BE USED TO DETERMINE PRECISE ICN PLACEMENT. CALL ONE CALL BEFORE EXCAVATION (1-800-292-8889)</small>		
		SCALE: 1" = 200'	SIZE: 11 x 17	
		HWY 61 RELOCATE BURLINGTON IOWA		
		SHEET 1 of 3		

**LEGEND**

- EXISTING EDGE OF PAVEMENT
- EXISTING ICN FIBER
- RW
- EXISTING CULVERT
- PROPOSED CULVERT
- - - PROPOSED ICN FIBER



**PLAN NOTES**







1. PLOW IN A 12F CABLE TO THE SPLICE-IN POINT ON IOWA CITY RD. AT STA. 11341+50 (SEE SHEET 7)

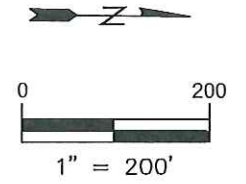
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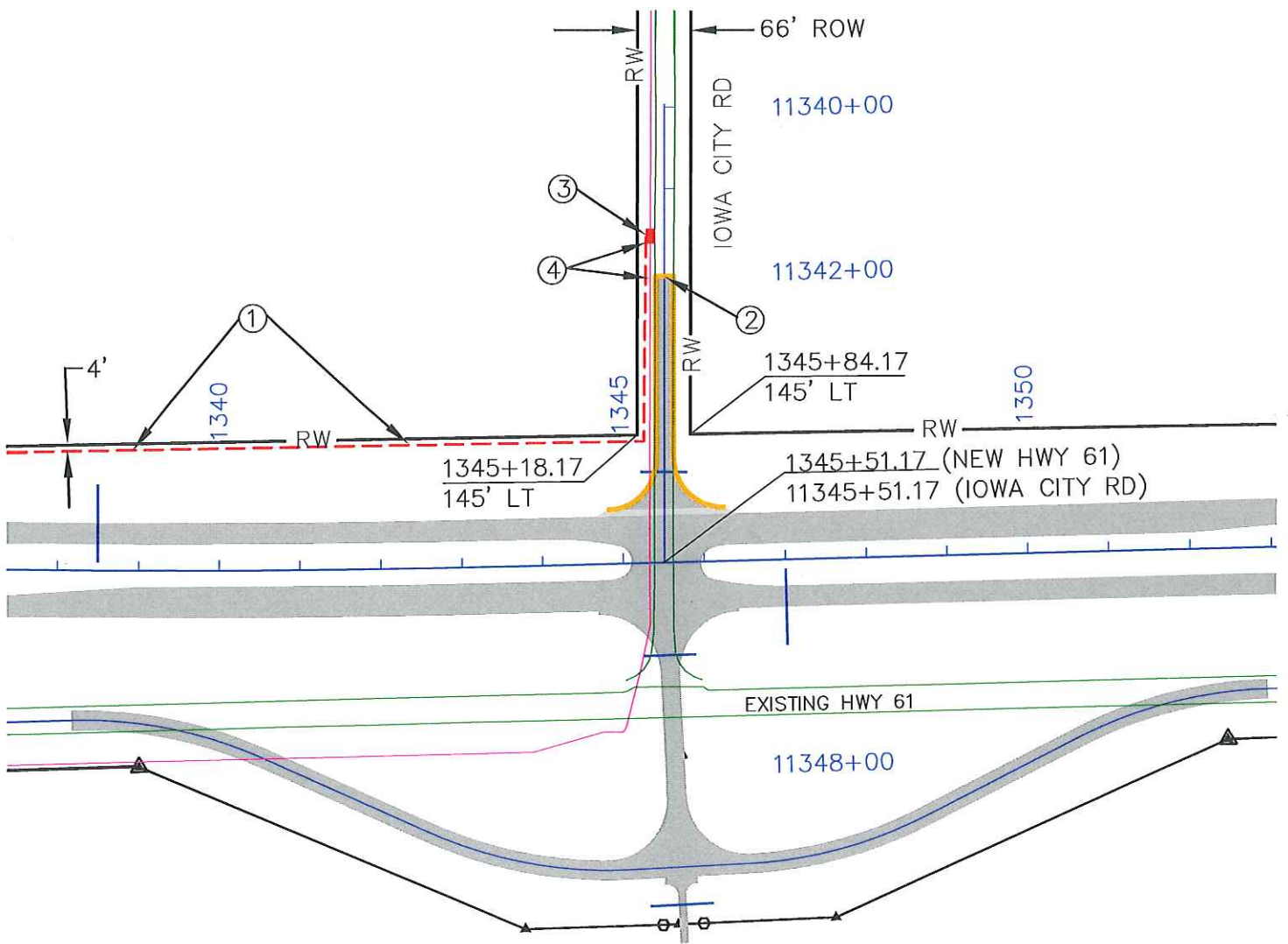
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400 EAST 14TH STREET, GRIMES STATE OFFICE BUILDING, DES MOINES, IOWA 50319 ICN © 2015, COPY WITH PERMISSION		SCALE: 1" = 200'	SIZE: 11 x 17
HWY 61 RELOCATE BURLINGTON IOWA		SHEET 2 of 3	

**LEGEND**

	EXISTING EDGE OF PAVEMENT
	EXISTING ICN FIBER
	RIGHT-OF-WAY
	EXISTING CULVERT
	PROPOSED CULVERT
	PROPOSED ICN FIBER



**T-70N R-3W  
SECTION 2**




**PLAN NOTES**

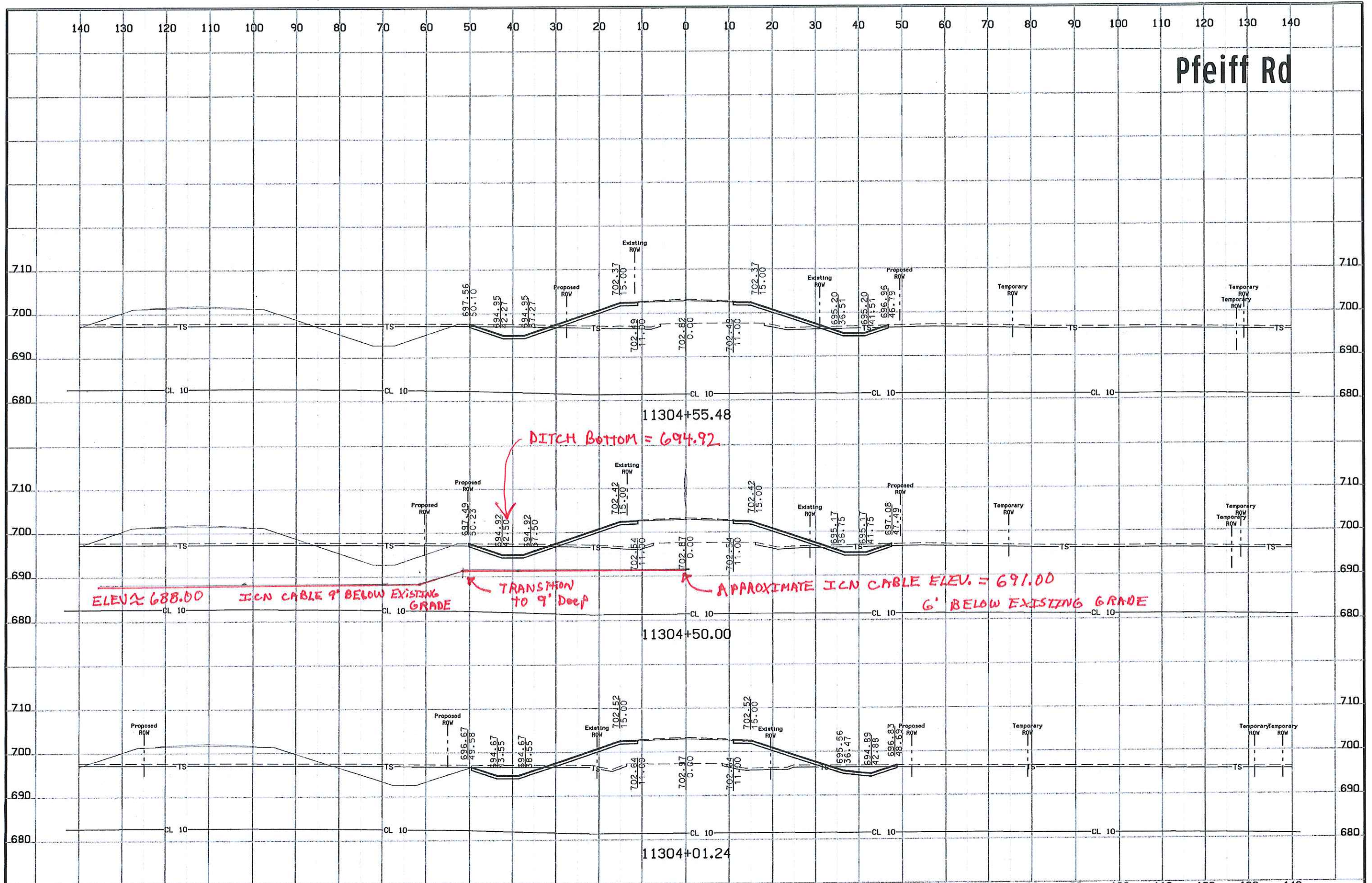
1. PLOW IN A 12F CABLE TO THE SPLICE-IN POINT ON IOWA CITY RD. AT STA. 11341+50.
2. STA. 11342+00, END OF WESTBOUND IOWA CITY RD CONSTRUCTION.
3. STA. 11341+50, PROPOSED HH 13' SOUTH OF IOWA CITY RD CENTERLINE.
4. EXPOSE 50' OF EXISTING ICN FIBER, FOR SPLICE TAIL USE, FROM STA. 11341+50 TO 11342+00 THE AFTERNOON PRIOR TO CUT OVER WITH BACKFILL THE FOLLOWING DAY. (COORDINATE WITH ICN)

**GENERAL NOTES**

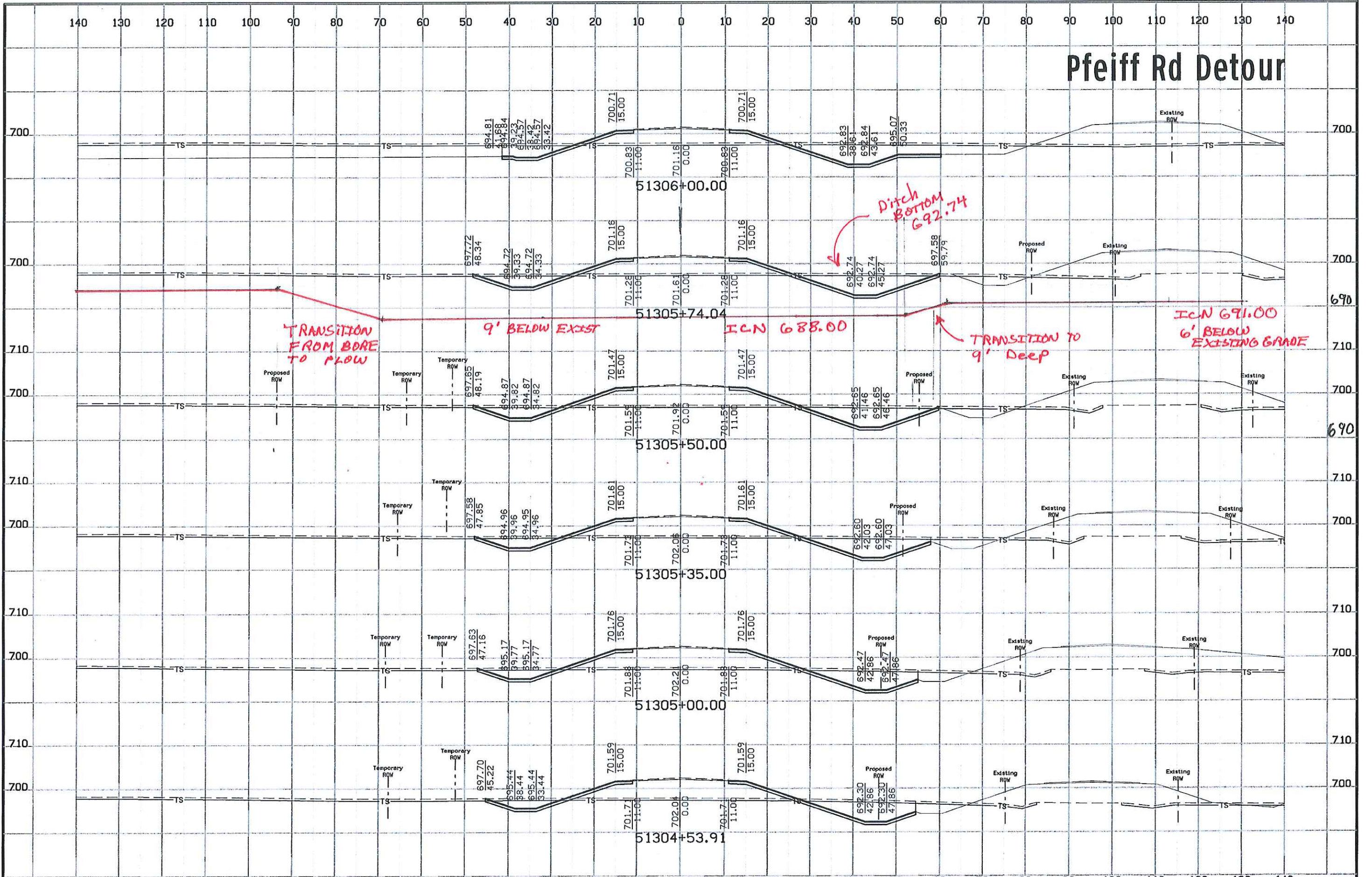
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2. SEED DISTURBED AREAS PER PROVIDED DOT SPEC.
3. PLACE ORANGE SAFETY FENCE AROUND THE EXCAVATED AREAS AND SUPPORT WITH STEEL POSTS
4. 42" MINIMUM CABLE DEPTH EXCEPT WHERE NOTED.
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		HWY 61 RELOCATE BURLINGTON IOWA	
		SHEET 3 of 3	

# Pfeiff Rd

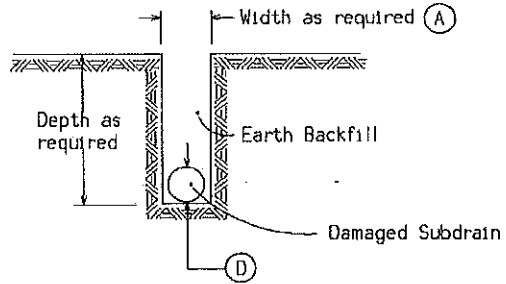
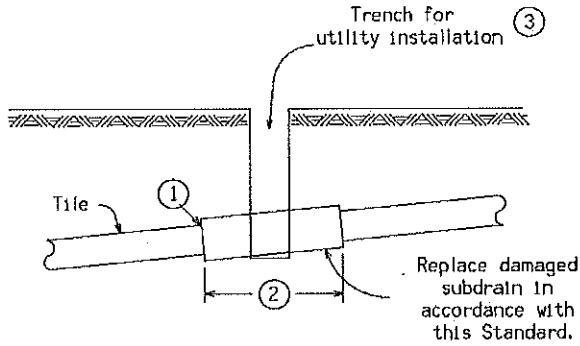


# Pfeiff Rd Detour





# Tile Line Repair Guideline



**Note:**  
Replacement of drainage tile shall be accomplished so as to cause the minimum of disturbance to existing field tile. The repaired drainage tile shall be left in a functional condition with special emphasis placed on maintaining existing flow line elevations.

(A) = A minimum of 24" shall be excavated outside the normal utility trench wall or such greater width as may be required to expose a minimum of 12" of undamaged drain tile.

REPLACEMENT SCHEDULE - CASE 'A'										
Existing Tile (D)	4	6	8	10	12	15	18	21	24	≥24
Proposed Subdrain Size										
Concrete Pipe	-	-	12	15	15	18	21	24	30	D+6"
Coated G.M.P.	10	12	15	18	21	24	30	36	36	*

\* Replacement sizes provide equivalent capacity based on 6" settlement assuming a 0.20% slope with  $n = 0.013$  for concrete pipe and  $n = 0.025$  for corrugated pipe (Manning Formula)

**NOTES:**

Tile lines disturbed within the right-of-way (outside the Roadway Embankment Area \* ) limits shall be repaired as follows:

May be repaired with schedule 40 PVC pipe of compatible size or in accordance with the replacement schedule-case 'A' as listed above. Replacement with schedule 40 PVC pipe shall require using a connecting device of a Femco plain and plain flexible pipe coupling or equal.

Tile lines disturbed within the "Roadway Embankment Area" shall be replaced in accordance with the replacement schedule - case 'A' stated above and as follows:

- ① Concrete collar to be placed around joint where existing tile line and corrugated aluminumized metal pipe connect.

- ② Minimum length of corrugated metal pipe shall be 4 feet. Minimum length of 2 feet on each side of the tile line break location.

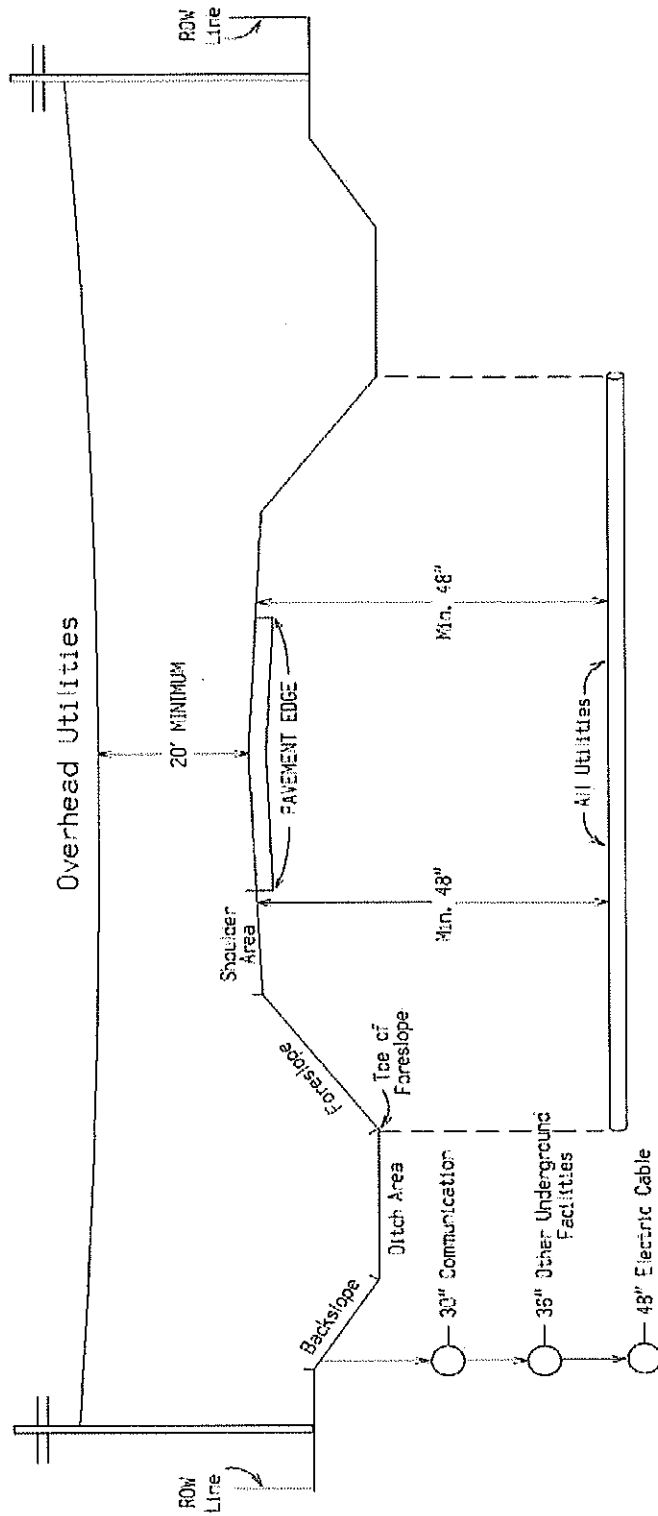
- ③ Trench shall be backfilled with 8 inches loose material, compacted to 6 inches with a minimum of 95% compaction of natural density.

A. Backfill and compact area around drain tile to be completed by hand until new tile is completely covered. Remainder of the trench shall be backfilled by acceptable methods.

B. Area shall require inspection by the Iowa Department of Transportation inspectors or their designated personnel prior to backfilling of trench.

\* "Roadway Embankment Area" is defined as the area lying between the foreslopes of a two-lane roadway and from near foreslope to far foreslope of a four lane roadway.

# Minimum Policy Requirements Rural Section Non-Freeway Highway



**Notes:**  
 Utilities shall be located between the toe of foreslope and the highway row line.  
 Utilities should be located as near to the highway row line as practical.  
 See Utility Policy, Section 115.13 for further details.