

# APPLICATION AND AGREEMENT TO PERFORM WORK WITHIN STATE HIGHWAY RIGHT-OF-WAY

FOR DEPARTMENT USE ONLY						
Permit Number 94A-2022-001	Highway Numb U.S 20 & Pop			County Webster (94)		
DOT Project Number NHSX-20-3(167)3H-94 Showing current intersect	Project Number SX-20-3(167)3H-94 Showing current intersection on page D.2			Expiration/Completion Date 3/22/23		
APPLICANT (INDIVIDUAL OR COMPANY)		(ASSISTANCE FROM DEF	PARTMENT	AVAILABLE UPON RE	QUEST)	
First Name Middle Kevin M	Last Nam Stumpf		PI	none Number .5-571-2488	Ext.	
Company Name	***		PI	none Number	Ext.	
Street Address 2687 Dolliver Park Avenue		City/Town Otho		State ZIP Cod IA 50569	е	
e-Mail Address kevin2@lvcta.com		*				
WORK TO BE ACCOMPLISHED Approval is hereby requested to enter within the sta	te right-of-way an	d to complete the propose	ed work as	detailed on the attacl	hments	
and further described as follows:  Construction of a restricted crossing U-turn Work will include construction of turn lanes at Poplar Avenue, paving of Poplar Avenue	along US 20, n	nedian turnarounds, r	econfigur	ear Fort Dodge, Id ration of the cross	owa. sover	
The project is intended to accommodate the building of the Webster County Travel Count	Center, a full so	crease in traffic load o ervice fuel station and	n Poplar I restaura	Avenue stemmin ant located in the	g from	
and shall be located as shown on the detailed plan Accommodation Policy for submittal of detailed				ansportation Utility pdfs/UtilityPolicy.pdf		
WORK SITE LOCATION	10	881	N			
The proposed work as described above is located in Range 28W on High	Section 20	, Twp generally located 1.6		(miles) East	,	
(direction) from P59 Interchange		(city, county line, or		line). Work proposed	is more	
specifically located as being from $\frac{126.06}{126.54}$ (Milepost #) and $\frac{896+0}{126.54}$	00.14	(Milepost #) and $\frac{870}{}$ (Highway Station) on the	+80.14 ne <u>Both</u>	(Highway side of h		
All proposed work covered by this permit sh Department of Transportation for any materials		pplicant's expense. The	applicant		ne lowa	
N/A at the time of the lowa D.O.T issuing this pern		,				
The following special requirements shall apply to	to this permit:					
SEE ATTACHED						

**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 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.

- 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 plans.
- 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. <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
- 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 lowa 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 lowa 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/utility.html

Permit Number: 94A-2022-001

#### **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 received 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 lowa and the lowa 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.

Applicant Name (First, M.I., Last - Print or Type) Kevin M Stumpf	Applicant Signature (Ha	ndwritten)	Date 2-21	-20	22	
e-Mail Address kevin2@lvcta.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 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		X	Ione Re	quired	
Handwritten Signature	Title		Date			
Type or Print Name		Authorized Official for the	ne City of			
e-Mail Address						
COUNTY ACTION (IF PROPOSED WORK CRO	SSES COUNTY RIGHT-0	OF-WAY, COUNTY ACT	ION IS REC	UIRE	))	
"The undersigned county joins in the grants em condition that all of the covenants and undertaking of the undersigned county and recommends action."	ngs therein running to the	Iowa Department of Tra	ansportation	shall in	ure to the benefit	
X Recommend Approval Do I	Not Recommend Approval		N	lone Re	quired	
Handwritten Signature SEE ATTACHED COUNTY RIGHT OF WAY PERMIT						
Type or Print Name		Authorized Official for the	ne County of	f		
e-Mail Address						
FEDERAL HIGHWAY ADMINISTRATION ACTION (DEPARTMENT REPRESENTATIVE WILL REV		O OBTAIN FHWA ACTIO	N, WHEN N	IECES:	SARY)	
Recommend Approval Do I	Not Recommend Approval		XN	lone Re	quired	
Authorized FHWA Representative Signature			D	ate		
DEPARTMENT OF TRANSPORTATION FINAL	ACTION					
X Application Approved App	lication Denied	Permit	Number: 94	A-2022	2-001	
Authorized Highway District Representative Brian Whaley- Access/Utility Specialist	Signature Buch	Whaley		ate 3/22/22		
e-Mail Address brian.whaley@iowadot.us						
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 lowa Department of Transportation representative:						
Local DOT Contact Person (Type or Print Name) Mike Roller					Number 70-0824	
Street Address 2088 230th Street		City/Town Fort Dodge		State IA	ZIP Code 50501	
e-Mail Address michael.roller@iowadot.us						

Permit Number: 94A-2022-001

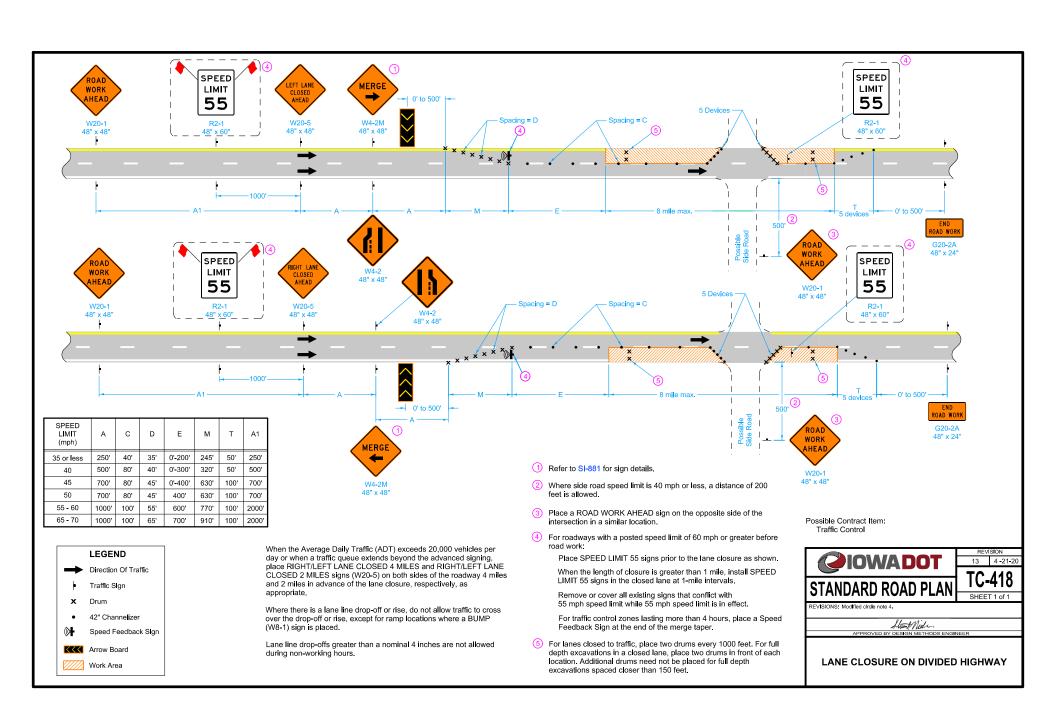
### **IOWA D.O.T SPECIAL REQUIREMENTS**

#### Webster County Travel Center. U.S 20 & Poplar Ave.

- Traffic control and detour shall follow plans sheets J.01 & J.02.
- Contractor shall notify the Traffic Management Center prior to any shoulder or lane closures on U.S 20. Information included.
- Iowa D.O.T Standard Road Plan TC-418 shall be used during the entire construction process for both east and westbound lanes.
- Standard Road Plans on plan sheet C.03 shall be followed for all work D.O.T Right of Way.
- No materials or equipment shall be in Right of Way during non-working hours.
- Lighting and signing placed in D.O.T Right of Way shall follow the General Notes on page P.01.
- Work in D.O.T Right of Way shall be completed by July 31, 2022.
- ANSI/ISEA 107-2004 CLASS 2 SAFETY VESTS ARE REQUIRED AT ALL TIMES WITHIN Iowa Department of Transportation RIGHT OF WAY.
- All disturbed Right of Way shall be restored to original condition or better.
   Seeding detail sheet included

# Webster County Work in Right-Of Way Permit Permit No. 22-112

Mailing Address  Work Location 10 of Otho (7 Section Anticipated Start Date:	Street	Phone Otho t		Date rch, McClure itted By lowa State	50569
Poplar Avenue  Mailing Address  Work Location 10 of Otho (7) Section	Street T88N R28W)	Otho	Subm	itted By Iowa	
Mailing Address  Work Location 10 of Otho (7) Section	T88N R28W)	t	City		
Work Location 10 of Otho (	T88N R28W)		City	State	
Section		Ponlar Avenue			Zip code
Section		on I opial Aveilue	0 <sub>Feet</sub> N	of US 20 & Popl	Section • (1) = Constant of the Constant of t
Anticipated Start Date:	rownship	Street			ion or Landmark
	4/1/22	Anticipated Completion Date:	7/31/22		
Description of Work				20	
PCC paving of Poplar Av	venue. Limit constructio	s of construction will span a n of an RCUT intersection a	pproximately 1 nd the Webster	50' south of US 20 County Travel Ce	) and 750' north. nter.
Conditions		(Applicant – Do not write b	pelow this line)		
If a p	ermit is granted	to perform the above-described wo	rk, the following cor	nditions shall apply:	
<ol> <li>The applicant shall indemning equity, for losses, damages, with the applicant's use or concept and the applicant shall hold. We highway because of the concept and right-of-way on account of the theorem and the applicant shall save. We naming Webster County as a installation. The minimum list. Traffic control shall comply shall be responsible for plact to the Webster County main applicant shall be responsible for plact to the Webster County main applicant shall be responsible. Before beginning any work winstallation which may be afformed and becomes well established. A copy of the approved appl. The applicant shall maintain necessary for highway use.</li> <li>This permit is subject to any state and federal agencies.</li> <li>This permit is subject to all the Secondary Road Department improvement of maintenance.</li> </ol>	fy and save harm, claims or demar cocupancy of the bster County and struction or mailitures that Webs the applicant's cobster County har an additional insemits of liability uwith the Manual ing the signs and thenance facility le for flagging op within the highwalfected or encour lication shall be all mulch all disturing surfaced area in perpetuity an laws now in effected and the rules and regit at any time and the of the highway the surfaced area and the cof the highway the cof the highway the surfaced area and the cof the highway the surfaced and the cof the highway the surfaced area and the surf	If the Webster County Secondary Roantenance of the facility, and shall reing ster County or the Webster County Seconstruction, repair or maintenance acrowless from any damages resulting from the permit work or proof of ander the insurance policy or proof of on Uniform Traffic Control Devices. If covering or removing them when not from which they were obtained. The	ntenance operations. In demployees, from a lexpense of whatsoe and Department harming but the restored of the applicant shall be restored and shall be restored right-of-way that is but after enacted and all andary Road Department of the pulpoperation of the pulpoperation of the period of the applicant shall be restored of the applicant to MA ONE CALL 800-29 or examination by Wiff-way and shall be restored right-of-way that is but after enacted and all andary Road Department in the judgment of the expense of the pulpoperation of	any and all causes of actever nature, arising out all less of any damage that anty or the Webster Courtment may have to make for the applicant. A certification of the Courtment	tions, suits at law or in of or in connection at may result to said unty Secondary Road ake on said highway licate of insurance may Engineer prior to to the applicant, who and returning the signs se of the signs. The lies to locate any utility matives. The licative cover until it cion by the applicant, the applicant and not regulations of local, by the Webster County coessary in the



### Acceptable Clear-zone Distances (feet).

		FORESLOPES			BACKSLOPES			
design speed	design ADT	6:1 or flatter	Steeper than 6:1, up to and including 4:1	Steeper than 4:1	Steeper than 4:1*	4:1 or flatter, up to 6:1	6:1 or flatter	
	ADT < 750	7	7	**	7	7	7	
40 mph or less	750 \le ADT < 1500	10	12	**	10	10	10	
	$1500 \le ADT \le 6000$	12	14	**	12	12	12	
	ADT ≥ 6000	14	16	**	14	14	14	
	ADT < 750	10	12	**	8	8	10	
45 50	750 ≤ ADT < 1500	14	16	**	10	12	14	
45 – 50 mph	1500 ≤ ADT < 6000	16	20	**	12	14	16	
	ADT ≥ 6000	20	24	**	14	18	20	
	ADT < 750	12	14	**	8	10	10	
55 mph	$750 \le ADT < 1500$	16	20	**	10	14	16	
	$1500 \le ADT \le 6000$	20	24	**	14	16	20	
	ADT ≥ 6000	22	26	**	16	20	22	
	ADT < 750	16	20	**	10	12	14	
60 mph	$750 \le ADT < 1500$	20	26	**	12	16	20	
	$1500 \le ADT \le 6000$	26	30	**	14	18	24	
	ADT ≥ 6000	30	30	**	20	24	26	
65 – 70 mph	ADT < 750	18	20	**	10	14	14	
	750 ≤ ADT < 1500	24	28	**	12	18	20	
	$1500 \le ADT \le 6000$	28	30	**	16	22	26	
	ADT ≥ 6000	30	30	**	22	26	28	

<sup>\*</sup> Backslopes as steep as 2.5:1 can be considered as part of the clear zone, as long as they are relatively smooth and do not contain any fixed objects. Refer to Section 8A-4 of the Design Manual for information regarding backslopes steeper than 2.5:1.

E-5 01/2012

<sup>\*\*</sup> Since a vehicle traveling on a slope steeper than 4:1 is likely to be diverted to the bottom of the slope, the width of any slope steeper than 4:1 cannot be counted in the clear zone determination. Refer to Section 8A-2 of the Design Manual for information on providing clear recovery areas at the base of steep slopes.

#### **Erosion Control Detail**

Table 2601.03.1 Rural Stabilizing Crop Seeding Rates and Schedule

March 1 through October 31

Oat 60 lbs. per acre (56 kg/ha)

Grain Rye 60 lbs. per acre (56 kg/ha)

Canada wild rye (Elymus Canadensis) 7 lbs. PLS per acre (8 kg/ha)

November 1 through February 28 (29)

Oat 62 lbs. per acre (69 kg/ha)

Grain Rye 62 lbs. per acre (69 kg/ha)

Canada Wild rye (Elymus Canadensis) 7 lbs. PLS per acre (8 kg/ha)

For stabilizing crop only, Canada wild rye (Elymus Canadensis) seed will not be required to be certified as Source Identified Class (Yellow Tag) Source G0-Iowa.

Canada wild rye (Elymus Canadensis) seed shall be debearded or equal to facilitate application of seed.

Table 2601.03-2: Urban Stabilizing Crop Seeding Rates

Bluegrass, Kentucky 122 lbs. per acre (187 kg/ha)

Ryegrass, Perennial (Fine leaf Variety) 35 lbs. per acre (39 kg/ha)

Fescue Creeping Red 18 lbs. per acre (20 kg/ha)

Table 2601.03-8 Permanent Seed Rates, Rural Areas

Fescue Tall (Fawn) 100 lbs. per acre (112 kg/ha)

Ryegrass, Perennial (Linn) 75 lbs. per acre (84 kg/ha)

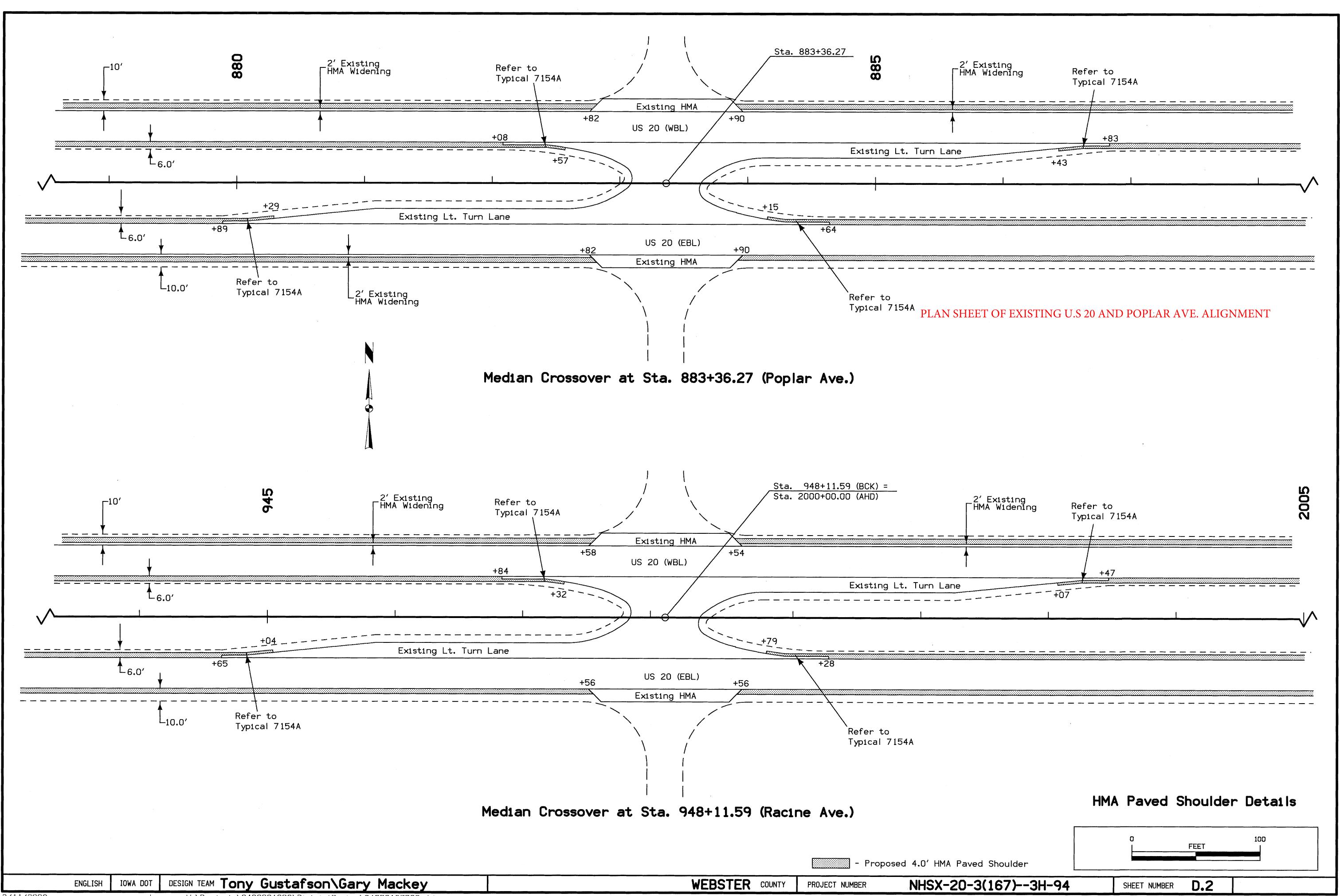
Bluegrass, Kentucky 20 lbs. per acre (22 kg/ha)

Permanent Seed Rates, Urban Area

Bluegrass, Kentucky 122 lbs. per acre (187 kg/ha)

Ryegrass, perennial (Fine leaf) 35 lbs. per acre (39 kg/ha)

Fescue, Creeping Red 18 lbs. per acre (20 kg/ha)



## **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 Iowa DOT maintenance garage to discuss timing and date of the closure/restriction. Once the maintenance garage concurs with the timing and date, call the Iowa DOT Traffic Management Center (TMC) at **515-237-3300**. The TMC will put the information in the 511 system, which generates an automatic message to Iowa 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 descri	ption including cross streets and mile markers):
	ion including cross streets and mile markers):
County/Counties:	
24 hour project contact:	
Name	Phone
Describe the impact on traffic:	
<ul> <li>□ Closed</li> <li>□ Closed intermittently</li> <li>□ Intermittent lane closure</li> <li>□ Alternating lane closures</li> <li>□ Reduced to one lane</li> <li>□ Reduced to two lanes</li> <li>□ Reduced to three lanes</li> </ul>	<ul> <li>□ Right lane closed</li> <li>□ Left lane closed</li> <li>□ Center lane closed</li> <li>□ Right shoulder closed</li> <li>□ Left Shoulder closed</li> <li>□ Exit ramp closed</li> <li>□ Entrance ramp closed</li> </ul>

☐ Two center lanes are closed	☐ Road construction						
<ul><li>□ Left exit ramp closed</li><li>□ Shoulder closed</li></ul>	☐ Work in the median						
<ul><li>☐ Shoulder closed</li><li>☐ Bridge closed</li></ul>	<ul><li>☐ Opposing traffic</li><li>☐ Single lane traffic alternating directions</li></ul>						
☐ Intersecting road closed	Single lane traine alternating directions						
□ Local road closures in area							
☐ Left lane of exit ramp closed							
Additional project information (pilot car, flagger, etc.	):						
Will there be temporary overhead signals? (15' stan  ☐ Yes ☐ No	dard height restriction)						
If yes, please provide the location of the temporary	overhead signals in the space provided.						
Are there any other width or height restrictions: $\Box$ Yes $\Box$ No							
If yes, please describe:							
Additional public website comments:							
Project beginning date and time:							
Project ending date and time:							
Times of closure	□ Nighto						
☐ Continuous ☐ Weekdays (Monday – Friday)	☐ Nigrits						
Times of closure:							