

EXCAVATION PERMIT AND AGREEMENT



This Permit is for the construction of water, gas, sewer, storm drains, underground cables, pole lines, or other facilities within the rights-of-way of Herriman City. It is issued with the understanding that the Permittee is responsible for restoring of the original ground or paved hard surface area to comply with the City's Engineering Design and Construction Standards, including but not limited to repair, cleanup, backfilling, compaction, stabilization, paving and other work necessary to place the site in acceptable condition following the conclusion of the work or the expiration or revocation of the Permit. All excavations shall comply with the ordinances of the City and shall be conducted in a manner resulting in a minimum amount of interference or interruption of street or pedestrian traffic. Inconvenience to residents and businesses fronting on the public way shall be minimized.

This Permit shall not be transferred or assigned, and work shall not be performed under this Permit in any place other than that specified herein. Nothing herein shall prevent a Permittee from subcontracting the work to be performed under this Permit; provided, however, that the Permittee shall be responsible for the performance of the work under this Permit, and for all bonding, insurance, and other requirements of the ordinances of Herriman and of this Permit.

Suitable, adequate and sufficient barricades and/or other structures will be used where necessary to prevent accidents involving property or persons. Barricades must be in place until all of the Permittee's equipment is removed from the site and the excavation has been backfilled and proper permanent (or temporary, if approved) surface is in place, except where backfilling and resurfacing is to be done by the City; in which case the barricades, together with any necessary lights, must remain in place until the backfill work is actually commenced by the City. From sunset to sunrise, all barricades and excavations must be clearly outlined by adequate signal lights, etc. The Salt Lake County Sheriff and Salt Lake County Fire Department shall be notified at least 24 hours in advance (and immediately when reopened), of any planned excavation requiring street closure or traffic detour.

It is further understood and agreed that the Permittee is responsible for any and all costs, damages and liabilities, which may accrue or be claimed to accrue by reason of any work performed under the Permit. The Permittee agrees to save the City, its officers, employees and agents harmless from any and all costs, damages and liabilities which may accrue or be claimed to accrue by reason of any work performed under this Permit. The issuance and acceptance of this Permit shall constitute such a hold harmless agreement by the Permittee.

This Permit shall neither be construed as imposing upon the City, its officers, employees, agents, volunteers or assigns any liability or responsibility for damages to any person injured by or by reason of the performance of any work within the public way, or under this Permit; nor shall the City, its officers, officials, employees, agents, volunteers or assigns thereof be deemed to have assumed any such liability or responsibility by reason of inspection, the issuance of this Permit, or the approval of any work.

Permittee shall restore any public way to its original condition and an irrevocable letter of credit, escrow agreement, or cash deposit bond must be filed with the City prior to excavation. **Repair of excavation perpendicular to traveled lanes shall be complete within seventy-two (72) hours from the time excavation begins.** A penalty of \$150.00 per day will be assessed for restoration not completed within such seventy-two (72) hour period without a written time extension from the City Engineer. Repair of excavation parallel to traveled lanes **shall commence within ten (10) days** from the time excavation begins and be **completed within fifteen (15) days** from the time excavation begins. A penalty of \$150.00 per day will be assessed for restoration not completed within such fifteen (15) day period without written time extension from the City Engineer. **Only a minimal open trench (to be determined by the City Engineer or other designee appointed by the City Engineer) will be allowed overnight.** All construction activities will utilize Best Management Practices (BMP's) in such a manner as to minimize erosion and deposition of sediments and other pollutants into storm drainage facilities and/or waters of the State. All restoration work shall be guaranteed by City bond requirements. If the Permittee does not restore properties to their original condition within the time indicated herein, it is agreed that the City shall make the necessary restoration at Permittee's expense, including but not limited to, charges against the bond, which expense shall be deemed to include interest at the current rate until paid in full.

Sidewalks and streets shall not be obstructed. Excavated materials shall be removed from the job site during the construction process. Finished grades must be restored to original grade immediately upon completion of site / job specific, improvements for work permitted on sidewalks and roads. Temporary materials may be used upon approval of the City's Public Works Inspector. All concrete and asphalt replacement behind curb must be completed within forty-eight (48) hours of completion of all groundwork. All work must be inspected and approved by the City's Public Work Inspector. All inspections shall be required one day (24 hours) in advance by notifying the City at 446-5323.

Certain jobs will require a pre-construction meeting prior to commencement of any work. Applicant will be notified during permit application process if this will be required.

