

CONDITIONS OF ISSUANCE FOR ENCROACHMENT PERMITS

An Encroachment Permit is required for all work in the street right-of-way or utility easements with City facilities (water, sewer, or storm drain). The issuance of the permit requires approval of street improvement plans and payment of plan check and inspection fees. The requirements for the issuance of the encroachment permit include but are not limited to the following:

1. An applicant for an encroachment permit with the application fee of \$120.00. surety may be in the form of a performance bond, letter of credit, cash, or a certificate of deposit.
2. An approved street improvement plan or an annotated site plan showing the work to be constructed. A street improvement plan check requires submittal of three (3) sets of street improvement plans prepared by a licensed civil engineer and a plan check fee deposit of 3% of the estimated construction cost. Annotated on-site plans may be submitted for minor improvements. If annotations are made on the on-site plans, all on-site work should be deleted or marked-out so that only the work in the street right-of-way is shown.
3. Any work in the right-of-way that will cause street closure or traffic diversion shall include a Traffic Control Plan designed by a registered Engineer or acceptable alternative referring to the State of California Standard Plans for Construction of Local Streets and Roads, dated July 2002.
4. A surety bond in the amount of the approved engineer's estimate for the off-site improvements including a 20% contingency. The
5. Insurance certificates naming the City as an additional insured. Please see the green handout sheet entitled "Insurance Requirements for Encroachment Permits".
6. A plan check fee based on the approved engineer's estimate in the amount of 5 ½% of the first \$25,000, 4 1/2 % of the next \$225,000 and 3 ½% of the remaining costs. The engineer's estimate must be prepared by a licensed civil engineer and be approved by the City Engineer before the pan check fee is finalized. The plan check fee deposited with the application will be credited toward this fee.
7. An inspection fee in the amount of 3% of the approved engineer's estimate.

Revised 7/2/04



City of Lathrop
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INSURANCE REQUIREMENTS FOR ENCROACHMENT PERMITS

City Ordinances, and the increasing willingness of juries to award large settlements, require an insurance policy naming the City as an additional insured for encroachment permit work. Proof of adequate insurance will be required to be on file prior to the issuance of any encroachment permit.

FORMS AND GENERAL INFORMATION:

Proof of insurance meeting the above requirements must be by execution of an endorsement form. For work within the public right-of-way, insurance endorsements will be required indicating coverage for Comprehensive General Liability and Workers' Compensation. The forms must be completed and executed by an authorized insurance agent or representative. Note that original signatures must be included on the endorsements; rubber stamped signatures, photocopies or fax copies of the signatures will not be approved. Any requests for exceptions to the above requirements will require additional time for review.

INSURANCE REQUIREMENTS:

Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage (occurrence from CG 0001 (Ed. 11/88)).
2. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).

3. Workers' Compensation Insurance as required by the State of California and Employer's Liability Insurance.

Minimum Limits of Insurance

Applicant shall maintain limits no less than:

1. General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: \$1,000,000 per accident for bodily injury and property damage.
3. Employer's Liability: \$1,000,000 per accident for bodily injury or disease.

Deductibles and Self-Unsured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the City of Lathrop. At the option of the City of Lathrop, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects to the City of Lathrop, its officers, officials, employees and volunteers; or the Applicant shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

INSURANCE REQUIREMENTS

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Other Insurance Provisions

The general liability and automobile liability policies are to contain, or be endorsed to contain. The following provisions:

1. The City of Lathrop, its officers, officials, employees, agents and volunteers are to be covered as additional insureds, on CG20101185 with respects to: liability arising out of activities performed by or on behalf of the Applicant; products and completed operations of the Applicant; premises owned, occupied or used by the Applicant; or automobiles owned, leased, hired or borrowed by the Applicant. The coverage shall contain no special limitations on the scope of protection afforded to the City of Lathrop, its officers, officials, employees, agents or volunteers.
2. For any claims related to this project, the Applicant's insurance as respects to the City of Lathrop, its officers, officials, employees, agents and volunteers shall be excess of the Applicant's insurance and shall not contribute with it.
3. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the City of Lathrop, its officers, officials, employees, agents or volunteers.
4. The Applicant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
5. Each insurance policy required by the clause shall be endorsed to state that coverage shall not be suspended, voided, cancelled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice

by certified mail, return receipt requested, has been given to the City of Lathrop.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

Verification of Coverage

Applicant shall furnish the City of Lathrop with original endorsements effecting coverage required by this clause. The endorsements are to be on forms provided by the City of Lathrop. All endorsements are to be received and approved by the City of Lathrop before work commences. As an alternative to the City of Lathrop's forms, the Applicant's insurer may provide copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.

Subcontractors

Applicant shall include all Applicant's contractors, agents, representatives, employees and subcontractors as insured under its policies or shall furnish separate certificates and endorsements for each contractor, agent, representative, employee and subcontractor. All coverages for Applicant's contractors, agents, representatives, employees and subcontractors shall be subject to all of the above requirements.

ENCROACHMENT PERMIT APPLICATION



Address or Location of Work: _____

Building Permit Application: Yes No If Yes, Building Permit No.: _____

The work to be performed is described as follows: _____

Applicant Name: _____ Site/Owner Name: _____

Mailing Address: _____ Mailing Address: _____

City, State, Zip: _____ City, State, Zip: _____

Telephone: (____) _____ Telephone: (____) _____

24- HOUR EMERGENCY CONTACT INFORMATION

Name: _____ Phone No.: _____

Name: _____ Phone No.: _____

Contracting Firm Name: _____

Address: _____ City, State, Zip: _____

Contractor License No.: _____ Contractor Telephone No.: _____

The Applicant Hereby Certifies:

1. That he/she has read all the provisions of this application, and that the descriptions included above are correct to the best of his/her knowledge.
2. That he/she is the owner of the respective property, or is qualified to represent the owner.
3. Submitted herewith are the following:
 - \$120 Encroachment Permit Application Fee
 - Improvement plans for review and approval by City Engineer. (Allow 2 weeks for first plan check.)
 - Plan review fee (2% of Engineer's Cost Estimate – to be credited toward Plan Check and Inspection Fees)
 - Insurance Requirements must be submitted with this application.
4. That, if permission is granted as requested, he/she agrees to do work described in accordance with all terms, conditions and restrictions. (see Conditions of Issuance)
5. **That, two (2) 24-hour emergency contact information is complete and accurate.**

Applicant's Signature

Date

ENCROACHMENT PERMITS INFORMATION SUMMARY

Encroachment Permit No.: _____

The following items must be submitted to initiate street improvement plan review. An incomplete submittal will delay the review process.

ITEM (No. of Copies)	REQUIRED	FOR CITY USE	
		Received	Approved
Completed Encroachment Permit Application (1)			
Annotated Site/Street (1)			
Street Improvement Plans (1)			
Traffic Control Plans (1)			
Landscape and Irrigation Plans *(1)			
Grading and Drainage Plan ** (3)			
Cost Estimate *** (1)			
Insurance Endorsement (1)			
Performance Bond (cost plus 20%) *** (1)			
Encroachment Permit Fee (\$120.00)			
Plan Check Fee			
Inspection Fee			
COMPLETED SUBMITTAL DATE			

Requirements for permit issuance will be determined upon completion of plan review.

- * For work in the street right-of-way and/or adjoining dedicated landscape easements
- ** For on-site improvement work (Retention/Detention Ponds)
- *** Amount to be approved by City Engineer (Worked performed in public right-of-way only)

Recommended for Approval

Date