

RULES AND REGULATIONS GOVERNING STREET AND SIDEWALK OPENINGS WITHIN PUBLIC WAYS

These “Rules and Regulations Governing Street and Sidewalk Openings Within Public Ways” for those properties owned by the City of Attleboro (City) are hereby established in accordance with the “Revised Ordinances of the City of Attleboro”, Section 16-6.1:

Section 16-6 Disturbing Public Ways and Other Areas
16-6.1 General (Amended 12/5/95)

No person shall disturb, break into or dig up the ground or pavement in any public street or way, or any sidewalk, common or other public place in the City, or erect any staging for the building thereon, or place any materials thereon, unless a permit to do so has been granted by the Superintendent of Public Works (Superintendent). This ordinance shall not apply to employees of the City of Attleboro acting under the direction of the Superintendent or employees of the Department of Water and Wastewater for the maintenance and repairs of water and sewer lines and appurtenances.



CITY OF ATTLEBORO DEPARTMENT OF PUBLIC WORKS

EFFECTIVE DATE: March 07, 2018



SECTION I – DEFINITIONS

- A. **“Rules and Regulations”** shall refer to this document, standards and details that may at that time be in effect, as well as the City of Attleboro’s standard construction details available at the Department of Public Works.
- B. **“Grantee, Permittee, Applicant, or Contractor”** shall mean any person, firm, partnership, association, corporation or organization of any kind including utility companies authorized to undertake excavation or in any way make a change to existing conditions in a public way; installing utilities, including, but not limited to sewers, drains, water mains, or services to any utility; or any other alteration within, above, or below property under the control of the City of Attleboro.
- C. **“Subcontractor”** shall mean any person, firm, partnership, association, society, corporation, company, or organization of any kind, planning to undertake a street excavation and who is not the actual Permittee, but may be subcontracted by the Permittee to perform the Work by allowed by the permit.
- D. **“Work”** shall mean any all actions necessary for the Permittee to complete the activities described on the approved permit. All Work shall be carried out in accordance with applicable City Ordinances, as well as State and Federal Laws. All Work shall be completed to the satisfaction of the Superintendent.
- E. **“Superintendent or Engineer”** shall mean Superintendent of the Department of Public Works of the City of Attleboro. He/she may, from time to time, delegate certain duties described in these regulations to designees who shall act in the City’s behalf.
- F. **“Department of Public Works” or “DPW”** shall mean the City of Attleboro Department of Public Works consisting of the Superintendent and/or his/her designee(s).
- G. **“Emergency”** shall mean a condition in which the safety of the public is threatened or endangered and/or where corrective action is required to maintain or restore essential public utility service.
- H. **“Street Opening Moratorium” or “Moratorium”** shall mean the period of time during which non-emergency openings of a street are not allowed within five (5) years from the date the roadway (or section thereof) is paved. Additional description and conditional approval of Work within the Moratorium is described herein.
- I. **“Wintertime Street Opening Moratorium”** shall mean the period of time such that no permits for Work on any street or public right-of-way will be permitted between December fifteenth and April first of each year. Additional information is contained herein.
- J. **“Street” or “Public Ways” or “Right of Way”** shall mean any accepted roads, including, but not limited to any such appurtenances within the public layout, such as berm, curbs, guardrails, signs, light poles, drains, sewers, water mains, sidewalks and shoulders within the layout, for which the public has access and the City is responsible for maintaining.



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- K. “Working Day”** shall mean Monday through Friday, holidays excluded, between the hours of **7:00 a.m. and 3:30 p.m.**
- L. “Controlled Density Fill (CDF)”** - where required, shall be a mixture of Portland cement, fly ash, aggregates, water and admixtures proportioned to provide a non-segregating, self-consolidating, free-flowing and excavatable material that will result in a hardened, dense, non-settling fill. CDF is approved as an alternative to “Gravel for Trench Backfill.”
- a. The use of CDF is allowable for backfill material associated with any construction in paved roadways, and/or at the discretion of the Attleboro Department of Public Works.
 - b. CDF is a heavy material and during placement will exert a high fluid pressure against any pipe, manhole, or other material it contacts. The resultant pressure will tend to cause pipe and manholes to float or shift. CDF shall be placed in such a manner as to prevent flotation or shifting of pipe and manholes. CDF shall not be placed on frozen ground or during a time when the air temperature is 40 °F or less and falling.
 - c. No CDF shall be placed under water.
 - d. Only after written consent has been provided by the DPW, Contractor shall provide steel plates to span trenches or otherwise prevent traffic or construction equipment coming in contact with CDF until the CDF has hardened sufficiently. Contractor shall provide cold patch on all edges of steel plates used for vehicular transition in any affected area. See “Steel Plate Installation” detail.
 - e. Flow ability of the CDF as measured by a slump test shall be 6 to 10 inches, and shall be excavatable without the use of power tools.
- M. “Traffic Safety Officer” or similar terminology** shall mean the designated member of the Police Department, as assigned by the Police Chief, to review proposed Work, assign police details, and/or to mitigate impacts borne by the proposed Work.
- N. “MUTCD”** shall refer to the latest edition of the Manual on Uniform Traffic Control Devices.

SECTION II – GENERAL REQUIREMENTS

A. Permit Applicability

- a. Except in the case of an emergency or otherwise authorized by the Superintendent, a permit, signed by the Superintendent, is required prior to any work, alteration, disturbance, change, etc., and/or the placement of materials within, above, or below property controlled by the City of Attleboro. Private ways/property and ways/property under the control of the Commonwealth of Massachusetts are not covered by these Rules and Regulations.



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- i. Emergencies/Emergency Work – Nothing in these regulations shall be construed to prevent the making of such excavations or other Work as may be necessary for the preservation of life or property, or as defined as “emergency” above. However, specifications/details outlined within these regulations still apply to all emergency Work. The entity conducting the emergency Work shall also apply for a permit on the first working day after such emergency Work commences. Further, the entity conducting the emergency Work shall notify the Police Department, Dig Safe, Public Utilities and the Department of Public Works at the start of the emergency Work.
- ii. Non-emergency Work – Permits issued under these Rules and Regulations shall be for each specific excavation only. No generic or “blanket” permits (covering multiple locations) shall be issued.

B. Applications

- a. Permit applications for Work within public ways in Attleboro may be obtained online (posted on the City’s webpage) or in person at the Public Works Department, located in City Hall.
 - i. Work requiring a trench are also subject to all provisions required under a “Trench Permit”. Trench permits shall be obtained through the City of Attleboro Building and Inspection Department.

C. Original completed applications

- a. Applications, with accompanying paperwork, must be submitted in person at the Public Works Department. Completed applications shall be submitted to the Department of Public Works no later than five (5) full working days prior to the start of any work. Each application shall be accompanied by plans showing the exact location of the excavation by using house numbers, pole numbers, etc. and specifications which are commensurate with the size and complexity of the proposed Work.

D. Wintertime Street Opening Moratorium

- a. No permits shall be granted for Work to be performed between December fifteenth and April first, except when the Superintendent shall find (1) that an emergency exists which requires the performance of the Work, or (2) that performance of the Work is required in the interest of the public health or safety, or (3) that the existing weather conditions permit the proper performance of the Work.
 - i. Work permitted within this window shall be based, in part, on availability of asphalt, immediate future weather predictions, and existing roadway conditions.
 - ii. Prior to any application within the winter moratorium, Applicants must meet with the Superintendent to discuss the proposed Work.

E. Permit Duration



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- a. All approved permits shall expire sixty (60) days from the date of its issuance, unless it is sooner revoked as provided for herein. Permits may be renewed by the Superintendent for an additional period of time upon written application therefor by the permit holder.
- b. All permits covered under these regulations shall expire on December fifteenth, and are subject to the Wintertime Street Opening Moratorium.

F. Notice to Public Utility Company and Others

- a. No permit, except in the case of emergency, shall be granted hereunder until the Applicant has first filed with the Superintendent copies of notices of the proposed excavation which are required, under the provisions of General Laws Chapter 82, Section 40, to be given to public utility companies, natural gas pipeline companies and cable television companies, together with a written statement certifying that the notices have been mailed or delivered to such companies, or until the Applicant has complied with any legally acceptable alternative to this procedure. In an emergency where the Applicant has been unable to give said notice at the time prescribed by such statute, copies of such notices and said written statement shall be filed with the Superintendent as soon as said notice has been given.
- b. A valid "Dig Safe" number shall be obtained for each application. No application shall be accepted without a valid number. Applicants shall comply with all Dig Safe rules, regulations, and guidelines.

G. Performance Bond

- a. No permit shall be granted unless the Applicant first files a performance bond with the City designed to assure that the area disturbed under the permit shall be restored to a condition acceptable to the Superintendent. The bond shall be in an amount sufficient in the opinion of the Superintendent, but in no case less than five thousand dollars (\$5,000.00), to pay the cost of restoring the disturbed area if the permit holder fails to do so. The bond shall be issued by a surety company licensed to do business in the Commonwealth of Massachusetts and shall be in such form as approved by the City Solicitor.
- b. If an Applicant anticipates requesting more than one permit during any calendar year, the Applicant, in lieu of filing a performance bond for each permit as indicated above, may file a continuing performance bond designed to cover the cost of restoring each and every area disturbed by the Applicant under each permit granted during the calendar year. The continuing performance bond shall be in an amount estimated by the Superintendent to be sufficient to cover the costs of any restoration Work which may reasonably be involved in connection with the number of permits the Applicant anticipates requesting during the calendar year, provided, however, that no permit shall be granted if, at the time it is to be issued, the amount of the continuing performance bond then in effect shall be less than the anticipated cost of restoring the area to be disturbed for five thousand dollars (\$5,000.00) whichever is greater.



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- c. No bond posted under this section shall be released until twelve (12) months after the area disturbed has, in the opinion of the Superintendent, been properly restored.

H. Indemnification and Liability Insurance

- a. Certificates evidencing required insurance shall be filed with the Superintendent. For a more specific breakdown of insurance requirements, refer to Section IV.
- b. Insurance certificates shall be provided in the name of the permit Applicant only.
 - i. The City of Attleboro shall be named as an additional insured and this shall be shown on the Certificate(s) of Insurance supplied to the City.
 - ii. Any subsequent agreements between said Applicant and a subcontractor engaged by him shall be considered a private matter. The City considers all issues having to do with obtaining the permit and performance of the Work outlined on the permit the responsibility of the Permittee.
- c. Cancellation of Insurance by the Permittee or its insurance company automatically voids and cancels permit(s) covered by the insurance certificate.
 - i. In such cases, Permittee(s) still maintain responsibility (and liability) for Work performed within the public way for each permit granted.

I. Permit Fees

- a. In accordance with Section 16-6.7 of the Revised Ordinances, permits fees are set forth as follows:

16-6.7 Fee for Permits (Amended 8/18/98)

- a. *There shall be a street opening permit fee of three hundred twenty-five (\$325.00) dollars for each street opening as defined in Section 16-6.1 hereof. This fee shall pertain to Work being done in the actual layout of the street. The fee for the renewal of such permit as provided for in Section 16-6.2 shall be fifty (\$50.00) dollars.*
- b. *There shall be a sidewalk opening permit fee of one hundred fifty (\$150.00) dollars for each sidewalk opening as defined in Section 16-6.1 hereof. This fee shall apply to Work being done exclusively in the area where a sidewalk is actually present. This fee shall also be applicable to openings for driveways provided for in Section 16-2 hereof. When Work is being done on a sidewalk in conjunction with a street opening, only the street opening permit fee shall be applicable.*
- c. *There shall be a permit fee of one hundred fifty (\$150.00) dollars for the installation of test pits in any public street or public sidewalk.*

J. Permit Requirements and Conditions



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- a. The Work performed under a permit granted under these Rules and Regulations shall be performed subject to the following conditions and to any other conditions imposed by the Superintendent with respect to any particular permit.
- b. Approved permits shall be kept onsite during the Work authorized by the permit, and shall be presented, upon request, to the Superintendent or his/her designee.
- c. No Work performed under such a permit shall be performed on Sunday or any legal holiday, except when in the opinion of the Superintendent the safety and welfare of the public demands that the Work be performed on such days and his written approval therefore has been given, and except where an emergency exists that requires the Work to be performed on such days. The Superintendent or his designee shall be promptly notified of any such emergency.
- d. The permit holder shall give the Superintendent and the Chief of Police at least forty-eight (48) hours advance notice, except in the case of an emergency, of the start of Work under any such permit.
- e. The Superintendent and the Chief of Police may impose such conditions on the performance of the Work as they consider necessary and appropriate to insure the safety of the public and to minimize the disruptive effect the Work may have on traffic, business, residences and other activity in the area.
 - i. Such conditions may include, but not be limited to, restricting the specific time of day during which the Work may be performed and requiring the assignment of police officers, at the expense of the permit holder, to direct traffic at the Work site.
 - ii. The City may restrict specific days of Work performed under a permit if said Work interferes with other planned work by the City, festivals, parades, or for any other city event that may arise.
- f. The Superintendent may at any time cancel or suspend permits for cause, or for failure to adhere to these regulations.
- g. The maximum length of open trench permissible at any time shall be two hundred (200 feet), and no greater length shall be opened for pavement removal excavation, construction or backfilling.
 - i. This maximum length may be shortened if, in the opinion of the Superintendent, Police Chief, or one of their respective designees, a shorter length may be needed to maintain safety of the general public, traffic flow, or otherwise.
- h. All Work shall be conducted in strict accordance with the latest OSHA regulations.

K. Traffic Safety



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- a. The Permittee shall take appropriate measures to ensure that safety of pedestrians and traffic is upheld at all times, minimizing disruptions, and causing as little inconvenience as possible to the occupants of abutting property and to the general public.
 - i. Permittee shall be responsible for all traffic and pedestrian management for the construction Work zone, in compliance with the guidance set forth by the ATSSA Guide to Temporary Traffic Control, the Mass DOT Work Zone Safety Guidelines, the MUTCD, and all federal and state regulations. See Section V for additional information.
- b. Police Details shall be required for all Work within public ways that will impact pedestrians or traffic, for Work that may interfere with or impede on traffic, and/or to provide for traffic and pedestrian safety.
 - i. Required number of Police detail officers for permitted Work shall be determined by the Traffic Safety Officer.
 1. Once Work commences, additional Police detail officers may be required if, in the opinion of the Traffic Safety Officer, conditions warrant.
 - ii. If, in the determination of the Police Chief (or his designee), a Police detail officer will not be necessary for the Work within the public way, Applicants shall secure written documentation from the Police Department stating that a detail is not required. This documentation shall be kept onsite with the approved street opening permit and presented upon request by the Superintendent, his/her designee, or any member of the Police Department.
 - iii. Applicants are encouraged to contact the Traffic Safety Officer in advance of applying for permits to discuss traffic management.
- c. Warning signs shall be placed at sufficient distance from the construction operation to alert all traffic coming from both directions (or multiple directions, should conditions warrant). Cones or other approved devices shall be placed to channel traffic, all in accordance with requirements of the Traffic Safety Officer.
- d. Placement of and materials used for warning signs, lights, and other precautions as may be necessary shall conform to the MUTCD.
 - i. All costs incurred, including those for traffic warning signs, barriers, lights, etc. are the responsibility of the Permittee.
- e. Whenever any public street or way, or any sidewalk, common or other public place is disturbed, dug up, obstructed, encumbered or otherwise rendered unsafe or inconvenient for travel, the holder of the permit shall place, and at all times maintain, a suitable barrier, railing or fence around the area so disturbed and obstructed so long as the same shall be or remain unsafe or inconvenient as aforesaid, and shall also keep one or more lights fixed to such barrier, railing or fence, or fixed in some other proper manner, through the entire night so long as the barrier, railing or fence shall be kept standing or such



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obstruction shall continue. Placement of these types of controls shall be approved in advance by the Traffic Safety Officer.

- f. Construction materials and equipment on the site shall not unduly hinder or block the way of vehicles and pedestrians. Further, Permittee shall not block driveways to private property without the express written consent of said property owner.

L. Relocation and protection of utilities

- a. Permittees shall not interfere with any existing utility without the written consent of the Superintendent and the owner of the utility. If it becomes necessary to relocate an existing utility, the owner of said utility shall direct the relocation. Costs of such Work shall be borne of the Permittee.
- b. Permittees shall adequately support and protect all pipes, conduits, poles, wires, cables, or otherwise, which may be affected by the Work performed. Should any other utility or appurtenance thereto be damaged, such damage shall be repaired by the Permittee to the satisfaction of the utility owner. Costs of such Work shall be borne of the Permittee.

M. Protection of adjoining property

- a. Any street, way, sidewalk or other area disturbed during Work under such a permit shall be restored to its prior condition (or better) upon completion of the Work.
- b. Permittees shall be responsible for any damage done to any public or private property, and Permittee shall restore said damage to its prior condition (or better) upon completion of the Work, to the satisfaction of said owner. Costs of such Work shall be borne of the Permittee.
- c. Permittees shall, at his/her own expense, shore up and protect buildings, trees, walls, fences, roadways, utilities, sidewalks, curbing, wetland resource areas, and all other property that may be impacted as a result of the approved Work. Costs of such Work shall be borne of the Permittee.
 - i. All protective Work carried out or deemed necessary affecting buildings or other structures must be approved in advance by the Building Inspector.
 - ii. Trees or other vegetation within the public way that is required to be removed as a result of the Work shall be approved in advance by the Parks and Forestry Department.

N. Protection of gutters and stormwater systems

- a. Permittees shall maintain all gutters free and unobstructed to allow for drainage upstream and within the Work area.
- b. Catch basins shall be clear and serviceable.



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- c. Appropriate environmental protection methods shall be employed to ensure that run-off from construction does not cause problems with the City's storm drainage system.
 - i. Erosion control barriers may be required to prevent silt migration.
 - ii. The Permittee shall make provisions to take care of all surface water, mud, silt, rubbish, residue, etc. prior to entering the storm drainage system. Contamination resulting from spills at the Work site shall require immediate cleanup, and the Permittee shall notify the DPW immediately.
 - 1. All costs borne to clean up a Work area shall be the responsibility of the Permittee.
 - 2. Permittee shall be responsible for any damages resulting from failure to control erosion, debris, or other contaminants. Permittee may also be required to clean adjacent drainage systems that are affected as a result.
 - iii. Work that will impact a wetland resource area shall be approved in advance by the City's Conservation Agent.

O. Breaking through pavement

- a. The use of hydro-hammers and heavy duty pavement breakers shall be limited on all streets unless written permission is granted by the Superintendent for their use after consideration of the location, the condition of the street, and the depth of saw cutting required ahead of the use of hammers.
- b. Pavement edges shall be sawcut parallel and perpendicular to centerline of trenches required to implementing work. See sawcut line detail for additional information.
- c. Unstable pavement encountered shall be removed over cave-outs and over breaks.
- d. Concrete pavement for roadways, driveways, and/or sidewalks that is required to be excavated shall be saw cut to the closest score line or expansion/contraction joint and removed. Refer to work impacts to concrete sidewalk detail for additional information.
- e. Excavations shall be made in open cut and no tunneling shall be allowed except by special written permission of the Superintendent.

P. Excavated materials

- a. All material excavated shall be removed from the site, except in such cases as the material is deemed suitable for backfill by the Superintendent, or his designee.
- b. Any material excavated removed from the site shall be removed and replaced with suitable material at the Permittee's expense.



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- c. It is the sole responsibility of the Permittee to remove and dispose of all excess material in accordance with federal, state, and local laws.

Q. Backfilling

- a. No trench opened under such a permit shall be backfilled unless an employee of the Department of Public Works designated by the Superintendent is present during the backfilling.
 - i. If notice has not been provided to the Department of Public Works, the Superintendent reserves the right to require the Permittee to re-excavate all or a portion of the Work at Permittee's expense.
- b. All excavations associated with the permitted Work shall be filled the same day as it was opened unless the Permittee is otherwise directed by the Superintendent, Police Chief, or their respective designee(s).
 - i. Excavations shall be backfilled to the line/grade existing prior to excavation and shall accommodate the thickness of asphalt required.
- c. Backfill material shall consist of CDF (flowable fill), bank-run gravel, or 3/4-inch size process gravel, as approved by the Superintendent or his designee. Refer to attached details and specifications below for additional information.
 - i. These backfill materials may be used from the bottom of the trench to a point twelve inches below the surface of the existing pavement. Only 3/4-inch processed gravel may be used in the top twelve inches of an excavation, and conforming to Mass DOT specifications.
- d. If not using CDF (flowable fill), excavations shall be backfilled in 12" lifts from the bottom of said excavation. Each lift shall be thoroughly compacted by means of a vibratory or mechanical compactor before the next lift shall be laid.
 - i. Chunks of bituminous concrete, chunks of cement concrete, large stones, clay, sticks, logs, metal, loam, organic materials, roots, debris and other materials deemed unsuitable shall not be used in backfill.
- e. The Superintendent may require the use of CDF ("flowable fill") during backfilling. In these cases, CDF shall be backfilled to an elevation of four inches below the top of the paved surface. The adjacent material extending one foot beyond each side of the excavation shall be removed to a depth of four inches (top of the CDF). The perimeter of the trench shall be saw cut to provide a clean vertical joint. Once the CDF has cured, a 2" binder and 2" top coat may be installed to meet existing roadway grades.
 - i. Additional restrictions may apply for Work within newly paved roadways (within 5 years) and/or for roadways programmed for repaving. These restrictions will be evaluated on a case-by-case basis, dependent upon specific permit parameters.



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R. Temporary Pavement Surfacing

- a. Upon the completion of proper backfilling, the Permittee shall install temporary pavement, unless directed otherwise by the Superintendent.
 - i. All temporary pavements shall be hot mixed asphalt, conforming to Mass DOT Standard Section 460, placed in two-inch compacted courses to a total depth of four inches. If existing pavement depth is 8 inches or greater, temporary pavement shall be placed in two inch compacted courses to a total depth of six inches. If a layer of concrete, cobblestone, granite pavers, or other supporting material exists, the Permittee shall install cement concrete to match the depth of the material removed.
 - ii. As soon as is consistent with final permanency of the Work, or as required by the Superintendent, the temporary pavement shall be excavated to the required grade in order to place the permanent bituminous pavement.

S. Restoration of Permanent paving

- a. The Superintendent shall, in all cases, have the sole discretion as the restoration of pavement.
 - i. All permanent paving resulting from excavations within the public way shall be at the sole expense of the Permittee.
 - ii. The Superintendent reserves the right to refuse the issuance of permits for new excavations for a Permittee, if the Permittee has not made permanent restorations to existing openings in a timely and satisfactory manner.
- b. All permanent paving shall be completed in accordance with City standards and at the direction of the Superintendent.
 - i. Bituminous pavement shall be Class 1, Type I-1, as described by the Mass DOT specifications.
 - ii. All seams/joints between existing and new pavement shall be sealed with asphalt sealer and sand cover.
 - iii. If, upon excavation of the trench, it is discovered that the existing pavement thickness is greater than the replacement thickness herein specified, the Superintendent reserves the right to require the Permittee to match the existing thickness when the trench is re-paved. Such pavement shall be applied in at least two courses.
- c. When deemed necessary, the Superintendent may require Permittees to utilize infrared repairs at asphalt joints and seams where new pavement abuts existing pavement.



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- d. Mechanical compactors may be permitted for repairs less than 10 square yards. Repairs that are 10 square yards or larger shall be rolled with a power-drive, steel-wheeled roller to obtain specification density.
- e. When centerline of trench openings are less than 10 feet apart, and/or if outer edges of trench openings are less than 6 feet apart, a continuous zone (CZ) restoration will be required. Refer to detail drawings for examples.
- f. If any excavation should extend more than 50 feet, either continuous or non-continuous, and/or if an excavation disturbs more than 250 square feet of existing pavement, the roadway surface shall be repaved by the Permittee from curb-to-curb for a distance of the trench, 15 feet up-station, and 15 feet down-station of each trench.
- g. In the case of emergencies, the Permittee shall repave from curb-to-curb for a distance of the trench, 15 feet up-station, and 15 feet down-station of each trench for pavements which are less than five years old and for other pavements which are void of cracks, potholes, patches, and, in the opinion of the Superintendent, are in good condition.

T. Sidewalk and driveway repairs

- a. All restoration of bituminous or cement concrete sidewalks and driveway associated with the Work shall be conducted at the expense of the Permittee and shall meet the specifications of the Department of Public Works.
- b. Cement concrete sidewalks that are excavated shall be removed to the nearest score joint or expansion joint. Sawcutting in the middle of a square is not permitted. See details for examples.
- c. Cement concrete sidewalk squares shall utilize Portland cement with an air entrained Class "A" (4000 psi) mix or better and match in color abutting sidewalk squares.
 - i. Permittees are responsible for any damages to public and private property associated with the Work, and shall promptly repair at the Permittee's expense.
 - ii. Thickness of concrete shall match existing pavement that is removed (4" minimum in sidewalks, and cement concrete driveways shall be a minimum of 6" thick).
 - iii. Sidewalks shall be treated with a sealant for salt damage protection.
 - iv. Pre-formed expansion joints shall be installed against buildings, walls, steps, foundations, and/or existing concrete blocks.
- d. Permittees shall maintain access for pedestrians before, during, and after Work has been completed.
 - i. Permittees must comply with the provisions of the Americans with Disabilities Act (ADA). During the construction, the Permittee shall ensure that ADA access



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is maintained or provisions have been made to meet ADA requirements. Sidewalks that are replaced by the Permittee that are not in conformance with ADA shall be replaced at the Permittees expense.

U. Cement Concrete trench patching

- a. On roads that have been recently repaved, or may be repaved within one year, or as otherwise required by the Superintendent, a ten-inch thick concrete slab may be required. See attached detail for more information.
 - i. This slab shall be laid over the backfilled trench extending one foot beyond either side of the trench opening (i.e. “resting on native soil”).
 - ii. The slab shall allow for a four inch bituminous concrete Type I-1 surface to be placed after the concrete has cured.
 - iii. When required, the concrete slab shall be cast-in-place; conforming to Mass DOT standard specifications for Class “F” cement concrete. Additionally, the concrete shall be “High-early” strength.
 1. Steel plating may be required until the concrete has sufficiently cured. Permittee’s shall contact DPW prior to installation of steel plates. Refer to steel plating detail for additional information.

V. Restoration of Pavement Markings and Traffic Loops

- a. All pavement markings (crosswalks, traffic lines, etc.) that are removed or damaged during as a result of the Work shall be repainted by or under the direction of the Superintendent or his designee. Such costs shall be at the expense of the Permittee.
 - i. Paint materials shall match in-kind existing paint color and type that was removed. I.e., should thermoplastic paint be removed due to the Work, the Permittee shall make provisions to replace with like materials and color.
- b. All traffic loops that are obliterated or damaged as a result of the Work shall be replaced under the direction of the Superintendent or his designee. Such costs shall be at the expense of the Permittee.

W. Restoration of grassed areas, vegetation, etc. and anticipated resource area disturbance

- a. All vegetation removed, disturbed, or damaged as a result of the Work shall be replaced to the satisfaction of the Superintendent (or property owner, as the case may be). Such costs shall be at the expense of the Permittee.
- b. The Permittee is responsible for notifying the City’s Park and Forestry Department prior to the removal of any tree.



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- c. The Permittee is responsible for coordinating with adjacent property owners prior to any Work on private property.
- d. The Permittee is responsible for notifying the City's Conservation Agent prior to disturbing any resource area.

X. Restoration Guaranty

- a. Permittee is responsible to place all disturbed items in as good repair (or better) as they were prior to the Work.
- b. Permittee shall guarantee all Work for a period of one year from the time that the City accepts the permanent restoration of disturbed areas.
 - i. Should any restored area or excavation fail or fall into disrepair during the guaranty period as a result of the Work, Permittee shall repair the area in a timely fashion, and no later than 10 days after notified. This repair Work shall be at the sole expense of the Permittee.
 - ii. The Superintendent reserves the right to refuse the issuance of any other permit until such time as the Work has been repaired.
 - iii. If the Permittee does not complete the Work within a timely fashion, the City may undertake the repair Work. In these cases, the City may exercise its rights against the bond(s) provided by the Permittee or it may invoice the Permittee for the Work and administrative costs. No further permits shall be issued until the invoice has been paid in full.

SECTION III – MATERIALS AND REFERENCES

A. Material Specifications for Trenches

- a. Special borrow shall conform to Mass DOT Spec. M1.02.0.
- b. Granular gravel borrow and processed gravel material backfill shall conform to Mass DOT Spec. M1.03.0, Gravel Borrow Type (b) and Mass DOT Spec. M1.03.01, respectively.
- c. Controlled Density Fill (CDF) Type IE Excavatable shall conform to Mass DOT Spec. M4.08.0.
- d. Pavement structure subbase material shall be either Mass DOT M1.03.1 Processed Gravel for Subbase or Mass DOT M2.01.7 Dense Graded Crushed Stone for Subbase.



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The material shall be spread in layers not exceeding eight (8) inches in loose depth and compacted to no less than 95 percent of the maximum dry density of the material, ASTM D1557.

- e. Temporary pavement shall be hot-mixed asphalt Mass DOT Type I top course material conforming to Mass DOT M3.01.0 and M3.11.07.
- f. Steel Plates. Steel plates shall not be used without DPW approval. Plates and supporting members shall be steel, either new or used. All materials shall be sound and free of damage or deterioration that would adversely affect functions. Load and deflection calculations shall be used on ASTM A36 / A36M steel unless Contractor provides evidence that all steel used for the plate systems will be a higher strength grade. Steel plates in vehicular and pedestrian traffic areas shall be coated with an approved skid resistant coating. Preparation of the surface and application of the coating shall be in accordance with all of the manufacturer's guidelines. Coatings shall be maintained on 100 percent of the surface of plates carrying vehicular and pedestrian traffic. Repairs shall be made to worn or deficient areas.
- g. Portland Cement Concrete shall conform to the requirements of Section M4 of the latest Mass DOT Standard Specifications.
- h. Reinforcing shall be FIBERMESH fibers (100 percent virgin polypropylene, collated, fibrillated fibers) at a rate of 1.5 lbs. per cubic yard of concrete will be allowed for non-structural reinforcement. Installation shall be per manufacturer's recommendations.
- i. Loam shall conform to Mass DOT Standard Specification Section 1.05, Loam Borrow. Loam shall have a finished depth of minimum four (4) inches (minimum).
- j. Seeding shall conform to Mass DOT Specification Section M6.03. Permittees shall be required to continually seed and water areas of loam until a satisfactory growth of grass is established.
- k. Filter fabric for underdrain shall be equivalent to Mirafi 140 by Fiber Industries.

B. References

- a. All materials and execution shall conform to the highest applicable standards. If there is a conflict between other standards, or between other standards and these Design standards, then the most stringent criteria shall be used.
- b. These standards draw and refer to the *Commonwealth of Massachusetts - Massachusetts Highway Department: Standard Specifications for Highways and Bridges* (1995 et seq.) and the *Commonwealth of Massachusetts - Massachusetts Highway Department: Construction and Traffic Standard Details* (1996 et seq.). These two documents are referred to collectively as the Mass DOT Standards. In addition to the Mass DOT Standards, the City references AASHTO, and ASTM as guidance for the materials and execution of Work performed on the City's roadway network. The following summarizes select standards applicable to the sections in these Design Standards. This list is not



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exclusive; other standards may apply. The latest revision of each standard shall be referenced.

Standard Title/Subject

- ATSSA Guide to Temporary Traffic Control in Work Zones
- Mass DOT Work Zone Safety Guidelines for Massachusetts Municipalities and Contractors
- Mass DOT Standards Massachusetts Department of Transportation: Standard Specifications for Highways and Bridges
- Mass DOT Standards Massachusetts Department of Transportation: Construction and Traffic Standard Details (1996 et seq.)
- ADA/ADAAG Americans with Disabilities Act Accessibility Guidelines
- ASTM A36 / A36M Standard Specification for Carbon Structural Steel
- ASTM D1557 Standard Test Methods for Laboratory Compaction Characteristics of Soil Using Modified Effort (56,000 ft-lbf/ft³)
- US DOT Manual on Uniform Traffic Control Devices (MUTCD)



SECTION IV – Insurance and Bond Coverage

1) Insurance Coverage

By accepting a permit hereunder, the Permittee shall agree to hold harmless and indemnify the City, its officers, employees and agents from and against any and all liability, claims, losses and damages to persons or property arising out of or resulting from the Work performed under the permit. Applicants further understands that this Street Opening Permit (SOP) Policy shall not be construed as imposing on the City of Attleboro any legal responsibility for any person injured or property damaged as a result of any Work permitted under these Rules and Regulations.

Permittees therefore understands with the acceptance of the SOP permit that they are fully responsible to be properly insured by a major insurance carrier licensed to operate in the Commonwealth of Massachusetts. The Applicant has the responsibility and obligation to have active insurance coverage in place, at a minimum as identified below. Insurance certificates shall be filed with the Superintendent prior to approval of any permit.

WORKERS' COMPENSATION (in accordance with provisions of M.G.L. Chapter 152)	
Statutory State - Massachusetts	\$100,000 each accident
	\$500,000 bodily injury by disease (policy limit)
	\$100,000 bodily injury by disease (each employee)
GENERAL LIABILITY	
Comprehensive Form	\$1,000,000 each occurrence
Premises Operation	\$2,000,000 aggregated
Owners & Contractors Protective	
Explosion, Collapse, and Underground	
Broad Form Comprehensive Gen. Liability	
Cross Liability and Personal Injury	
AUTOMOBILE LIABILITY	
All Owned Vehicles	\$1,000,000 bodily injury & prop. damage combined
All Employer Non-Owned Vehicles	
All Leased Vehicles	
UMBRELLA	
Limit of Liability	\$2,000,000 (minimum) occurrence
	\$2,000,000 aggregate

Exemptions to filing insurance endorsement are made only to other governmental agencies of State and Federal level, and public utility companies.



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2) Bond Coverage

Exemptions to requiring a Bond may be made to other governmental agencies of state and federal level or public utility companies.

At the discretion of the Superintendent or his designee, an individual permit Bond or an Annual Blanket Bond, hereafter referenced as “Bond”, shall be provided to the City in one of the following types described below.

Bond(s) shall be received by the City before a Street Opening Permit can be issued.

As such, Applicants should be aware of these requirements and accordingly plan as part of their application submittal allotted time to produce and deliver such items.

The requirement to secure a Bond is part of this SOP Policy and is being made so that the City of Attleboro will be protected against loss in the event of failure of the Permittee to complete the Work or make required repairs or restoration of damage involving the Work or encroachment authorized by the permit.

Depending on the nature, volume, extent of work, or prior performance history the Superintendent or his designee, may elect to require certain Bond amounts above the minimum standards noted below. The Bond type requested for these cases will be as established by the City in the form of either a Paper Certificate issued by a Surety company licensed to do business in Massachusetts or a Cash deposit (check payable to the City of Attleboro).

Each Permit Bond (minimum standard)	Amount
Street/Sidewalk Opening	\$5,000
Sidewalk Only Opening	\$5,000
Poles, Borings, or Wells	\$5,000

Annual Blanket Bond (minimum standard)	Amount
Street/Sidewalk Opening	\$25,000
Sidewalk Only Opening	\$10,000
Poles, Borings, or Wells	\$10,000

The applicant understands and agrees with the acceptance of an Approved Street Opening Permit (SOP), that the City has the right to use any portion or all of the Bond amount to remedy and resolve any Temporary or Permanent restoration Work that the Permittee either left unfinished or defective (settlement or cracks) or any damage caused resulting from their work, in which they fail to respond to a City request to complete said repairs in a timely fashion (as specified above). Should the Permittee NOT ACT to perform the City directed repair request within a timely fashion or for cases that may jeopardize public safety a quicker specified time, the City may move to complete the work itself (or through a vendor) and as such will execute its right to draw on the Bond to pay for this work.



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The City reserves the right to seek immediate and direct compensation recovery from said party if the City performs repairs themselves (or through a vendor) that Work that they deem urgent regardless of whether a Bond has been deposited. The City reserves the right to withhold future permits until compensation for repairs performed by City has been received.

The Bond shall be released to the permit holder upon the expiration of the guarantee period. The guarantee period shall be enforced by the City until the completion and acceptance of the permanent SOP restoration Work. The temporary paving phase shall be completed and be free of any defects for a minimum of 120 days before the Permittee can proceed with the permanent phase restoration Work. The permanent restoration installation Work will then be inspected 120 days following and if found to be defect free the City will accept and close the guarantee period. However, in the event Defects are identified during the guarantee period then the restoration will be corrected and the guarantee period appropriately extended to ensure no repeat defects result.

During the guarantee period the permit holder shall be responsible for the restoration, repair, and maintenance of its Work. The Superintendent shall be authorized to draw upon the Bond account as may be necessary to cover the costs to the City, including administrative costs, legal fees, and/or its vendor costs, to perform Work which a Permittee has not satisfactorily performed or maintained. The Superintendent shall be authorized to draw upon the Bond account in accordance with the notice policy specified above.

The Applicant should carefully review and clearly understand the above City of Attleboro Bond Restoration Policy. The Permittee with the acceptance of a SOP should be unmistakably aware that they are the responsible party for the Work and that any failure on their part to properly complete/perform the restoration Work (**FTP - FAILURE TO PERFORM**) including any damage caused from their Work or to resolve any restoration defects during the guarantee period, within the timeframe the City requires, **may result in the City taking action to draw on their Bond to remedy any FTP case.** The City reserves the right to withhold future permits until compensation for repairs performed by Town has been received. Any Permittee who fails to comply with the Bond Restoration Policy further understands that they waive all ability to challenge any recourse to **recover Bond money used by the City for these cases** including any dollars for legal or other challenges.

NO EXCEPTIONS OR POSITION WILL BE MADE BY THE CITY REGARDING BONDS



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SECTION V – Traffic Management

All issued permits shall contain the following Condition Language:

“The Permittee shall not stage equipment or material required for this job in Public Way. The Permittee shall be responsible for securing an appropriate Traffic Management-Work Zone Safety Plan using the MUTCD (Manual on Uniform Traffic Control Devices) guidelines to include the use of Police, barricades, alert work zone signs, and other appropriate protective measures to minimize traffic disruption, to provide a clear passage way for emergency vehicles, and to safeguard their work force and the public.”

A police detail shall be scheduled for each day of planned Work within a City roadway. Non-compliance of these items may result in the Superintendent or the Police Chief (or their respective designee) issuing a STOP WORK order until compliance occurs.

Prior to the commence of work, the Mass Highway Work Zone Safety Guidelines are set forth below and should be used to establish proper Work Alert sign types/setup and appropriate Barricade layout to protect the public and the workforce.

