

MINIMUM CONDITIONS APPLICABLE TO RIGHT-OF-WAY PERMITS

1. The Permittee declares that prior to filing this application, the location of all existing utilities that it owns or has an interest in, both aerial and underground, are accurately shown on the plans and a copy of all City as-builts and utility drawings were included with the application. **Contact Yolanda Villamil 561-494-1081 / yvillamil@wpb.org** for City Utility information.

Please ensure that for any permit applications for underground work in the Rights-of-Way, including, but not limited to: boring, conduits, hand holds, fiber optic, etc., has some indication of what type of services the facilities to be installed will support

All Directional bores shall be in accordance with the FDOT Standard Specifications for Road and Bridge Construction Section 555 (latest version), Directional Bores and the FDOT Utilities Accommodation Manual. ALL DRAWINGS TO BE OVER AERIALS AND SHOW ALL UTILITIES.

PARKING ON CITY SIDEWALKS IS NOT ALLOWED. MISSILE BORES ARE NOT PERMITTED.

2. Applicant agrees to maintain the permitted facilities / site, including the surrounding public right-of-way, at their sole expense and, if required by the City of West Palm Beach, to promptly modify, relocate, and/or remove any facility required, at the applicant's sole expense. The applicant, at their sole expense, shall restore all portions of the public right-of-way disturbed or impaired during the maintenance, modification, relocation, or removal of the permitted facility and the City of West Palm Beach shall accept no responsibility.
3. A minimum of 2 business days prior to commencement of activity within the City of West Palm Beach public right-of-way, the applicant / permittee shall notify the Engineering Department. Failure to comply may result in revocation of permit(s) and the assessment of violation fees.
4. A minimum of twenty-four (24) hours' notice shall be given for scheduling of all tests and inspections. Scheduling is prioritized on a first come –first served basis and may not be available for the time requested.
5. All materials, installations, and methods of work in the public right-of-way shall be in accordance with the applicable municipal jurisdiction and applicable utility service provider jurisdiction minimum standards for materials, specifications, and construction.
6. All work in the public right-of-way for the City of West Palm Beach shall be done in strict compliance with the requirements of the City of West Palm Beach Engineering Department, FDOT Standard Details, MUTCD, and Occupational Safety and Health Administration. Failure to comply shall result in the immediate cessation of operations and the removal of project-related obstructions from the right-of-way until compliance is achieved. Failure to comply may result in revocation of permit(s) and the assessment of violation fees.
7. Original copies of all City issued and regulatory agency permits required for the project and a set of plans, including all current revisions associated with the permit, shall be maintained on site and subject to inspection without advance notice. Failure to maintain permits may result in the suspension of work, testing, inspections, and assessment of re-inspection fees.
8. Permitted work shall not be deemed approved until all installations, tests, and restorations are complete and approved by the City of West Palm Beach, all other regulatory agencies, and all test reports, certifications, and record drawings have been submitted and accepted by all agencies requiring record drawing approval.
9. Permittee is solely responsible for any relocation(s) of new or existing facilities required as a result of this permitted construction. Permittee is responsible for notification / coordination with owners of other facilities within the City's right-of-way, easement, property, or utility jurisdictional.
10. Record drawings and all certification / conveyance documents must be submitted prior to scheduling a final project inspection.
 - a. Record drawings shall be submitted in conformance to Engineering Services Department minimum record drawing standards.
 - b. All record drawings shall be signed and sealed by a Professional Land Surveyor registered in the State of Florida and/or certified by a Professional Engineer registered in the State of Florida.
 - c. A minimum of one (1) set of complete paper record drawings shall be submitted in correlation with the approved construction drawings. (Including civil, utilities, irrigation, landscape, roadway, street lighting, electrical, drainage, etc.)
11. A minimum one-year warranty period shall commence upon closure of permit, during which the permittee shall, at their sole expense, repair or cause to be repaired, any defects that may be identified within the warranty period. The Engineering Department may require the submission of a warranty bond corresponding to the warranty period and equal to a minimum of thirty-five percent (35 %) of the final cost of construction, as determined by a completed Engineering Services & Public Works Certified Construction Cost Estimate.

12. VMS Boards are required on all Projects where major roadways are closed for minimum of 4 to 8 hours. Boards must be in place **1-2 weeks prior** to closure.
13. This permit applies only to authorization from the City of West Palm Beach Engineering Department. It is possible that additional permits may be necessary. Nothing contained herein relieves the permittee from timely complying with applicable laws of other Federal, State, and Local government.
14. It is expressly understood that this permit is for permissive use only and that the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right to the permittee.
15. Prior to construction of any improvements within the city jurisdiction, right-of-way, easement, or other property, the permittee shall notify the Sunshine State One-call of Florida, Inc. for underground facility locations, as set forth in the Underground Facility Damage Prevention and Safety Act of the State of Florida. (1-800-432-4770 or 811)
16. Permittee hereby indemnifies and holds the City of West Palm Beach harmless for any loss arising from the permittee(s) installation or operations under this permit. The permittee shall hold the City harmless and relieves of all responsibility for any damage or liability of any nature arising from work authorized and performed under this permit.
17. In the event it becomes necessary, for any reason, to continue work operations beyond the normal hours of operation for the assigned City staff, the permittee acknowledges their commitment to reimburse the City of West Palm Beach for overtime expenses, prior to final inspection.
18. This permit shall expire under the following circumstances:
 - a. If construction of permitted work is not commenced within 30 calendar days of issuance.
 - b. If permitted work, once commenced, is suspended or ceased for 30 consecutive calendar days or more, or suspended or ceased for 30 total calendar days or more during a 90 calendar day period.
 - c. If plans or materials are changed without the prior approval of the City of West Palm Beach Engineering Department.
 - d. Upon satisfactory final inspection and closure of the permit by the City of West Palm Beach Engineering Services.
19. All residual permit and construction administration fees will be forfeited to the City of West Palm Beach in entirety upon the expiration of this permit, with the sole exception for circumstance Minimum Conditions Applicable to Permit Application 20 (d).
20. Venue for any administrative proceeding or judicial action resulting from this permit, including any action to enforce its terms against the permittee, shall be in Palm Beach County, Florida.
21. It is the sole responsibility of the permittee to notify and coordinate work with utility owners within the proposed permit area.
22. Any road resurfacing constitutes an alteration which triggers an obligation to provide ADA compliant curb ramp.
23. All traffic loops shall be restored prior to final inspection. Contact Signal Shop Palm Beach County Supervisor at 561-233-3900 for coordinating loop re-installation.
24. Bagging of parking meters is required when blocking parking stalls.
25. Lighted barricades are required if equipment or dumpster (POD) is left in roadway or parking stall after dark or overnight.
26. All Type I barricades to have ballasts over bottom rails.
27. Only City approved Dumpster Companies allowed: Coastal Waste and Recycling of Martin County LLC, Eastern Waste Systems, Republic Services, S&S National Waste, Waste Management Inc., and Waste Pro of Florida, Inc.
28. **IMPORTANT:** Each subcontractor to be granted use of the right-of-way in conjunction with this application must be identified. Subcontractors or the execution of work not identified in the application shall be subject to violation fines.
29. **IMPORTANT:** The applicant acknowledges, understands, and grants the City of West Palm Beach the right to lien property associated with this permit for the purpose of collection of outstanding expense reimbursement, fees, repairs costs, and the contracting of services to complete work permitted and not completed by the permittee.
30. **IMPORTANT:** The permittee is responsible for the conduct and actions of Subcontractors associated with this permit, including but not limited to, the cost of repairs and violation fines attributed to work performed under this permit.
31. **IMPORTANT:** Construction in Right-of-Way may require additional Engineering Review.
32. **IMPORTANT: ANY REVISIONS OR ALTERATIONS TO THIS PERMIT MUST BE SUBMITTED 10 BUSINESS DAYS PRIOR TO ANY WORK. ADDITIONAL MOT OR MESSAGE BOARDS MY BE REQUIRED. APPLICANT MUST ALSO SUPPLY REVISED DRAWING, SITE PLAN AS WELL AS MOT PLAN.**
33. **Pre-Construction meeting requirements.** If any of these items are not on-site, pre-construction meeting will need to be rescheduled:
 - a. Permit Card
 - b. Locate Ticket (if underground work is proposed)
 - c. Approved Plans
 - d. Approved MOT Plan