



TOWN OF HOPKINTON

DEPARTMENT OF PUBLIC WORKS

PO Box 209

Hopkinton, MA 01748

508-497-9740

Fax: 497-9761

Permit Fee: \$ 75.00

Paid: _____

APPLICATION FOR A PERMIT TO OPEN, OCCUPY OR OBSTRUCT A STREET

Name of applicant: _____

Address of applicant: _____

Telephone Number: _____

Work Location Address: _____

Length of work area: _____ Width of work area: _____

Description of work: _____

Time frame work will be performed (dates and hours) _____

DIG SAFE Number: _____

Signature: _____ Date: _____

Police Detail Required: Yes _____ **No** _____ **HPD Signature:** _____

Bond Information Received: _____

Issued by: _____ Date: _____

Permit Number: _____ Issued on: _____

Permit Expiration Date: _____

Final Inspection: _____ Date: _____

**APPLICATION FOR A PERMIT TO
OPEN, OCCUPY OR OBSTRUCT A STREET**

The applicant has agreed to restore said street in accordance with the road opening permit policy, satisfactory to the Director of Public Works, or his representative, on or before the date last mentioned; to conform to existing statutes and by-laws and to any conditions in the permit; to cause any excavation and obstruction to be properly fenced; to place and to maintain from sunset to sunrise, over or near the place occupied, opened or obstructed, and over or near any dirt, gravel, or other material, or objects to be used in connection with work, a light or lights, fixed to said fence, or placed in some other proper manner sufficient to protect the public from injury; to place and maintain a safe and convenient way for the use of foot-passengers and a safe and convenient passage for public travel around or over such place; to indemnify and save harmless the Town of Hopkinton from all loss, cost, damage and liability which may result in said Town from the execution of the work or from any breach of such conditions of said agreement; and to pay such sum as the Director, or his representative, may determine to be a fair charge for the service of an inspector appointed by said Director, or his representative, to see that the conditions of this permit are duly complied with; and otherwise put into good condition satisfactory to the Director, or his representative, within the time prescribed by him.

By signing this form, the applicant, owner, and excavator all acknowledge and certify that they are familiar with, or, before commencement of the work, will become familiar with, all laws and regulations applicable to work proposed, including OSHA regulations, G.L. c. 82A, 520 CMR 7.00 et seq., and any applicable municipal ordinances, by-laws and regulations, and they covenant and agree that all work done under the permit issued for such work will comply therewith in all respects and with the conditions set forth below.

The undersigned owner authorizes the applicant to apply for the permit and the excavator to undertake such work on the property of the owner, and also, for the duration of the construction, authorizes persons duly appointed by the municipality to enter upon the property to monitor and inspect the work for conformity with the conditions attached hereto and the laws and regulations governing such work.

The undersigned applicant, owner and excavator agree jointly and severally to reimburse the municipality for any and all costs and expenses incurred by the municipality in connection with this permit and the work conducted thereunder, including but not limited to enforcing the requirements of state law and conditions of this permit, inspections made to assure compliance therewith, and measures taken by the municipality to protect the public where the applicant owner or excavator has failed to comply therewith including police details and other remedial measures deemed necessary by the municipality.

The undersigned applicant, owner and excavator agree jointly and severally to defend, indemnify, and hold harmless the municipality and all of its agents and employees from any and all liability, causes or action, costs, and expenses resulting from or arising out of any injury, death, loss, or damage to any person or property during the work conducted under this permit.

**APPLICATION FOR A PERMIT TO
OPEN, OCCUPY OR OBSTRUCT A STREET**

Insurance Policy No.: _____ Expiration Date: _____

Name of Insurer: _____

Address of Insurer: _____

Name of Competent Person: _____
(as defined by 520 CMR 7.02)

MA. Hoisting License No.: _____

License Grade: _____ Expiration Date: _____

By signing this form, the applicant, owner and excavator all acknowledge and certify that they are familiar with, or before commencement of the work will become familiar with all laws and regulations applicable to work proposed, including OSHA regulations, GL c.82A, 520 CMR 7.00 et seq., and any applicable municipal ordinances, by-laws and regulations and they covenant and agree that all work done under this permit issued for such work will comply therewith in all respects and with the conditions set forth below:

Conditions:

The owner authorizes the applicant to apply for the permit and the excavator to undertake such work on the property of the owner, and also, for the duration of construction, authorizes persons duly appointed by the municipality to enter upon the property to monitor and inspect the work for conformity with the conditions attached hereto, and the laws and regulations governing such work.

The applicant, owner and excavator agree jointly and severally to reimburse the municipality for any and all costs and expenses incurred by the municipality in connection with this permit and the work conducted thereunder, including but not limited to enforcing the requirements of state law and conditions of this permit, inspections made to assure compliance therewith, and measures taken by the municipality to protect the public where the applicant, owner or excavator has failed to comply therewith, including police details and other remedial measures deemed necessary by the municipality.

The applicant, owner and excavator agree jointly and severally to defend, indemnify, and hold harmless the municipality and all of its agents and employees from any and all liability, causes or action, costs, and expenses resulting from or arising out of any injury, death, loss or damage to any person or property during the work conducted under this permit.

CONDITIONS AND REQUIREMENTS PURSUANT TO GL C.82A AND 520 CMR 7.00 ET SEQ.
(as amended)

By signing this application, the applicant understands and agrees to comply with the following:

- 1.) No trench may be excavated unless the requirements of Sections 40 through 40D of Chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit, including but not limited to, the establishment of a valid excavation number with the underground plant damage preventions system as said system is defined in Section 76D of Chapter 164 (DIG SAFE).
- 2.) Trenches may pose a significant health and safety hazard. Pursuant to Section 1 of Chapter 82 of the General Laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the Department of Public Safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches, and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards, which may include covering, barricading, or otherwise protecting open trenches from accidental entry.
- 3.) Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et seq., entitled Subpart P: "Excavations".
- 4.) Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to Chapter 146 shall only employ individuals licensed to operate said equipment by the Department of Public Safety pursuant to said chapter, and said permit must be presented to said licensed operator before any excavation is commenced.
- 5.) By applying for, accepting and signing this permit, the applicant hereby attests to the following:
 - A. That they have read and understand the regulations promulgated by the Department of Public Safety with regard to construction related excavations and trench safety,
 - B. That s/he has read and understands the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations, 29 CMR 1926.650 et Seq., entitled Subpart P "Excavations" as well as any other excavation requirements established by this municipality, and
 - C. That he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of the permit application, complied with the requirements of Sections 40 – 40D of Chapter 82A.
- 6.) This permit will be posted in plain view on the site of the trench.

ROAD OPENING PERMIT POLICY

Compliance with the following procedures is required of the applicant relative to disturbing pavement:

Contractor will post a \$5,000.00 performance bond for a period of one year from excavation date. At the conclusion of that period the bond will be returned and the contractor's obligation terminated if, upon inspection, the Director or his representative, finds the repair job satisfactory. If not satisfactory, the town will use the bond money to properly make any necessary repairs. (\$5,000.00 bond will be adjusted up or down according to the size of the project.)

During all phases of the project at least one lane of traffic must remain open at all times unless otherwise determined by the Police Department and the Department of Public Works.

Trenches shall be thoroughly compacted during backfilling operations and the contractor shall notify the DPW Director or his representative, when backfilling will take place so that inspections can be made. Flowable fill shall be required at the discretion of the DPW Director or his representative.

IMPORTANT:

**48-HOUR NOTIFICATION IS REQUIRED PRIOR TO THE START OF EXCAVATION
CALL 508-497-9768**

The Town of Hopkinton considers all initial paving to be temporary. The contractor is responsible to maintain the temporary pavement. Cold patch will not be allowed unless approved by the DPW Director, or his representative. After the temporary paving has remained in place through the winter "freeze and thaw" cycle, a minimum of ninety (90) days and before the one (1) year time period is up, the contractor will install the permanent pavement. The contractor is responsible for notifying the Highway Manager forty eight (48) hours prior to the work for final inspection.

All leveling of depressed areas during the settling process shall be done with Type 1 bituminous concrete. No cold patch will be allowed unless approved by the DPW Director, or his representative.

The permanent pavement shall consist of twelve inches (12") of gravel thoroughly compacted, followed by a minimum of four inches (4") of Type 1 bituminous concrete placed in two courses, the first course being binder mix and the second being top mix and rolled with a self-propelled roller of not less than one (1) ton in weight.

Existing pavement edges shall be cut back a minimum of twelve inches (12") on both sides of the trench. After the permanent paving, emulsion shall be applied to all the cut joints to prevent water from getting under the pavement. This work shall be done not more than thirty (30) days before the expiration of the contractor's one year term of responsibility.

Upon inspection, if it is determined by the Highway Manager that the permanent paving was not done correctly in any way, the contractor will make the needed repairs within not more than two (2) weeks after the Highway Manager has notified them of the repairs needed.

In the absence of the Highway Manager or Foreman, the Water and Sewer Manager may perform any inspections of trench restoration.

Street Opening Permits on newly paved surfaces will not be allowed for a period of five (5) years from the date of resurfacing, unless a hardship exists. The infra-red method

shall be used to seal joints on newly paved surfaces. Except in emergency or special situations as determined by the DPW Director, or his representative, all roadwork is to be completed by November 15th. All emergency excavations shall be repaired in the same manner as above. All excavations should be backfilled and paved at the end of the day unless the DPW Director, or his representative, grants permission for an extension of time.

PROPER SIGNS WARNING THE PUBLIC OF "CONSTRUCTION AHEAD" OR "MEN WORKING" SHALL BE BLACK LETTERS ON ORANGE BACKGROUND, 36" X 36", PLACED AT LEAST 600 FEET BEFORE THE WORK AREA IN EITHER DIRECTION PRIOR TO WORK BEGINNING. ORANGE TRAFFIC CONES, BARRICADES WITH LIGHTS AND ANY OTHER WARNING DEVICES NEEDED SHALL BE ON SITE PRIOR TO CONSTRUCTION.