



RIGHT-OF-WAY CONSTRUCTION PERMIT APPLICATION

(Applicable for Street Excavations, Boring or Other Private Utility Maintenance/Installation Activity)

RIGHT-OF-WAY CONSTRUCTION PERMIT APPLICATION INSTRUCTIONS

As a Homeowner, Licensed Professional, and Contractor an approved “**RIGHT-OF-WAY CONSTRUCTION PERMIT**” from the City’s Traffic Engineering Department is required **BEFORE** commencing any construction related activity performed within and/or requires the blockage of City Right-of-Way (ROW). Examples include, but are not limited to street cuts, boring operations, maintenance of existing utilities, installation of new utilities, and subsurface utility engineering services. City ROW includes public areas either owned or controlled by the City. These areas include streets, alleys, sidewalks, easements and areas between the pavement and property line. The ROW may vary depending on location.

It is still the responsibility of the applicant to conduct the research and consult with the City’s Development Services Department for a specific private development. Each project site is unique and may require additional approvals prior to obtaining a “**RIGHT-OF-WAY CONSTRUCTION PERMIT**”.

Plan Review	Inspection	Fees	Valid Period*	Extension	Review Time
Required (Engineering Plans and TCP)	Required	<p>ROW Occupancy - \$95 + Daily Rate for ROW Occupancy (\$0.032 sf/day, minimum charge of \$5.25)</p> <p>ROW Occupancy (Metered Lanes/Loading Zones) - \$85 + Daily Rate for ROW Occupancy (\$0.015- \$0.029 sf/day, minimum charge of \$1.00 - \$2.25). Meter Removal (\$28.25 + \$6.75 each additional)</p> <p>Pavement Cost Recovery (PCR) Fee – Applicable for Street “Cut” Excavations Only. Varies Based on Area of Cut and Street Age. PCR = Street Unit Cost (\$/SF) x Area of Influence (Cut Dimension(s))+ Additional 3 FT Per Side</p>	30 Days	Supplementary Application Required. Due Prior to Initial Permit End Date.	14 Days

*Requests for permits longer than 30 days must be made at time of application.

A permit for emergency excavation construction activity must be completed within 24 hours after the initiation of the excavation.

- Excavations on newly constructed or reconstructed streets require a variance from the Director of Public Works. A “New Street” means the paved portion of the right-of-way that has been constructed, reconstructed, or resurfaced with an asphalt overlay, hot in place recycling, full-depth reclamation, reconstruction or other structural street maintenance treatment. “New street” includes all concrete paved streets, streets constructed or structurally resurfaced during the preceding seven (7) years, for a collector or arterial street or during the preceding five (5) years for a residential street or alley or any street with a pavement condition index greater than eighty-five (85). Variance requests shall address the following:
 - Reason why the excavation was not performed before or when public way was paved;
 - Reason why the excavation cannot be delayed until after the five-year period expires; and
 - Reason why the excavation cannot be performed at another location or the owner's need cannot be accomplished by a method that does not require excavation.

STEPS TO OBTAIN A PERMIT:

- Identify a Contractor to perform construction work. A Contractor performing construction work within Corpus Christi **MUST BE REGISTERED**. Registration forms can be found online at <https://www.cctexas.com/services/construction-and-property-services/building-compliance-information/licenses-registrations> or by contacting Development Services at 361-826-3240.
- Submit the completed **RIGHT-OF-WAY CONSTRUCTION PERMIT APPLICATION** (attached) and applicable documentation to ROWManagement@cctexas.com. An Authorized Agent, Facility Owner or the Contractor may obtain the permit directly.
- The subject line **shall** contain “**Right-of-Way Construction Permit for ...**” followed by the Project Title (if applicable) and/or Site Address.

- Subject Line: Right-of-Way Construction Permit for insert Project Title/Address”

To	ROW Management
Cc	
Bcc	
Subject	Right-of-Way Construction Permit for Project A/123 ABC Street

- Only one application request per email. City staff will reject emails if they contain multiple applications.
- Provide evidence of a City of Corpus Christi consent for construction activity. Examples include an approved site plan, public improvement plan, utility plan, or building permit number. Traffic Control Plans (TCPs) must be site specific. TCPs must be signed by a Professional Engineer, licensed in the State of Texas, or by an individual certified to Design Temporary Traffic Control Plans. Proof of certification will be required. TXDOT standards and/or TMUTCD typical applications applicable for the site may be submitted.
- Traffic Control Plans (TCPs) shall address mitigation for closures that impact traffic signal operations, including but not limited to bagging signal heads, pedestrian push buttons, and applicable signage at the affected intersection.
- Closures within TXDOT Right-of-Way require approval and a “Letter of No Objection” from TXDOT.



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DATE OF APPLICATION: _____

PERMIT # _____ (Internal Use Only)

FACILITY OWNER/APPLICANT INFORMATION

FACILITY OWNER: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

CONTACT NAME: _____

CONTACT PHONE: _____ 24-HOUR EMERGENCY PHONE: _____

EMAIL: _____

CONTRACTOR INFORMATION

COMPANY NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

CONTACT NAME: _____

CONTACT PHONE: _____ 24-HOUR EMERGENCY PHONE: _____

EMAIL: _____

DESCRIPTION OF REQUEST

REQUESTED START DATE: _____ REQUESTED END DATE: _____

ADDRESS/LOCATION OF CONSTRUCTION (*One Street Per Permit*):

WORK TO BE PERFORMED: ☐ MAINTENANCE/REPAIR ☐ NEW INSTALLATION

EMERGENCY WORK: ☐ NO ☐ YES IF YES, TIME AND DATE OF EMERGENCY: _____

PROJECT DESCRIPTION/PURPOSE: _____

MACHINERY TO BE USED: _____

ACTIVITY TYPE (Check All That Apply):

☐ CABLE ☐ FIBER ☐ GAS ☐ ELECTRIC ☐ PAVEMENT CORE ☐ POTHOLING/SUE ☐ SANITARY

☐ SIDEWALK ☐ STORM ☐ TELEPHONE ☐ WATER ☐ OTHER: _____

TYPE OF CONSTRUCTION (Check All That Apply):

ABOVE GROUND:

☐ AERIAL ☐ POLES ☐ SURVEY/NON-CONSTRUCTION ☐ OTHER: _____

BELOW GROUND (*Note: Pollution Liability Insurance Required for Depths ≥ 3*)

☐ DRILLING ☐ MANHOLE ACCESS ☐ PIPE BURSTING ☐ PULLING CABLE/CONDUIT

☐ TRENCHING ☐ BORE (STREET/ALLEY)

☐ CUT (STREET/ALLEY), PROVIDE DIMENSIONS W: _____ (FT) L: _____ (FT)

☐ OTHER: _____



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TEMPORARY ROW BLOCKAGE

The following information is required for any work that will require closing or placing traffic control devices (e.g. signs, barricades, etc.) within any portion of City Right-of-Way.

BARRICADE CONTRACTOR INFORMATION	
BARRICADE CONTRACTOR: _____	
ADDRESS: _____	
CITY: _____	STATE: _____ ZIP CODE: _____
CONTACT NAME: _____	
CONTACT PHONE: _____	24-HOUR EMERGENCY PHONE: _____
EMAIL: _____	
DESCRIPTION OF REQUEST	
REQUESTED TEMPORARY ROW CLOSURES (Check All That Apply):	
<input type="checkbox"/> Travel (Thru) Lane <input type="checkbox"/> Left Turn Lane <input type="checkbox"/> Right Turn Lane <input type="checkbox"/> Bike/ Shoulder Lane <input type="checkbox"/> Sidewalk	
<input type="checkbox"/> Metered Lane (Notification to Parking Control Required for Covered/Removed Meters)	
<input type="checkbox"/> Work Outside of Sidewalk/Street (Advanced Warning Signage Still Required)	
STREET AFFECTED: _____	
CROSS STREET (1): _____ to CROSS STREET (2): _____	
PURPOSE OF WORK ZONE: _____	

BLOCKAGE AREA INFORMATION (Provide Square Footage for Fee Calculation):	
_____ Metered Lane(SF)	_____ Travel Lane/Alley(SF) _____ Loading Zone(SF) _____ Sidewalk(SF)
START DATE: _____	START TIME: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
END DATE: _____	END TIME: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
CONSTRUCTION DUMPSTER REQUIRED: <input type="checkbox"/> NO <input type="checkbox"/> YES (Show Placement on Traffic Control Plan)	
TRAFFIC SIGNAL WITHIN 500-FT OF WORK ZONE/BLOCKAGE AREA? <input type="checkbox"/> NO <input type="checkbox"/> YES	
DOES WORK REQUIRE TRAFFIC SIGNALS TO GO DARK/FLASH? <input type="checkbox"/> NO <input type="checkbox"/> YES (Police Presence Required)	
ACTIVITY TYPE	
REQUESTED WORK TYPE:	
<input type="checkbox"/> Long-Term Stationery <input type="checkbox"/> Intermediate-Term Stationary <input type="checkbox"/> Short-Term Stationary	
<input type="checkbox"/> Short Duration <input type="checkbox"/> Mobile	
DAILY SETUP REQUIRED: <input type="checkbox"/> NO <input type="checkbox"/> YES	NIGHT WORK: <input type="checkbox"/> NO <input type="checkbox"/> YES
NOTES:	
<u>Long -Term Stationary</u> – Work Blocking the Location More Than Three (3) Days	
<u>Intermediate -Term Stationary</u> – Work Blocking the Location More Than One (1) Daylight Period and Up to Three (3) Days	
<u>Short -Term Stationary</u> – Work Blocking the Location More Than One (1) Hour in a Daylight Period	
<u>Short Duration</u> – Work Blocking the Location Up to One (1) Hour	
<u>Mobile</u> – Work That Moves Blocking the Location Intermittently or Continuously	
**Police Required for Work Affecting Traffic Signal Operations	



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RIGHT-OF-WAY CONSTRUCTION PERMIT CHECKLIST

The following items are required for a complete submittal (Check or Initial):

1. **Certificate of Liability Insurance** (Refer to Exhibit A – For Full Insurance Requirements)
 - Commercial General Liability
 - Automobile Liability
 - Worker's Compensation
 - Pollution Liability (Excavation Depths >3 FT or More)
 - 30-Day Written Notice of Cancellation
 - "City of Corpus Christi" as Additional Insured
 - Waiver of Subrogation
2. **Indemnity Agreement** (Sign Acknowledgement)
3. **Proof of Municipal Authorization for Certified Telecommunications Providers** (Refer to Texas Local Government Code, Chapter 283)
 - Not Applicable for Facility Owners with Existing Franchise Agreements with the City (AEP Ordinance# 028022 and NEC Ordinance# 031336)
 - Provide Certification Number Issued by the PUC or Other Legal Authority
4. **Engineering Drawings/Construction Plans**
 Provide the Minimum Information as Required or Applicable. Additional Information May Be Requested:
 - Proposed excavation location(s) and each cut dimension(s) (length, width, depth)
 - Proposed location and route of proposed facilities on a set of engineered plans
 - ROW line/Property Line and easements
 - Existing city utilities, pavement and sidewalk
 - Bore locations and bore depths
 - Locations of handholes, manholes, switch gear, transformer, pedestals, etc. and sizes
 - Profile of proposed facility (including depth), existing pavement and sidewalk
 - Details for replacement of asphalt or concrete in street/sidewalks
5. **Traffic Control Plan** (Prepared by a Professional Engineer Licensed in Texas) *
 *Proof of Certification Required if Prepared by Individual Other than Licensed Professional Engineer
6. **City of Corpus Christi Building Permit Number** (Applicable for Construction Activity Related to Private Development)

Applicant Printed Name: _____ **Applicant Signature:** _____

Date: _____

By signing above, I acknowledge and agree that the application and all required documentation is complete and accurate. I also acknowledge and agree to the permit requirements. The approved permit shall be maintained at the work site and made available for inspection for the duration of work.

<u>INTERNAL USE ONLY</u>		
DATE RECEIVED: _____	REVIEWED BY: _____	
DATE ISSUED: _____	EXPIRATION DATE: _____	
APPROVED BLOCKAGE START DATE: _____		
APPROVED BLOCKAGE END DATE: _____		
APPROVED START TIME: _____	____ AM	____ PM
APPROVED END TIME: _____	____ AM	____ PM
FEE: _____		
NOTES: _____		



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CONSTRUCTION ACKNOWLEDGEMENT

Release

Permittee agrees to and shall release the city, its agents, employees, officers, and legal representatives (collectively the "city") from all liability for injury, death, damage, or loss to persons or property sustained in connection with or incidental to performance under the permit, even if the injury, death, damage, or loss is caused by the city's actual or alleged joint or concurrent negligence and/or the city's strict products liability or strict statutory liability.

Indemnification

Permittee agrees to and shall defend, indemnify, and hold the city, its agents, employees, officers, and legal representatives (collectively the "city") harmless for all claims, causes of action, liabilities, fines, and expenses (including, without limitation, attorneys' fees, court costs, and all other defense costs and interest) for injury, death, damage, or loss to persons or property sustained in connection with or incidental to performance under this permit, including, without limitation, those caused by:

- i. Permittee's and/or its agents', employees', officers', directors', principals', or subcontractors of permittees' (collectively in numbered paragraphs (i)–(iii), "permittee") actual or alleged negligence or intentional acts or omissions;
- ii. The City's and permittee's actual or alleged concurrent negligence, whether permittee is immune from liability or not; and
- iii. The City's and permittee's actual or alleged strict products liability or strict statutory liability, whether permittee is immune from liability or not. Permittee shall defend, indemnify, and hold the city harmless during the term of the permit and for four years after the permit terminates.

Where applicable, the provisions of section 283.057 of the Texas Local Government Code shall control in lieu of the foregoing; additionally, to the extent that the applicant holds a current and valid utility franchise from the city, the release and indemnification provisions of the franchise shall control in lieu of the foregoing.

ROW BLOCKAGE ACKNOWLEDGEMENT

WHEREAS, the City requires a contractor for a permit to close or block any part of a roadway to file a statement with indemnifying in the City against all claims or causes of action by reason of or arising from the closing or blocking of the roadway pursuant to a permit issued by the City.

Now, therefore, in consideration for the issuance of a permit to the undersigned by the City of Corpus Christi, for the purpose of barricading, blocking or closing a street, alley or other public right-of-way in said City, said permit applicant agrees to indemnify and safe harmless and defended the City of Corpus Christi, its agents and employees from any and all claims, lawsuits, demands, liabilities, losses or expenses, including court costs and reasonable attorney's fees, for or on account of any injury to any person, or any death at any time resulting from such injury, or any damages to any property which arise or may be alleged to have arisen directly or indirectly, as a result of the granting of this permit.

The Contractor, during the term of operations specified in the permit, will provide and maintain at the Contractor expense, Comprehensive General Liability Insurance coverage with a Contractual Liability endorsement and with minimum limits of \$1,000,000 Combined Single Limit for Bodily Injury and Property Damage or as required by the Risk Manager of the City of Corpus Christi pursuant to Ordinance #19277. The City of Corpus Christi will be named as Additional Insured on the policy. Evidence of required insurance coverage with a Certificate of Insurance furnished to the Traffic Engineering Department (Public Works) prior to the proposed blockage under this permit.

Permittee Printed Name (Authorized Representative)

Permittee Signature (Authorized Representative)

Date



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PERMIT REQUIREMENTS

1. The Facility Owner/Applicant and Contractor are responsible for complying with the conditions of this permit, Article III, Chapter 49 of the Corpus Christi Code of Ordinances (if applicable) and all applicable federal, state, and local safety regulations and requirements.
2. Engineering Drawings/Construction Plans and Traffic Control Plans are required.
3. Prior to construction, the Contractor shall be responsible for verifying the location, protecting, and safeguarding all existing public/private utilities and City infrastructure. The Contractor shall be fully responsible for any, and all, damage to existing public/private utilities and City infrastructure. All damages shall be repaired at the Contractor's expense and in accordance with the Utility Owner's and/or City's Operating Department's Standards and Specifications.
4. The minimum clearance depth from the bottom of the pavement to top of the facility is three (3) feet.
5. The minimum clearance from the outside diameter of a City utility to the outside diameter of the proposed utility is eighteen (18) inches.
6. The installation of a utility that crosses the right-of-way at a perpendicular or near perpendicular angle and has an outside diameter of six (6) inches or less will not be permitted to be installed by cutting of the road section. Any exceptions require approval from the Director of Public Works. New underground facilities must be installed to a minimum depth of 36 inches from top of surface.
7. Any street excavation/cut shall repair not only the impacted trench but also a full lane overlay for parallel cuts and twelve (12) feet for perpendicular cuts on asphalt streets and shall replace full panels on concrete streets.
8. Lane Closures are permitted from 8:30 a.m. to 4:30 p.m., Monday thru Friday. Requests for lane closures outside of these hours, on Saturdays, Sundays and City Holidays required prior approval. Start and end times for closures and work may be adjusted depending on location (e.g. school zones).
9. Police presence will be required as part of the Traffic Control Plan if construction activity requires the traffic signals to go dark while performing work.
10. Installations within TXDOT Right-of-Way requires a Utility Installation Request (UIR). Review and approval time varies depending on the request.
11. The worksite shall be accessible to the city, and others as authorized by law, for inspection at all reasonable times during performance of the work. Restoration of the work site/area to existing conditions or better is required.
12. Testing of materials used in construction in or near the right-of-way to determine conformance to required specifications, including, but not limited to, compaction tests on backfill materials, subgrade, aggregate base course, Portland concrete (rigid pavement), asphaltic concrete (flexible pavement) and other construction materials as deemed necessary by the City may be required.
13. All projects shall include erosion control, SWPPP plan, and methods to clean and clear streets, sidewalks, and drainage structures of any mud, debris, or other material caused by the construction.
14. All work completed shall be guaranteed and warranted for a term of no less than twenty-four (24) months from the date the work was completed. This does not prohibit the city from pursuing repairs after this date if it believes there were latent defects in the work completed under this permit.
15. Construction work may be required to cease and/or the permit may be revoked for any instance which poses a threat to the health, safety, or well-being of the public.
16. The Contractor shall notify seventy-two (72) hours prior to beginning any excavation, trenching, or digging, using powered equipment or hand tools, which may damage a pipeline. Any person within the city's jurisdiction shall be required to contact the Texas One-Call Center (811) is also required prior to excavation at 1-800-545-6005 or online at <https://www.texas811.org> to determine if there are any pipelines or public utilities in the vicinity of the proposed activities.
17. The Contractor shall notify the Corpus Christi Utility Department at (361) 826-1877 at least seventy-two (72) hours prior to the start of Construction.
18. The applicant is required to notify the City's Parking Control Operations Manager, Kris Henigman (KrisH2@cctexas.com), (361) 826-3003) to cover or remove metered locations.
19. The Contractor shall notify the City's Traffic Signals Superintendent, Tony Salinas (TonyS@cctexas.com), (361) 826-1610) at least seventy-two (72) hours prior to the start of construction near traffic signal boxes, traffic signal conduit, school zone flashers and for any work affecting the operation of the City's traffic signals. The Contractor shall be responsible for any damage and repair to City's traffic signal infrastructure.
20. The Contractor is required to provide notification of construction a minimum of 72-hours prior to commencing work to both the City's Traffic Engineering Department and Engineering Services (Construction Inspection). Notification shall be provided to **Traffic Engineering** via email (ROWManagement@cctexas.com). Notification shall be provided to **Curtis Weiss** (CurtisW@cctexas.com), (361) 826-3510) and **Ed Sanchez** (edsa@cctexas.com), (361) 826-1738) with **Construction Inspection**.

EXHIBIT A

INSURANCE REQUIREMENTS

I. CONTRACTOR'S LIABILITY INSURANCE

- A. Contractor must not commence work under this contract until all insurance required has been obtained and such insurance has been approved by the City. Contractor must not allow any subcontractor, to commence work until all similar insurance required of any subcontractor has been obtained.
- B. Contractor must furnish to the City's Risk Manager and Contract Administrator one (1) copy of Certificates of Insurance with applicable policy endorsements showing the following minimum coverage by an insurance company(s) acceptable to the City's Risk Manager. The City must be listed as an additional insured on the General liability and Auto Liability policies **by endorsement**, and a waiver of subrogation **endorsement** is required on GL, AL and WC if applicable. **Endorsements** must be provided with Certificate of Insurance. Project name and/or number must be listed in Description Box of Certificate of Insurance.

TYPE OF INSURANCE	MINIMUM INSURANCE COVERAGE
30-day advance written notice of cancellation, non-renewal, material change or termination required on all certificates and policies.	Bodily Injury and Property Damage Per occurrence - aggregate
COMMERCIAL GENERAL LIABILITY including: 1. Commercial Broad Form 2. Premises – Operations 3. Products/ Completed Operations 4. Contractual Liability 5. Independent Contractors 6. Personal Injury- Advertising Injury	\$1,000,000 Per Occurrence \$1,000,000 Aggregate
AUTO LIABILITY (including) 1. Owned 2. Hired and Non-Owned 3. Rented/Leased	\$1,000,000 Combined Single Limit
WORKERS'S COMPENSATION (All States Endorsement if Company is not domiciled in Texas) Employers Liability	Statutory and complies with Part II of this Exhibit. \$500,000/\$500,000/\$500,000
POLLUTION LIABILITY (Including Cleanup and Remediation)	\$1,000,000 Per Incident Limit \$1,000,000 Aggregate

- C. In the event of accidents of any kind related to this contract, Contractor must furnish the Risk Manager with copies of all reports of any accidents within 10 days of the accident.

II. ADDITIONAL REQUIREMENTS

- A. Applicable for paid employees, Contractor must obtain workers' compensation coverage through a licensed insurance company. The coverage must be written on a policy and endorsements approved by the Texas Department of Insurance. The workers' compensation coverage provided must be in statutory amounts according to the Texas Department of Insurance, Division of Workers' Compensation. An All States Endorsement shall be required if Contractor is not domiciled in the State of Texas.
- B. Contractor shall obtain and maintain in full force and effect for the duration of this Contract, and any extension hereof, at Contractor's sole expense, insurance coverage written on an occurrence basis by companies authorized and admitted to do business in the State of Texas and with an A.M. Best's rating of no less than A- VII.
- C. Contractor shall be required to submit renewal certificates of insurance throughout the term of this contract and any extensions within 10 days of the policy expiration dates. All notices under this Exhibit shall be given to City at the following address:

City of Corpus Christi
Attn: Risk Manager
P.O. Box 9277
Corpus Christi, TX 78469-9277

- D. **Contractor agrees that, with respect to the above required insurance, all insurance policies are to contain or be endorsed to contain the following required provisions:**
- List the City and its officers, officials, employees, and volunteers, as additional insureds by endorsement with regard to operations, completed operations, and activities of or on behalf of the named insured performed under contract with the City, with the exception of the workers' compensation policy;
 - Provide for an endorsement that the "other insurance" clause shall not apply to the City of Corpus Christi where the City is an additional insured shown on the policy;
 - Workers' compensation and employers' liability policies will provide a waiver of subrogation in favor of the City; and
 - Provide thirty (30) calendar days advance written notice directly to City of any, cancellation, non-renewal, material change or termination in coverage and not less than ten (10) calendar days advance written notice for nonpayment of premium.
- E. Within five (5) calendar days of a cancellation, non-renewal, material change or termination of coverage, Contractor shall provide a replacement Certificate of Insurance and applicable endorsements to City. City shall have the option to suspend Contractor's performance should there be a lapse in coverage at any time during this contract. Failure to provide and to maintain the required insurance shall constitute a material breach of this contract.

- F. In addition to any other remedies the City may have upon Contractor's failure to provide and maintain any insurance or policy endorsements to the extent and within the time herein required, the City shall have the right to order Contractor to stop work hereunder, and/or withhold any payment(s) which become due to Contractor hereunder until Contractor demonstrates compliance with the requirements hereof.
- G. Nothing herein contained shall be construed as limiting in any way the extent to which Contractor may be held responsible for payments of damages to persons or property resulting from Contractor's or its subcontractor's performance of the work covered under this contract.
- H. It is agreed that Contractor's insurance shall be deemed primary and non-contributory with respect to any insurance or self insurance carried by the City of Corpus Christi for liability arising out of operations under this contract.
- I. It is understood and agreed that the insurance required is in addition to and separate from any other obligation contained in this contract.

2020 Insurance Requirements

Traffic Engineering Department (Public Works)

Permit for Use of City Right of Way to Include Digging of 3' or More

01/31/2020 sw Risk Management