

# Application for Permit Under Section 149 of the Highway Law

NOTE - Blank spaces in the following application must be filled in as follows:

- At the blank space indicated by (a) state whether the applicant is a citizen, a firm or a corporation and give the address. If a corporation, state the location of the principal place where office is located.
- At the blank space indicated by (b) describe the nature of the work for which permit is requested.
- At the space indicated by (c) describe the location of the highway where the work is to be performed.

This application is to be attached to the copy of the Permit and to be filed in the Town Clerk's office.

To the Highway Superintendent of the Town of Chili with offices located at 200 Beaver Road in the County of Monroe State of New York.

The undersigned (a) corporation, utility (Rochester Gas & Electric / Avangrid)

hereby makes application to you for permission (b) carry out and complete work as shown on the attached drawings dated May 2018. The project involves the installation of overhead electric transmission lines crossing Town of Chili right-of-way, and the installation of temporary construction entrances associated with the proposed utility work.

within the portion of highway in said town hereinafter described pursuant to the provisions of Section 149 of the Highway Law. The portion of such highway wherein such work is to be performed is described as follows (c) Krenzer Road

Christopher J. Wawerski  
Applicant Signature

5/25/18  
Date

## For Official Use Only

Date Received 5/22/18 Reviewer DL

Requires Town Engineer Review Yes ☐ No ☒ Date Submitted to Engineer —

Recommend Approval X Recommend Denial — Return for Modifications — Date —

Comments Attached X

Permit Review Number 2018-7

## PERMIT ISSUED UNDER SECTION 149 OF THE HIGHWAY LAW

The undersigned, the Town Superintendent of Highways, of the Town of Chili, County of Monroe, upon the written application

of: Rochester Gas & Electric / Avangrid whose address is 89 East Avenue, Rochester NY 14649

this        day of        20        and filed with him, as provided by Section 149 of the Highway Law hereby grants permission to said applicant to: Carry out and complete work as shown on the attached drawings dated May 2018.

on the highway described as follows: Krenzer Road

This permit is granted subject to the following conditions:

1. The work authorized by this permit shall be performed in a manner satisfactory to the Town Superintendent.
2. The applicant is to keep in good repair all pipes, hydrants or appurtenances which may be placed within the bounds of the highway under terms of this permit and is to save the town harmless from all damages which may accrue by reason of their location in the highway, and upon notice by the Town Superintendent, applicant agrees to make any repairs required for the protection and preservation of the highway; and further agrees that upon the failure of the applicant to make such repairs that such repairs may be made by the Town Superintendent at the expense of the applicant and such expenses shall be prior lien upon the land benefited by the use of the highway for such pipes, hydrants and appurtenances.
3. If the drainage, sewer, water pipes or appurtenances which are laid under this permit are placed in a town road, they shall be so placed as not to interrupt or interfere with public travel upon the highway and the earth removed must be replaced, and the highway left in all respects in as good condition as before the work performed.
4. If the work performed is on a road which has been improved by State aid, such drainage, sewer or water pipes must be placed at least four (4) feet below grade and in such a manner as in no way to interfere with macadam, shoulders or drainage ditches of the highway and that portion of the trench which passes under the macadam shall be left in as good a condition as before the work was performed and to the satisfaction of the Town Superintendent. Care must be taken not to interfere with drainage ditches or structures.
5. It is agreed by the applicant that any injury or disturbances of the macadam portion of the highway, its shoulders or drainage ditches which may occur hereafter by reason of the laying of said drainage, sewer or water pipes and their appurtenances shall be repaired by and at the expense of the applicant to the satisfaction of the Town Superintendent.
6. The said Town Superintendent may, upon the failure of the applicant to comply with any of the conditions and terms herein upon which it is granted, revoke this permit and remove any pipes, or hydrants, or other appurtenances which may have been placed in the highway under this permit.
7. If the road upon which this permit is issued is at any time of issuance, a town highway and should it be thereafter improved by State aid as a State or county highway, it is agreed that the applicant shall, before its improvement at the applicant's own expense remove drainage, sewer pipes, water pipes or appurtenances which may be placed under this permit and will relay the same in conformity with the directions of the engineer in charge of such improvement and in accordance with the rules and regulations prescribed by the State Commission of Highways.
8. All pipes and/or mains crossing highway pavements shall, wherever possible, be driven beneath the roadway without disturbance to the pavement. The point of driving shall not be less than ten (10) feet from the edge of paved surface unless approved by the Town Highway Superintendent. Such crossover pipes shall, whenever possible, be enclosed in sleeves or larger pipes so that repairs or replacements may be made in the future without any further disturbance of the roadway pavement. Minimum depth of cover of all pipe shall be 36 inches.
9. Approvals of open cuts will be determined by the Town of Chili Open Cut Policy. Backfill of open cuts shall conform to Town of Chili Trench and Pavement Restoration Detail for Road Cuts.
10. During the performance of all work under this permit, great care shall be exercised to prevent any damage to property within and adjacent to the Town of Chili right-of-way.
11. This permit shall not be transferred.
12. If any work authorized by this permit is not performed to the satisfaction of the Town Superintendent of Highways, is not fully completed or is otherwise defective, the said applicant hereby agrees that the Town Superintendent of Highways may satisfactorily complete said work or correct any defect therein after the discovery of such unsatisfactory or defective work. The cost or expense thereof shall be paid by said applicant immediately upon receipt of a statement of such cost or expense from the Town Superintendent of Highways.
13. The said applicant hereby agrees to hold the Town harmless on account of damages of any kind which may arise or occur as a result of the work authorized by this permit, either during the progress of same or within a period of five years from the date of such completion, and to defend at said applicant's own expense any and all actions instituted against the Town to recover for such damages.



## SPECIAL CONDITIONS CHECKLIST FOR 149 PERMIT

Permit #: 20187

- 1 ☒ All work must be done in accordance with approved permit and plans.
- 2 ☒ All disturbed areas within the right-of-way are to be restored to their original condition.
- 3 ☐ The work authorized by this permit shall be performed under the supervision of the Town Superintendent of Highways or his/her representative.
- 4 ☐ A security deposit of \_\_\_\_\_ is required for \_\_\_\_\_.
- 5 ☐ Comply with attached details:

a <input type="checkbox"/> Driveway Installation with curb/gutter c <input type="checkbox"/> Driveway Standards e <input type="checkbox"/> Drop Inlets g <input type="checkbox"/> Asphalt Shoulder Replacement i <input type="checkbox"/> Temporary Access	b <input type="checkbox"/> Frame & Grate Anchors d <input type="checkbox"/> Pavement Restoration f <input type="checkbox"/> Ditch Enclosure h <input type="checkbox"/> See Plan j <input type="checkbox"/> Restoration Detail
--	---
- 7 ☐ Install \_\_\_\_\_ inch perforated CMP or PE culvert with end sections; culvert must extend 10' beyond edge of driveway.
- 8 ☐ A sag vertical curve is required in the driveway.
- 9 ☐ Maintain existing drainage away from the roadway.
- 10 ☒ The highway must be kept clean of mud, dirt and other debris at all times.
- 11 ☐ A minimum of 3" of compacted temporary pavement must be placed in all approved road cuts until permanent pavement can be installed. The temporary pavement must be maintained by the permittee until permanent pavement is placed.
- 12 ☐ The proposed culvert invert elevations shall be on a grade line that is between the upstream and downstream adjacent property culverts and/or cross culvert invert elevations.
- 13 ☐ Two way traffic shall be maintained by the permittee on this section of the highway while the work is in progress and until its final completion. All maintenance and protection of traffic shall be performed as directed by the most current version of the N.Y.S. Manual of Uniform Traffic Control Devices.
- 14 ☒ The permittee must notify the Highway Department at (585) 889-2630, prompt # 2 at least 48 hours prior to performing any work within the Town right-of-way.
- 15 ☒ Other Prior to starting work furnish Cert. of Liability as per the ATTACHED & sign & return INDEM. Agreement.
- 16 ☐ Prior to beginning any work within the Town right-of-way, the permittee or their representative must schedule a meeting with a representatives of the Town Highway Department to develop and implement a maintenance and protection of traffic plan (a maintenance and protection sketch or plan may be required upon request) and/or to review the aspects of the project. Please call \_\_\_\_\_ to schedule the meeting.
- 17 ☐ A letter of notification of the start of construction must be sent to all effected residents at least two (2) weeks in advance of the start of construction. The Town Superintendent of Highways must be sent a copy of this letter.
- 18 ☐ All sites should be seeded and stabilized with erosion control materials, such as straw, mulch, jute mesh, or excelsior within 15 days of final grading. If construction has been suspended, or sections completed, areas should be seeded immediately and stabilized with erosion control materials. Maintenance should be performed as necessary to ensure continued stabilization.
- 19 ☐ An as-built record drawing will be required.
- 20 ☐ All materials installed in the Town right-of-way shall be in accordance with the current Town of Chili Standard Specifications and Details in effect when installed.
- 21 ☐ Applicant will correct broken gutters and/or concrete sidewalk caused as a result of their work performed.
- 22 ☐ The Driveway Culvert & Piping Certification form must be returned to Town of Chili Highway before the permit can be closed out and any security deposit released.

14. It is understood that should future changes in the highway construction or use should make necessary changes in the proposed work covered by this application and permit, the applicant shall on reasonable notice from the Town Superintendent make such necessary changes at his own expense within the time so specified in notice.
15. Care must be taken not to interfere with drainage ditches or structures.
16. When permitted, the installation of utilities must be made outside of the ditch line and as near to the highway right-of-way line as possible or as designated in writing by the Town Superintendent of Highways.
17. Equipment with chains, steel tracks, armored tires, lugs, etc. will not be permitted on the pavement area.
18. The person in charge of the work covered by this permit shall have the permit and the approved plans and sketches in his/her possession on the job at all times.
19. The permittee must notify Dig Safely New York, the Underground Facilities Protective Organization (U.F.P.O.) at 1-800-962-7962 and any affected agencies not covered by U.F.P.O. at least 48 hours before the start of any work.
20. It is required that the owner (utility company, town, village, sewer district, water district, developer, home owner) of the facility to be installed within the right-of-way of the town highway must sign the permit as the applicant. Contractors will not be allowed to sign the permit as applicant except as permitted by the Town Superintendent of Highways.
21. This permit is valid for a one year period from the date of issuance. The applicant may request additional time by reapplying at the end of the one year term.
22. See attached list of SPECIAL CONDITIONS FOR 149 PERMIT.

I hereby agree to conform to the conditions contained in the foregoing permit and any attached SPECIAL CONDITIONS.

Dated this 25 John Z Wawel Applicant

Day of May 2018

Dated this 25 [Signature] Highway Superintendent

Day of May 2018

Permit No. 2018-7

Expires On: 5/30/2019



## INSURANCE REQUIREMENT

The provider of service/vendor/contractor indicated under this agreement, RGE, will, at its own expense, procure and maintain an insurance policy or policies during the term of this agreement. Such policy or policies will insure for injuries or losses to persons or property that are alleged to have arisen in connection with activities of RGE, its officers, directors, employees, volunteers and agents with the following coverage forms, limits and policy endorsements:

- I. General Liability Insurance with a limit for Bodily Injury, Personal Injury and Property Damage of no less than; \$1,000,000 per occurrence, \$2,000,000 general aggregate, providing coverage for its use and occupancy of premises, its operations and its products or completed operations. The policy shall be endorsed to:
  1. Name as an Additional Insured:  
The Town of Chili  
and its Officers, Employees, Volunteers and Agents  
3333 Chili Avenue  
Rochester, NY 14624
  2. Provide that the policy is primary insurance to any other insurance available to the additional insureds with respect to claims arising out of this agreement and that the insurance applies separately to each insured against whom claim is made or suit is brought.
- II. Automobile liability insurance coverage in an amount of \$1,000,000 combined single for bodily injury and property damage and including coverage for owned, non-owned, hired or borrowed autos.
- III. Worker's Compensation (per New York Workers' Compensation law) and Employers Liability coverage: Coverage A at statutory limits and coverage B at limits of \$100,000/500,000/100,000.
- IV. Commercial Umbrella/Excess Liability  
Umbrella/excess liability limits of not less than \$1,000,000.
- V. Provide that The Town of Chili shall be given 30 days advance written notice of the cancellation, non-renewal or reduction in coverage. 10 days for non-payment is acceptable.

A signed and certified Certificate of Insurance evidencing all coverages and endorsements set forth above shall be furnished to The Town of Chili no later than 10 days prior to the usage of the property or commencement of work or services described as indicated in the agreement.

A certified copy of the above-described policy and/or endorsements shall be furnished if requested.

In addition: Indemnification and Contribution Agreement

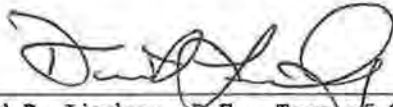
To the fullest extent permitted by law, Contractor, \_\_\_\_\_, shall indemnify, hold harmless and defend, Town of Chili, against any and all losses, claims, actions, demands, damages, liabilities, or expenses, including but not limited to attorney's fees and all other costs of defense, by reason of the liability imposed by law or otherwise upon, Town of Chili, for damages because of bodily injuries, including death, at any time resulting therefrom, sustained by any person or persons, including Contractor's employees, or on account of damages to property, including loss of use thereof, arising directly or indirectly from the performance of Contractor's work or from any of the acts or omissions on the part of Contractor, its employees, agents, representatives, materialmen, suppliers, and/or subcontractors.

If such indemnity is made void or otherwise impaired by any law controlling the construction thereof, such indemnity shall be deemed to conform to the indemnity permitted by law, so as to require indemnification, in whole or in part, to the fullest extent permitted by law.

Contractor, \_\_\_\_\_, shall strictly observe and comply with all safety laws, rules, and regulations (including but not limited to the Federal Occupational Safety and Health Act, the New York Labor Law, and all regulations promulgated pursuant to such law(s) and to provide such protection as necessary to protect its workers and the workers of other contractors. In the event that additional safety measurers are required, Contractor agrees that it will install or procures such additional safety measures at its sole expense. To the fullest extent permitted by law, Contractor shall hold harmless, indemnify and defend, Town of Chili, against all losses, claims, fines, or expenses, including but not limited to attorney's fees, resulting from the enforcement of these laws and for related acts of its officers, employees, subcontractors, suppliers, and materialmen.

The indemnity provided by requirements contained herein shall be in addition to and not limitation upon any rights or common law indemnity.

By: \_\_\_\_\_

  
David P. Lindsay, P.E., Town of Chili  
Commissioner of Public Works/Superintendent of Highways

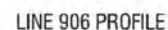
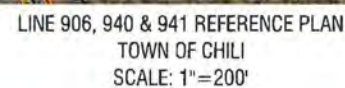
Date

5/31/18

By: \_\_\_\_\_

Date





1 THE EXISTING OVERHEAD CAY CROSSING ADJACENT TO KNEELAND ROAD BETWEEN PROPOSED  
2 STRUCTURE 936.78 21 AND EXISTING STRUCTURE 936.738 18, BE RELOCATED BY CONTRACTOR  
3 PRIOR TO CONSTRUCTION.  
4 INSTALL 2" DIA. CONDUIT WITH #2 COPPER COUNTERPOISE 2' BELOW GRADE, VIA DIAGONAL, DRILL BETWEEN STA. 936.78 21 AND 936.73 18  
5 AND BETWEEN STRUCTURES 936.738 18 AND 936.738 19.  
6 SEE SHEETS R155225-1-110N 0-32025, R15525-1-101N 0-3204 AND R15235-1-101N 0-3251 FOR LEGEND, ABBREVIATIONS, AND COMPONENT  
7 A Preamble NOTES  
8 PRIOR 18" DIA. CONSTRUCTION OPERATIONS IN THIS LOCATION CONTACT BUCKLEY PIPELINE & EMPIRE PIPELINE - NATIONAL FUEL FOR ALIGNMENT  
9 IDENTIFICATION.  
10 THE HORIZONTAL COORDINATE IS EXPRESSED IN FEET AND IN 1/40 COORDINATES BASED ON THE STATE PLANE COORDINATE SYSTEM,  
11 NORTH AMERICAN DATUM 83 NEW YORK - HENRY (NAD 83 - NY04). ALL VERTICAL INFORMATION IS EXPRESSED IN FEET AND IS BASED ON THE  
12 MEAN SEA LEVEL VERTICALLY DATUM.  
13 A PORTION OF THE EXISTING CROSSLING 556' WILL BE RELOCATED FROM THE WEST SIDE TO THE EAST SIDE OF THE ROCHESTER A SOUTHEAST  
14 MAINTAINED EXISTING PAVED STRUCTURES WILL BE CUT AND THE SOUTHWALLS BE REMOVED. BOTH WALLS BE TRANSPORTED FROM THE RIGHT TO  
15 THE NEW 18" DIAMETER CROSSLING. THE EXISTING 18" DIAMETER CROSSLING WILL BE REMOVED. THE EXISTING 18" DIAMETER CROSSLING WILL BE CUT UP  
16 AND RELOCATED AND PILES TRANSPORTED TO AN APPROVED NEIGHBORLY FACILITY.



1. FLAGGING OPERATIONS ARE TO BE IMPLEMENTED DURING THE FOLLOWING ACTIVITIES:
  - INSTALLATION OF OVERHEAD ELECTRIC TRANSMISSION LINE
  - INSTALLATION AND REMOVAL / RESTORATION OF CONSTRUCTION ENTRANCES
2. TWO-WAY TRAFFIC SHALL BE MAINTAINED WHEN WORK IS NOT TAKING PLACE.
3. ACCESS TO EXISTING DRIVEWAYS SHALL BE MAINTAINED AT ALL TIMES.
4. SPEED LIMIT ON KRENZER ROAD IS 30 MPH.
5. REFER TO DWG. R1500-I-0013-MV-JEPL-31100 FOR ADDITIONAL NOTES AND DETAILS.



1. TRAFFIC CONTROL MEASURES FOR TRUCK ENTRANCES ARE TO BE IN PLACE WHENEVER CONSTRUCTION VEHICLES ARE USING THE ACCESS ROADS. SIGNS SHALL NOT BE VISIBLE TO DRIVERS WHEN THE ACCESS ROADS ARE NOT BEING USED.
2. SIGN LOCATIONS SHALL BE DETERMINED IN THE FIELD IN ORDER TO PROVIDE THE MAXIMUM SIGHT DISTANCE FOR DRIVERS.
3. SIGNS SHALL HAVE A BLACK LEGEND AND BORDER ON AN ORANGE BACKGROUND.
4. SPEED LIMIT ON KRENZER RD IS 30 MPH.
5. REFER TO DWC, #1500-1-0013-MV-1EPEL-31100 FOR ADDITIONAL NOTES AND DETAILS.

[illegible]



## PERMIT ISSUED UNDER SECTION 149 OF THE HIGHWAY LAW

The undersigned, the Town Superintendent of Highways, of the Town of Chili, County of Monroe, upon the written application of: Rochester Gas & Electric / Avangrid whose address is 89 East Avenue, Rochester NY 14649 this 21 day of November 2017 and filed with him, as provided by Section 149 of the Highway Law hereby grants permission to said applicant to: Carry out and complete work as shown on attached drawings dated November 2017.

on the highway described as follows: Brook Road, Fisher Road, and Jetview Drive. See attached plans.

This permit is granted subject to the following conditions:

1. The work authorized by this permit shall be performed in a manner satisfactory to the Town Superintendent.
2. The applicant is to keep in good repair all pipes, hydrants or appurtenances which may be placed within the bounds of the highway under terms of this permit and is to save the town harmless from all damages which may accrue by reason of their location in the highway, and upon notice by the Town Superintendent, applicant agrees to make any repairs required for the protection and preservation of the highway; and further agrees that upon the failure of the applicant to make such repairs that such repairs may be made by the Town Superintendent at the expense of the applicant and such expenses shall be prior lien upon the land benefited by the use of the highway for such pipes, hydrants and appurtenances.
3. If the drainage, sewer, water pipes or appurtenances which are laid under this permit are placed in a town road, they shall be so placed as not to interrupt or interfere with public travel upon the highway and the earth removed must be replaced, and the highway left in all respects in as good condition as before the work performed.
4. If the work performed is on a road which has been improved by State aid, such drainage, sewer or water pipes must be placed at least four (4) feet below grade and in such a manner as in no way to interfere with macadam, shoulders or drainage ditches of the highway and that portion of the trench which passes under the macadam shall be left in as good a condition as before the work was performed and to the satisfaction of the Town Superintendent. Care must be taken not to interfere with drainage ditches or structures.
5. It is agreed by the applicant that any injury or disturbances of the macadam portion of the highway, its shoulders or drainage ditches which may occur hereafter by reason of the laying of said drainage, sewer or water pipes and their appurtenances shall be repaired by and at the expense of the applicant to the satisfaction of the Town Superintendent.
6. The said Town Superintendent may, upon the failure of the applicant to comply with any of the conditions and terms herein upon which it is granted, revoke this permit and remove any pipes, or hydrants, or other appurtenances which may have been placed in the highway under this permit.
7. If the road upon which this permit is issued is at any time of issuance, a town highway and should it be thereafter improved by State aid as a State or county highway, it is agreed that the applicant shall, before its improvement at the applicant's own expense remove drainage, sewer pipes, water pipes or appurtenances which may be placed under this permit and will relay the same in conformity with the directions of the engineer in charge of such improvement and in accordance with the rules and regulations prescribed by the State Commission of Highways.
8. All pipes and/or mains crossing highway pavements shall, wherever possible, be driven beneath the roadway without disturbance to the pavement. The point of driving shall not be less than ten (10) feet from the edge of paved surface unless approved by the Town Highway Superintendent. Such crossover pipes shall, whenever possible, be enclosed in sleeves or larger pipes so that repairs or replacements may be made in the future without any further disturbance of the roadway pavement. Minimum depth of cover of all pipe shall be 36 inches.
9. Approvals of open cuts will be determined by the Town of Chili Open Cut Policy. Backfill of open cuts shall conform to Town of Chili Trench and Pavement Restoration Detail for Road Cuts.
10. During the performance of all work under this permit, great care shall be exercised to prevent any damage to property within and adjacent to the Town of Chili right-of-way.
11. This permit shall not be transferred.
12. If any work authorized by this permit is not performed to the satisfaction of the Town Superintendent of Highways, is not fully completed or is otherwise defective, the said applicant hereby agrees that the Town Superintendent of Highways may satisfactorily complete said work or correct any defect therein after the discovery of such unsatisfactory or defective work. The cost or expense thereof shall be paid by said applicant immediately upon receipt of a statement of such cost or expense from the Town Superintendent of Highways.
13. The said applicant hereby agrees to hold the Town harmless on account of damages of any kind which may arise or occur as a result of the work authorized by this permit, either during the progress of same or within a period of five years from the date of such completion, and to defend at said applicant's own expense any and all actions instituted against the Town to recover for such damages.



14. It is understood that should future changes in the highway construction or use should make necessary changes in the proposed work covered by this application and permit, the applicant shall on reasonable notice from the Town Superintendent make such necessary changes at his own expense within the time so specified in notice.
15. Care must be taken not to interfere with drainage ditches or structures.
16. When permitted, the installation of utilities must be made outside of the ditch line and as near to the highway right-of-way line as possible or as designated in writing by the Town Superintendent of Highways.
17. Equipment with chains, steel tracks, armored tires, lugs, etc. will not be permitted on the pavement area.
18. The person in charge of the work covered by this permit shall have the permit and the approved plans and sketches in his/her possession on the job at all times.
19. The permittee must notify Dig Safely New York, the Underground Facilities Protective Organization (U.F.P.O.) at 1-800-962-7962 and any affected agencies not covered by U.F.P.O. at least 48 hours before the start of any work.
20. It is required that the owner (utility company, town, village, sewer district, water district, developer, home owner) of the facility to be installed within the right-of-way of the town highway must sign the permit as the applicant. Contractors will not be allowed to sign the permit as applicant except as permitted by the Town Superintendent of Highways.
21. This permit is valid for a one year period from the date of issuance. The applicant may request additional time by reapplying at the end of the one year term.
22. See attached list of SPECIAL CONDITIONS FOR 149 PERMIT.

I hereby agree to conform to the conditions contained in the foregoing permit and any attached SPECIAL CONDITIONS.

Dated this 11/27/2017 Cynthia J. Wickens Applicant

Day of Dec, 2017

Dated this 20 [Signature] Highway Superintendent

Day of December, 2017

Permit No. 2017-27

Expires On: 12/20/19

## SPECIAL CONDITIONS CHECKLIST FOR 149 PERMIT

Permit #: 2017-27

- 1 ☒ All work must be done in accordance with approved permit and plans.
- 2 ☒ All disturbed areas within the right-of-way are to be restored to their original condition.
- 3 ☐ The work authorized by this permit shall be performed under the supervision of the Town Superintendent of Highways or his/her representative.
- 4 ☐ A security deposit of \_\_\_\_\_, is required for \_\_\_\_\_.
- 5 ☐ Comply with attached details:
- |   |  |
|---|--|
| a <input type="checkbox"/> Driveway Installation with curb/gutter | b <input type="checkbox"/> Frame & Grate Anchors |
| c <input type="checkbox"/> Driveway Standards                     | d <input type="checkbox"/> Pavement Restoration  |
| e <input type="checkbox"/> Drop Inlets                            | f <input type="checkbox"/> Ditch Enclosure       |
| g <input type="checkbox"/> Asphalt Shoulder Replacement           | h <input type="checkbox"/> See Plan              |
| i <input type="checkbox"/> Temporary Access                       | j <input type="checkbox"/> Restoration Detail    |
- 7 ☐ Install \_\_\_\_\_ inch perforated CMP or PE culvert with end sections; culvert must extend 10' beyond edge of driveway.
- 8 ☐ A sag vertical curve is required in the driveway.
- 9 ☒ Maintain existing drainage away from the roadway.
- 10 ☒ The highway must be kept clean of mud, dirt and other debris at all times.
- 11 ☐ A minimum of 3" of compacted temporary pavement must be placed in all approved road cuts until permanent pavement can be installed. The temporary pavement must be maintained by the permittee until permanent pavement is placed.
- 12 ☐ The proposed culvert invert elevations shall be on a grade line that is between the upstream and downstream adjacent property culverts and/or cross culvert invert elevations.
- 13 ☒ Two way traffic shall be maintained by the permittee on this section of the highway while the work is in progress and until its final completion. All maintenance and protection of traffic shall be performed as directed by the most current version of the N.Y.S. Manual of Uniform Traffic Control Devices.
- 14 ☒ The permittee must notify the Highway Department at (585) 889-6156 at least 48 hours prior to performing any work within the Town right-of-way.
- 15 ☐ Other \_\_\_\_\_
- 16 ☐ Prior to beginning any work within the Town right-of-way, the permittee or their representative must schedule a meeting with a representatives of the Town Highway Department to develop and implement a maintenance and protection of traffic plan (a maintenance and protection sketch or plan may be required upon request) and/or to review the aspects of the project. Please call \_\_\_\_\_ to schedule the meeting.
- 17 ☐ A letter of notification of the start of construction must be sent to all effected residents at least two (2) weeks in advance of the start of construction. The Town Superintendent of Highways must be sent a copy of this letter.
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- 21 ☐ Applicant will correct broken gutters and/or concrete sidewalk caused as a result of their work performed.
- 22 ☐ The Driveway Culvert & Piping Certification form must be returned to Town of Chili Highway before the permit can be closed out and any security deposit released.



## Highway Permit Field Inspection Closeout Report

Permit No. 2017-27

Location:

Permittee Name, Telephone, Email: RGE Cynthia Wasdrop 724-8518

Date: 12/20/17

Contractors Name: Lambert Assoc. Tom Miller

Contractors Telephone: 454-6160

Report Prepared By: P. OSTLING

Date Closed Out: \_\_\_\_\_

[illegible]



## *Town of Gates*

*Supervisor*  
**Mark W. Assini**

*Director of Public Works*  
**Kurt Rappazzo, P.E.**

*Town Council*  
**Lee A. Cordero**  
**Christopher B. DiPonzio**  
**Andrew Loughlin**  
**Steve Tucciarello**

January 16, 2018

Cynthia L. Waasdorp  
Manager – Program and Projects Regulatory  
Electric Capital Delivery  
1300 Scottsville Road, 2-9  
Rochester, New York 14624

RE: Trabold Road Work Permit  
Rochester Area Reliability Project

Ms. Waasdorp,

We have reviewed the project plans dated April 2014 and last revised December 13, 2017 by LaBella Associates, and Appendix G of the project Stormwater Pollution Prevention Plan (SWPPP) dated March 2014 prepared by URS Corporation and hereby permit the work within the Trabold Road right-of-way as described thereon with the following conditions:

1. The Town of Gates shall be notified at least 24 hours prior to any lane closures of Trabold Road, by contacting the Highway Superintendent at (585) 360-7210.
2. No overnight or night-time closures of Trabold Road are permitted without the specific approval from the Highway Superintendent.
3. The Trabold Road pavement and roadside stormwater conveyances shall be kept clean and clear of any dirt, debris, or construction materials.
4. The contractor will utilize the existing access points.
5. Restoration within the Trabold Road right-of-way will be provided to the satisfaction of the Highway Superintendent.
6. The Town shall be provided with a copy of the SWPPP signed by all necessary contractors and subcontractors, and copies of the certifications of their representative Trained Contractors.
7. The Town shall be provided with a copy of all inspection reports prepared in compliance with SPDES General Permit number GP-0-15-002 relating to work within the Town. These can be emailed to [dchamberlain@townofgates.org](mailto:dchamberlain@townofgates.org)





Ms. Cynthia Waasdorp  
RARP – Trabold Road Work Permit  
January 16, 2018  
Page 2

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Kurt M. Rappazzo, P.E.  
Director of Public Works

cc. Jerry Leone, Program Manager – LaBella Associates, DPC  
Betulio Nava – Kenny Construction  
Joseph Pasquini – Kenny Construction

**State of New York  
Department of Transportation**

**Highway Work Permit**



**Permit No.:** 20180468978

**Date Issued:** 04/16/2018

**Project ID No.:**

**Expiration Date:** 04/16/2019

**\*Permittee 1:**

ROCHESTER GAS AND ELECTRIC/ AVANGRID/ LABELLA

LLC

89 EAST AVENUE

ROCHESTER, NY 14649

**Emergency Contact:**

BETULIO  
NAVA

**Emergency Number:**

224-383-8321

**\*Permittee 2:**

IRONWOOD HEAVY HIGHWAY

755 JEFFERSON ROAD, STE 200

ROCHESTER, NY 14623

**Emergency Contact:** B STRATTEN

**Emergency Number:** 585-750-4213

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

RARP - SR I-490 AND 204 TREE REMOVAL \*\*\*ONLY EMPLOYEES OF RG&E AND IRONWOOD HEAVY HIGHWAY ARE AUTHORIZED TO WORK WITHIN THE STATE RIGHT OF WAY UNDER THIS PERMIT. ALL INSURANCES MUST REMAIN IN FORCE UNTIL PERMIT EXPIRATION TO AVOID INVALIDATION OF THE PERMIT.\*\*\* TREE REMOVAL UNDER THIS PERMIT IS ONLY AUTHORIZED BETWEEN OCTOBER - MARCH UNLESS PERMITTEE HAS OBTAINED PERMISSION FROM THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC). \*\*\*PERMITTEE IS REQUIRED TO CONTACT THE ASSISTANT RESIDENT ENGINEER AT 585 352-3471 AT LEAST THREE BUSINESS DAYS PRIOR TO THE START OF WORK. \*\*\*

THE PERMITTEE IS RESPONSIBLE FOR TEMPORARY TRAFFIC CONTROL IN ACCORDANCE WITH THE NATIONAL MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE NYS SUPPLEMENT. ANYONE WORKING WITHIN THE HIGHWAY RIGHT-OF-WAY SHALL WEAR HIGH-VISIBILITY APPAREL MEETING THE ANSI 107-2004 CLASS II STANDARDS AND A HARD HAT.

County	Municipality	State Hwy	State Route	Beg Ref	End Ref
MONROE	GATES	61-14	490I	490I43021145	490I43021145

as set forth and represented in the attached application at the particular location or areas, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit. See additional conditions on PAGE 2.

THIS PERMIT IS ISSUED BASED ON ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS BEING SATISFIED.

**Dated at:** Rochester **Date Signed:** 04/16/2018 **Commissioner of Transportation** By:  Paul J. Spitzer

**IMPORTANT:**

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED, SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

**BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY:**

Darrell Fazio, Assistant Resident Engineer 585-352-3471

**"UPON COMPLETION OF WORK", SECOND TO LAST PAGE, MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.**

**State of New York  
Department of Transportation**

**Highway Work Permit**



**Permit No.:** 20180468978

**Date Issued:** 04/16/2018

**Project ID No.:**

**Expiration Date:** 04/16/2019

**Return this page to:**

**Darrell Fazio, Assistant Resident  
Engineer**

**2441 South Union St.  
Spencerport, NY 14559**

**Permittee 1: ROCHESTER GAS AND ELECTRIC/  
AVANGRID/ LABELLA  
89 EAST AVENUE**

**ROCHESTER, NY 14649 -**

**UPON COMPLETION OF WORK AUTHORIZED, THIS PAGE OF THE PERMIT MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.**

**Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.**

DATE

PERMITTEE

AUTHORIZED AGENT (if any)

**TO BE COMPLETED BY NYSDOT:**

Work authorized by this permit has been satisfactorily completed and is accepted. **Inspection Report must be completed.**

- ☐ Refund of Deposit is authorized
- ☐ Return of Bond is authorized
- ☐ Unable to meet schedule as specified in bid proposal
- ☐ Amount charged against Bond may be released.
- ☐ Retain bond for future permits
- ☐ Forfeit of Guarantee Deposit is authorized
- ☐ Other

DATE

RESIDENT ENGINEER

- ☐ Mailing address of refund has been verified.
- If different, list new address:

The Regional Office will forward this form to the Main Office with the appropriate box checked.

- ☐ Permit closed
- ☐ Bond returned/released
- ☐ Refund of Guarantee Deposit on this permit is authorized
- ☐ Forfeit Guarantee Deposit to NYSDOT
- ☐ Other

DATE

REGIONAL TRAFFIC ENGINEER



STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION  
HIGHWAY WORK PERMIT APPLICATION FOR NON-UTILITY WORK

Application is hereby made for a highway work permit:

Name Rochester Gas & Electric / Avangrid  
Address 89 East Avenue  
City Rochester State NY Zip 14649  
Applicant Phone (585) 278-7947  
Applicant Email Address cindy\_waasdorp@rge.com  
Emergency Contact Betulio Nava  
Emergency Phone (224) 383-8321

For Joint application, name and address of Applicant 2 below:

Name Ironwood Heavy Highway, LLC  
Address 755 Jefferson Rd, Suite 200  
City Rochester State NY Zip 14623  
Applicant 2 Phone (585) 750-4213  
Applicant 2 Email Address bstratten@ironwoodhh.com

RETURN PERMIT TO: (if different from Permittee)

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

RETURN DEPOSIT/BOND TO: (if different from Permittee)

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

DESCRIPTION OF PROPOSED WORK:

Perform tree and brush removal at three locations within NYS right-of-way at I-490/NY 204 Interchange

Estimated cost of work being performed in highway right-of-way: \$ 15,000

Anticipated duration of work: From 3/23/18 to 4/1/18 (applies to the operations indicated on the reverse side)

WILL OVERHEAD OR UNDERGROUND (5'+) OPERATIONS BE INVOLVED IN THE PROPOSED WORK? YES ☐ NO ☒

ATTACHED: Plans ☒ Specifications ☐

LOCATION: State Route: I-490/204 Located Between Reference Markers 4901 4302 1145 and 204 4301 1002

City/Town/Village of Town of Gates County of Monroe

SEQR REVIEW (select one)

☐ Type II ☐ Type I ☐ Unlisted LEAD AGENCY: N/A DATE OF DETERMINATION: \_\_\_\_\_

Insurance (check one): ☒ General Liability Insurance ☐ Undertaking ☐ Insurance Fee (residential operations only)

NOTE: PERMIT IS ISSUED CONTINGENT UPON ALL LOCAL REQUIREMENTS BEING SATISFIED

ACKNOWLEDGMENT: ON BEHALF OF THE APPLICANT, I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND THE OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND WARRANT COMPLIANCE THEREWITH.

Applicant Signature Cindy Waasdorp  
Applicant 2 Signature Brian Stratten

Date 3/23/18  
Date 3-22-18

Approval recommended by Resident Engineer \_\_\_\_\_ Res No \_\_\_\_\_ Date \_\_\_\_\_  
Approved by Regional Traffic Engineer [Signature] Reg No 4 Date 4/16/18



Department of  
Transportation

## Form PERM 33 (July 2015) Highway Work Permit Application for Non-Utility Work

### Instructions and Form (For Commercial Driveways, use Form PERM 33-COM)

#### INSTRUCTIONS FOR COMPLETING THE APPLICATION

##### FRONT OF APPLICATION

Three (3) copies of the entire application, work plans and all other supporting documents must be submitted. At the time of application, certain information relative to fees and deposits may be contingent upon determinations to be made by the Department. In such cases, the information may be left blank and remittance withheld until a determination is made.

Please complete the following:

- Permittee name, address, phone and email address. Provide joint applicant contact information, if appropriate. If there are additional applicants, attach contact information on a separate sheet.
- Name and phone number(s) of emergency contact person.
- If permit is to be returned to someone other than the applicant, complete this section.
- If the guarantee deposit or bond is to be returned to someone other than applicant, complete this section.
- Estimate the cost of work being performed in the state highway right-of-way and provide this figure.
- Indicate anticipated duration of work to be performed with starting date and ending date.
- Indicate the form of insurance coverage to be provided.
- Give a brief description of the work that is proposed to be done under this permit.
- Indicate whether any overhead and/or underground work (5 foot or greater depth) is included in the proposed work.
- Plans and specifications should accompany this application for any work that involves construction within the state highway right-of-way. Place a check mark on the lines for plans and specifications if they are attached to this application.
- Location of the project should be identified by State Route, highway reference marker(s), and the municipality and county in which work area is located.
- In regard to State Environmental Quality Review (SEQR), indicate the type of action, the name of the Lead Agency, and what date the final determination was made, if available.
- Signature of applicant and date.
- Signature of second applicant, if any, and date.

##### BACK OF APPLICATION

- Check type of work that will be performed.
- In the appropriate column, indicate total amount of permit fees (Include insurance fee for residential work)
- Indicate type of performance security provided (bond, deposit, letter of credit), if required.
- Indicate check number of deposit or bond number.



**7. SITE CARE AND RESTORATION:** A bond, deposit (bank cashier's check), or a Letter of Credit, in an amount designated by the Department of Transportation, may be required before a permit is issued, in order to guarantee restoration of the site to its original condition. A fully executed Undertaking Agreement may be accepted as an alternative security, where applicable. If the Department is obliged to restore the site to its original condition, the costs to the Department will be deducted from the amount of the permittee's deposit at the conclusion of the work. Costs in excess of the bond/deposit on file will be billed directly to the permittee. If permittee posts a Letter of Credit, the Department may elect to have a contractor restore the site, and issue a draft drawn against the Letter of Credit as payment.

- Anyone working within state highway right-of-way must wear **high visibility apparel** and **hard hat** meeting ANSI Class 2 requirements.
- No unnecessary obstruction is to be left on the pavement or the state highway right-of-way, or in such a position as to block warning signs during non-working hours.
- No work shall be done to obstruct drainage or divert creeks, water courses or sluices onto the state highway right-of-way.
- All false work must be removed and all excavations must be filled in and restored to the satisfaction of the Regional Maintenance Engineer.

**8. COSTS INCURRED BY ISSUANCE OF THIS PERMIT:** All costs beyond the limits of any liability insurance, surety deposits, etc. are the responsibility of the permittee. The State shall be held free of any costs incurred by the issuance of this permit, direct or indirect.

**9. SUBMITTING WORK PLANS:** The applicant will submit three (3) copies of work plans and/or maps as required by the Department. This shall include (but not limited to) such details as: measurements of driveways with relation to nearest property corner; location of existing and proposed poles, guide rail, signal equipment, trees or drainage structures; positions of guys supporting poles; a schedule of the number of poles and feet of excavation necessary for completion of work on the State right-of-way. A description of the proposed method of construction will be included.

- Plan work with future adjustments in mind, as any relocation, replacement or removal of the installation authorized by this permit and made necessary by future highway maintenance, reconstruction or new construction, will be the responsibility of the permittee.
- Driveway plans should be prepared in accordance with NYSDOT POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.
- The permittee must coordinate the work with any State construction being conducted.

**10. TRAFFIC MAINTENANCE:** A plan detailing how the permittee intends to maintain and protect traffic shall be submitted with work plans. Traffic shall be maintained on the highway in a safe manner during working and non-working hours until construction is completed. The permittee is responsible for traffic protection and maintenance, including adequate use of signs, barriers, and flag persons during working and non-working hours until construction is completed. All sketches will be stamped with "MAINTENANCE OF TRAFFIC SHALL BE IN CONFORMANCE WITH THE NATIONAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."

**11. COST OF INSPECTION AND SUPERVISION:** Prior to issuance of the Highway Work Permit, the permittee may be required to sign an INSPECTION PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS (FORM PERM 50) agreeing to the payment of construction inspection charges, based on the number of work days involved. In certain cases, the permittee may also be required to sign a PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS DESIGN REVIEW (FORM PERM 51) agreeing to design review charges, based on the number of work hours in which Department employees were engaged in design review activity.

**12. SCOPE:**

- **Areas Covered:** Permits issued are for highways, bridges and culverts over which the New York State Department of Transportation has jurisdiction. (Local governments issue permits for highways under their jurisdiction.) Work locations must be approved by the Department.
- **Maintenance:** Unless noted otherwise, applicant shall be fully responsible for the maintenance of all items installed and/or altered as shown on the approved permit plans and documents. Property owners having access to a state highway shall be fully responsible for the maintenance of their driveway in accordance with POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.
- **Work Commencement:** The Permittee shall have a copy of the permit available at the site during the construction period. Work should start within 30 days from validation date of permit or said permit may be revoked.

**13. REPORTING ACCIDENTS:** Permittee is required to report any accidents that occur during the course of the permit work to their insurance company, and to provide the Department with a copy of any such report.

**14. COMPLETION OF PROJECT:** Upon completion of the work within the State highway right-of-way authorized by the work permit, the person and his or its successors in interest shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the Terms and Conditions of the Highway Work Permit.





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/26/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> M & T Insurance Agency, Inc. 285 Delaware Avenue, Ste 4000 Buffalo NY 14202	<b>CONTACT NAME:</b> CLSERVICING@mtb.com <b>PHONE (A/C, No, Ext):</b> <b>FAX (A/C, No):</b> 855-595-4605 <b>E-MAIL ADDRESS:</b> CLSERVICING@mtb.com
<b>INSURED</b> Ironwood Heavy Highway LLC 755 Jefferson Road, Suite 200 Rochester NY 14623	<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Zurich American Ins Co <b>INSURER B:</b> Ace American Ins. Company <b>INSURER C:</b> American-Zurich Insurance Co. <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>

**COVERAGES** **CERTIFICATE NUMBER:** 181855966 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Contractual Liab GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	GLO303519611	11/1/2017	11/1/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	Y	Y	BAP3035195-11	11/1/2017	11/1/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	Y	Y	N10879413004	11/1/2017	11/1/2018	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
C	<input checked="" type="checkbox"/> <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	WC303519411	11/1/2017	11/1/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

forms applicable if required by written contract:

General Liability Blanket Additional Insured with Completed Operations, Primary & Non-Contributory U-GL-1175-F CW & Blanket Waiver of Subrogation

U-GL-925-B CVW

General Liability Site Per Project Aggregate CG 25 03 05 09

Automobile Blanket Additional Insured, Primary & Waiver of Subrogation U-CA-424-E NY

Automobile Blanket Primary and Non-Contributory for Additional Insured CA 2048 02 99

Umbrella Blanket Additional Insured with Completed Operations, Primary & Non-Contributory XS-41887

Umbrella Blanket Waiver of Subrogation XS-41864

See Attached...

**CERTIFICATE HOLDER** **CANCELLATION**

New York State Department of Transportation  
1530 Jefferson Rd  
Rochester NY 14623

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*J.P. Quail*

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**ADDITIONAL REMARKS SCHEDULE**Page 1 of 1

<b>AGENCY</b> M & T Insurance Agency, Inc.		<b>NAMED INSURED</b> Ironwood Heavy Highway LLC 755 Jefferson Road Suite 200 Rochester NY 14623
<b>POLICY NUMBER</b>		
<b>CARRIER</b>	<b>NAIC CODE</b>	<b>EFFECTIVE DATE:</b>

**ADDITIONAL REMARKS****THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,****FORM NUMBER:** 25 **FORM TITLE:** CERTIFICATE OF LIABILITY INSURANCEUmbrella Per Project Aggregate- XS-41866  
Workers Compensation Blanket Waiver of Subrogation WC000313



# NEW YORK CONSTRUCTION CERTIFICATE OF LIABILITY INSURANCE ADDENDUM

DATE (MM/DD/YYYY)

3/26/2018

THIS ADDENDUM SUMMARIZES SOME OF THE POLICY PROVISIONS IN THE REFERENCED INSURANCE POLICIES AND IS ISSUED AS A MATTER OF INFORMATION ONLY; IT CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. ALL TERMS, EXCLUSIONS AND CONDITIONS IN THE ACTUAL POLICY SHOULD BE CONSULTED FOR A MORE DETAILED ANALYSIS OF COVERAGE, AS THIS ADDENDUM DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES.

AGENCY M & T Insurance Agency, Inc.		NAMED INSURED(S) Ironwood Heavy Highway LLC	
POLICY NUMBER GLO303519611	EFFECTIVE DATE 11/01/2017	CARRIER Zurich American Ins Co	NAIC CODE 16535

## ADDENDUM INFORMATION

CERTIFICATE NUMBER: 181855966

REVISION NUMBER:

## A. Insurer

- ☒ Admitted / authorized
- ☐ Excess line or free trade zone

## B. General Liability (GL) policy form

- ☒ ISO / ISO modified
- ☐ Other

## C. Specific operations excluded or restricted (GL policy)

- ☐ Location: \_\_\_\_\_
- ☐ Type of construction: \_\_\_\_\_
- ☐ Building height: \_\_\_\_\_
- ☐ Classifications [see attached declarations / endorsement]
- ☐ Designated work [see attached endorsement]

## D. Additional insured endorsement (GL policy)

- ☐ CG 20 10 ☐ CG 20 26 ☐ CG 20 32 ☐ CG 20 33 ☐ CG 20 37 ☐ CG 20 38
- ☒ Other: #: U-GL-1175FCW Title: Additional Insured-Automatic-Owners, Lessees or Contractors

## E. According to the terms of this GL policy, the additional insured has primary and noncontributory coverage

- ☒ Yes ☐ No and ☐ no other option is available with this insurer

## F. Additional insured will receive advance notice if insurer cancels (GL policy)

- ☐ Yes ☒ No and ☐ no other option is available with this insurer

## G. Blanket contractual liability located in the "insured contract" definition (Section V, Number 9, Item f. in the ISO CGL policy) is removed or restricted

- ☐ Yes and ☐ no other option is available with this insurer ☒ No changes made

## H. "Insured contract" exception to the employers liability exclusion is removed or modified (GL policy)

- ☐ Yes and ☐ no other option is available with this insurer ☒ No changes made

## I. GL policy (including endorsements) does not cover the additional insured for claims involving injury to employees of the named insured or subcontractors (not workers' compensation)

- ☐ Yes and ☐ no other option is available with this insurer ☒ No changes made



**J. Earth movement, excavation or explosion / collapse / underground property damage is excluded or restricted (GL policy)**

☐ Yes and ☐ no other option is available with this insurer ☒ No changes made

**K. Insured vs. insured suits (cross liability in the ISO CGL policy) are excluded or restricted (other than named insured vs. named insured)**

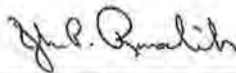
☐ Yes and ☐ no other option is available with this insurer ☒ No changes made

**L. Property damage to work performed by subcontractors (exception to the "damage to your work" exclusion in the ISO CGL policy) is excluded or restricted**

☐ Yes and ☐ no other option is available with this insurer ☒ No changes made

**M. Excess / umbrella policy is primary and non-contributory for additional insureds**

☐ Yes, by specific policy provision ☒ Yes, by endorsement ☐ No and ☐ no other option is available with this insurer



AUTHORIZED REPRESENTATIVE SIGNATURE

3/26/2018

DATE (MM/DD/YYYY)



**CERTIFICATE OF  
NYS WORKERS' COMPENSATION INSURANCE COVERAGE**

<b>1a. Legal Name &amp; Address of Insured (use street address only)</b> Ironwood Heavy Highway LLC 755 Jefferson Road, Suite 200 Rochester NY 14623  <b>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)</b>	<b>1b. Business Telephone Number of Insured</b> 585-436-2900  <b>1c. NYS Unemployment Insurance Employer Registration Number of Insured</b>  <b>1d. Federal Employer Identification Number of Insured or Social Security Number</b> 161488524
<b>2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)</b> New York State Department of Transportation 1530 Jefferson Rd Rochester NY 14623	<b>3a. Name of Insurance Carrier</b> American-Zurich Insurance Co.  <b>3b. Policy Number of Entity Listed in Box "1a"</b> WC303519411  <b>3c. Policy effective period</b> 11/1/2017 to 11/1/2018  <b>3d. The Proprietor, Partners or Executive Officers are</b> <input checked="" type="checkbox"/> included. (Only check box if all partners/officers included) <input type="checkbox"/> all excluded or certain partners/officers excluded.

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. (To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy). **The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".**

Will the carrier notify the certificate holder within 10 days of a policy being cancelled for non-payment of premium or within 30 days if cancelled for any other reason or if the insured is otherwise eliminated from the coverage indicated on this certificate prior to the end of the policy effective period? ☐ YES ☒ NO

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Workers' Compensation contract of insurance only while the underlying policy is in effect.

**Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.**

**Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.**

Approved by: John Rumschik  
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by:  3/26/2018  
(Signature) (Date)

Title: Authorized Representative

Telephone Number of authorized representative or licensed agent of insurance carrier: \_\_\_\_\_

**Please Note: Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.**



## **Workers' Compensation Law**

### **Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.**

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.
2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.

# **CERTIFICATE OF INSURANCE COVERAGE** **under the NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW**

**PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier**

<p><b>1a. Legal Name and Address of Insured (Use street address only)</b></p> <p>IRONWOOD HEAVY HIGHWAY LLC 755 JEFFERSON ROAD- SUITE 200 Rochester, NY 14623</p> <p><b>Work Location Of Insured (Only required If coverage Is specifically limited To certain locations In New York State, i.e., a Wrap-Up Policy)</b></p>	<p><b>1b. Business Telephone Number Of Insured</b></p> <p><b>1c. Federal Employer Identification Number of Insured Or Social Security Number</b></p> <p>56-2385681</p>
<p><b>2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)</b></p> <p>New York State Department of Transportation 1530 Jefferson Rd Rochester, NY 14623</p>	<p><b>3a. Name of Insurance Carrier</b></p> <p>WESCO INSURANCE COMPANY</p> <p><b>3b. Policy Number of entity listed in box "1a.":</b></p> <p>0212893</p> <p><b>3c. Policy effective period:</b></p> <p>3/26/2018 to 12/31/2019</p>

**4. Policy provides the following benefits:**

- ☒ A. Both disability and paid family leave benefits.
- ☐ B. Disability benefits only.
- ☐ C. Paid family leave benefits only.

**5. Policy covers:**

- ☒ A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.
- ☐ B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 3/26/2018 By Kathleen Elia  
(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number 800-535-2711 Title Vice President

**IMPORTANT:** If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is **COMPLETE**. Mail it directly to the certificate holder.  
If Box 4B, 4C or 5B is checked, this certificate is **NOT COMPLETE** for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

**PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)**

## **State of New York** **Workers' Compensation Board**

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed \_\_\_\_\_ By \_\_\_\_\_  
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number \_\_\_\_\_ Title \_\_\_\_\_

**Please Note:** Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. **Insurance brokers are NOT authorized to issue this form.**



## Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in box "1a" for disability and/or paid family leave benefits under the New York State Disability and Paid Family Leave Benefits Law. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed as the certificate holder in Box 2.

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Disability and/or Paid Family Leave Benefits contract of insurance only while the underlying policy is in effect.

**Please Note: Upon the cancellation of the disability and/or paid family leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of NYS Disability and/or Paid Family Leave Benefits Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Disability and Paid Family Leave Benefits Law.**

### DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

#### §220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.



## Standard General Plan Notes

1. ROAD TO BE KEPT CLEAN OF MUD AND DEBRIS AT ALL TIMES.
2. ROADSIDE DRAINAGE TO BE MAINTAINED AT ALL TIMES.
3. MATERIALS, EQUIPMENT AND VEHICLES ARE NOT TO BE STORED OR PARKED WITHIN THE NEW YORK STATE RIGHT-OF-WAY.
4. MAINTENANCE AND PROTECTION OF TRAFFIC MUST COMPLY WITH THE CURRENT NATIONAL MUTCD WITH NYS SUPPLEMENT, SECTION 619 OF THE CURRENT NYSDOT STANDARD SPECIFICATIONS, THESE PLANS AND AS ORDERED BY THE ASSISTANT RESIDENT ENGINEER. ON A NYSDOT CONSTRUCTION PROJECT, MAINTENANCE AND PROTECTION OF TRAFFIC MUST COMPLY WITH THESE PLANS AND BE IN ACCORDANCE WITH THE NYSDOT CONTRACT DOCUMENTS AS DEEMED NECESSARY BY THE NYS ENGINEER-IN-CHARGE.
5. NOTIFY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION'S ASSISTANT RESIDENT ENGINEER AT THE APPROPRIATE NUMBER, AS NOTED BELOW, FIVE (5) WORK DAYS PRIOR TO WORKING WITHIN THE STATE RIGHT-OF-WAY.

GENESEE CO. - DAN STAHLEY (585) 343-0502

LIVINGSTON CO. - ADAM KISIAH (585) 346-3036

MONROE CO. - WEST OF GENESEE RIVER  
DARRELL FAZIO (585) 352-3471

MONROE CO. - EAST OF GENESEE RIVER  
MARK ELLSWORTH (585) 586-4514

ONTARIO CO. - GREG TROST (585) 396-4955

ORLEANS CO. - KEVIN KEISER (585) 589-6655

WAYNE CO. - JEFF JONES (315) 332-4000

WYOMING CO. - KEN BITTNER (585) 786-3310

THE PERMITTEE IS ADVISED THAT THE NYSDOT IS NOW REVIEWING ALL LANE CLOSURES ON THE PRIORITY NETWORK FOR IMPACT ON TRAFFIC OPERATIONS IN REAL-TIME. THE PRIORITY NETWORK CONSISTS OF INTERSTATES 390, 490 AND 590 AND STATE ROUTES 390, 590, 104 (FROM NY 390 TO WAYNE COUNTY), US 20, NY 63 (FROM STEUBEN COUNTY TO I 90) AND NY 77 IN GENESEE COUNTY. THE CLOSURE WILL BE EVALUATED IN THE LIGHT OF WHAT IS HAPPENING AT THAT TIME ON THE HIGHWAY. INCIDENTS, CONFLICTING WORK ZONES OR OTHER UNPLANNED EVENTS THAT RENDER THE HIGHWAY UNAVAILABLE FOR THE CLOSURE MAY RESULT IN A SHORT-TERM DISAPPROVAL OF THE CLOSURE UNTIL THE SITUATION HAS BEEN RESOLVED. EVALUATION PROCEDURES ARE AVAILABLE FOR REVIEW AT THE REGIONAL TRAFFIC OPERATIONS CENTER, 1155 SCOTTSVILLE ROAD, ROCHESTER, NY.

6. NOTIFY THE NYSDOT SIGNAL MAINTENANCE FACILITY AT (585) 753-7780 5 DAYS PRIOR TO WORKING WITHIN 350' OF A SIGNALIZED INTERSECTION. NOTIFY DIG SAFELY NEW YORK 2 WORK DAYS PRIOR TO DIGGING, DRILLING OR BLASTING AT 811 FOR A UTILITY STAKE-OUT.
7. ALL MATERIALS USED WITHIN THE STATE RIGHT-OF-WAY MUST COMPLY WITH THE CURRENT NEW YORK STATE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS ALONG WITH ANY APPROPRIATE CURRENT NYS DEPARTMENT OF TRANSPORTATION'S STANDARD SHEETS.
8. QUALITY CONTROL OF ASPHALT CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 401 OF THE STANDARD SPECIFICATIONS. ALL ASPHALT PRODUCED AS PART OF SECTION 401 WILL BE PAID AT A FINAL QUANTITY ADJUSTMENT FACTOR OF 1.0. ASPHALT COURSE DEPTHS SHOWN ON THE PLANS ARE COMPACTED DEPTHS.
9. NO NIGHT WORK SHALL BE ALLOWED UNLESS APPROVED PRIOR TO START OF PROJECT. ADDITIONAL MAINTENANCE AND PROTECTION OF TRAFFIC MAY BE REQUIRED INCLUDING THE ADDITION OF REFLECTIVE MATERIALS AND LIGHTING.
10. HAZARDOUS WASTE NOTIFICATION - THE PERMITTEE ACCEPTS THE RIGHT-OF-WAY OF THE STATE HIGHWAY IN ITS "AS IS" CONDITION. THE DEPARTMENT OF TRANSPORTATION MAKES NO REPRESENTATION AS TO THE ABSENCE OF UNDERGROUND TANKS, STRUCTURES, FEATURES OR SIMILAR IMPEDIMENTS TO THE COMPLETION OF THE WORK PERMITTED HEREUNDER. SHOULD PERMITTEE FIND SOME PREVIOUSLY UNKNOWN UNDERGROUND IMPEDIMENTS TO ITS WORK, THE DEPARTMENT OF TRANSPORTATION SHALL HAVE NO OBLIGATION TO CURE, REMOVE, REMEDY OR OTHERWISE DEAL WITH SUCH PREVIOUSLY UNKNOWN UNDERGROUND IMPEDIMENTS. THE PERMITTEE IS REQUIRED TO REMOVE, MODIFY OR OTHERWISE DEAL WITH SUCH UNDERGROUND TANKS, STRUCTURES, FEATURES OR IMPEDIMENTS IN A MANNER WHICH MEETS ACCEPTABLE ENGINEERING PRACTICE AND IS APPROVED BY THE DEPARTMENT OF TRANSPORTATION.
11. ADA COMPLIANCE - ALL WORK ON PEDESTRIAN FACILITIES SHALL BE COMPLIANT WITH THE AMERICANS WITH DISABILITIES ACT (ADA).

**STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION**

**EXCAVATING NEAR TREES, PRUNING, PLANTING,  
TREE REMOVAL AND USE OF PESTICIDES  
METHOD OF PERFORMING WORK**

**PART I**

**Major Tree Pruning**

Tree pruning shall include drop crotching, side pruning, pruning through, under pruning, the removal of large branches, limbs and trunks of trees and brush clearance, but not the removal of trees. Locations and heights of new poles and aerial lines as they relate to the preservation of trees to be retained shall be approved by the Regional Traffic Engineer. All proposed work shall be reviewed, in the field, by the Regional Traffic Engineer before the permit is granted.

Special Considerations listed in Part II below shall also apply.

**PART II**

**Tree Pruning for Aerial Line Maintenance**

Tree pruning for aerial line maintenance may include removal of up to 50% of the existing sucker growth. It shall not include the removal of large branches, limbs or portions of the trunks of trees, nor shall it include the removal of large branches, limbs or portions of the trunks of trees, nor shall it include the removal of trees or shrubs. Special Considerations listed below shall also apply.

**Special Considerations**

Primary consideration shall always be given to location of utility lines on a separate right of way or underground installations. Where separate right of way or underground installation is not possible, aerial cables, joint use of pole lines by supply and signal companies, and other installations which will avoid interference with existing or anticipated tree growth shall be utilized. Offset crossarms, racks, cable guards, tree wires, pole top rake, pole line offsets, crossovers and similar expedients shall be considered as alternative methods in lieu of pruning. Specific approval must be obtained for proposals to place guy wires where they will not interfere with mowing operations. Guy wires may not be attached to trees within the R.O.W.

**VOLUNTEER GROWTH:** Existing volunteer growth shall be considered the same as planted trees and shrubs. Only volunteer growth that has been designated by the Regional Traffic Engineer may be removed.

**TREE TRAINING:** Pruning for the purposes of controlling existing or anticipated growth that may affect overhead utility lines shall preserve the original natural tree form to the extent possible.

**TREE SURGERY PRACTICE:** All work shall conform to recognized good tree surgery practice and the National Arborist Association's "Pruning Standards for Shade Trees."

- a. Work shall be done under the direction of a qualified tree surgeon.
- b. Pruning shall be done by experience tree pruners.
- c. Climbing irons shall not be used on trees unless the trees are being removed.
- d. Pruning shall preserve the natural character and balance of the tree.
- e. Pruning cuts shall be made at a parent branch or limb and outside of the branch collar. No damage shall be done to the branch collar.
- f. Removal of branches by sawing shall be preceded by precutting and under-cutting where necessary to prevent stripping the bark.
- g. Wounds shall be shaped, if necessary, to leave smooth edges and properly rounded shapes.
- h. In cutting back a branch the cut shall be made at a crotch having another branch at least 1/3 the diameter of the cut branch.
- i. Excessive pruning shall not be permitted in a single season, on thin barked trees, or during the summer months. To avoid girdling, opposite side limbs shall not be removed in a single season.
- j. Tree wound paints shall not be used.

**PART III**

**Removal of Trees**

When removal of trees is required, the work shall be performed under the supervision of the Regional Traffic Engineer. The work shall consist of removing all cut wood from the right of way. Trees to be removed shall be topped unless conditions clearly permit felling without obstructing the highway or damaging surrounding vegetation, signs, fences, guide rail or other property and features.

**VOLUNTEER GROWTH:** Same as listed under "PART II Special Considerations".

**STUMPS:** Stumps and all roots over 4" in diameter shall be cut flush with the ground except in lawn areas where stumps and roots shall be removed to at least 6" below ground level.

**BACKFILL:** Backfill for stump holes shall consist of material approved by and compacted to the satisfaction of the Regional Traffic Engineer. Backfill stump holes shall be seeded, fertilized and mulched with materials and by methods approved by the Regional Traffic Engineer.

**PART IV**

**Use of Pesticides**

Detailed work plans outlining proposed use of pesticides shall be submitted for the Regional Traffic Engineer's approval and for coordination with the Department's pesticide work plans.

Upon the expiration of the permit a report confirming that the applications were completed as planned or identifying where planned applications were not completed shall be submitted to the Regional Traffic Engineer.

**METHOD OF PERFORMING WORK  
WITHIN THE STATE HIGHWAY RIGHT-OF-WAY**

**I. GENERAL CONDITIONS**

These conditions and regulations apply to Highway Work Permits authorizing work within the State highway right-of-way for water mains, gas mains, sewer lines and miscellaneous structures. General conditions apply to telephone and telegraph installations as well as specific conditions on the setting and resetting of poles. These conditions, and any special conditions which are added to this form, are enforceable by the Department of Transportation.

**A. TIME**

1. Work under the permit shall be commenced within thirty (30) days from the date of permit issuance unless a later starting date is approved by the Regional Traffic Engineer.

**B. REQUIREMENTS**

All the current requirements of the following shall apply: Occupational Safety and Health Administration, Federal Department of Labor, Safety and Health Standards (29 CFR 1926.1010); Part 131, Title 17, New York Code of Rules and Regulations, Accommodation of Utilities Within State Right-of-Way; New York State Department of Labor, Industrial Code Rule 23, Protection of Persons Employed in Construction and Demolition Work; Industrial Code Rule 153, Construction, Excavation and Demolition Operations At Or Near Underground Facilities.

Temporary soil erosion and water pollution controls shall be used as required. The final decision on the method of underground installation will be made by the Regional Director or his representative.

**1. Work Within Pavement and Shoulder Areas**

- a. Installations that cross the pavement and shoulder area. Wherever practical, all underground installations shall be placed beneath the pavement and shoulder areas without disturbance to these paved surfaces.

**1) Boring, Jacking, and Tunneling Methods****DESIGN**

- a) The location of all excavations (jacking pits, etc.) shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The location of all other existing utilities shall be shown.
- d) The construction equipment and procedures to be used shall be described in the permit application.
- e) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- f) The underground installation shall be described in detail, i.e. size, length, depth, material, provisions for grouting, etc.
- g) Pipes shall generally be enclosed in sleeves or larger pipes. Small diameter services (2 inch I.D. or smaller) may be placed without sleeving at the discretion of (I.Y.S.D.O.T).
- h) The limits of an open excavation shall not be closer than 10 feet to the edge of the pavement unless approved by the Department. Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

**CONSTRUCTION**

- a) Grouting operations may be required if surface settlement, loss of soil or voids around the pipe develop. When grout is required, it shall consist of 1 part cement to 2 parts sand, by volume, and sufficient water to produce a consistency suitable for placing the grout.
- b) Backfill of open excavations shall be as required under

**2.) Open Excavation Method.****2) Open Excavation Method****DESIGN**

- a) The location of all pavement crossing by the open excavation method shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The location of all other existing utilities shall be shown.
- d) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- e) When requested, the construction equipment and procedures to be used shall be described in the permit application.
- f) Pipe installations shall be done according to the requirements of the appropriate New York State Department of Transportation's Standard Sheets. The required granular material shall meet the material requirements for Select Granular Fill in the current New York State Department of Transportation's Standard Specifications including addenda. Exceptions will only be allowed if prior approval is granted by the Regional Soils Engineer.
- g) Pavement shall be saw cut at termination points of pavement replacement.

**CONSTRUCTION**

- a) Pavement and shoulder removal shall be done in a manner that provides for proper restoration of the replacement section. Straight, vertical cuts of the pavement will be required. Pavement surfaces that become undermined shall be cut back and removed. Alternative repair methods may be used if prior approval is granted.
- b) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.
- c) Generally, cuts shall be filled at the end of each working day. With prior approval, steel cover plates may be used. Recessing of these plates may be required.
- d) Temporary pavements and shoulders shall be placed as soon as a crossover installation is completed.

- b. Installations that are longitudinal to the pavement.

**1) Open Excavation Method****DESIGN**

- a) The location of all open excavations shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- d) The location of all other existing utilities shall be shown.
- e) Pipe installations shall be done according to the requirements of the appropriate New York State Department of Transportation's Standard Sheets. The required granular material shall meet the material requirements for Select Granular Fill in the current New York State Department of Transportation's Standard Specifications, including addenda. Exceptions will only be allowed if prior approval is granted by the Regional Soils Engineer.

**CONSTRUCTION**

- a) Pavement and shoulder removal shall be done in a manner that provides for proper restoration of the replacement section. Straight, vertical cuts of the pavement will be required. Pavement surfaces that become undermined shall be cut back and removed. Alternative repair methods may be used if prior approval is granted.
- b) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.
- c) Generally, cuts shall be filled at the end of each working day. With prior approval, steel cover plates may be used. Recessing of these plates may be required.
- d) Permanent or temporary pavement shall be placed immediately as sections of the total installation are completed to subbase elevation. Gravel surfaces in shoulder areas may be used if prior approval is granted.

**2) Boring, Jacking, and Tunneling Methods****DESIGN**

- a) All the requirements of 8.1. a. 1.) DESIGN a) through g) shall apply.

**CONSTRUCTION**

- a) All the requirements of 8.1 a. 1.) CONSTRUCTION a) and b) shall apply.
- b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.
- c) The requirements of 8.1. b. 1.) CONSTRUCTION d) shall apply.

**2. Work Outside the Pavement and Shoulder Areas****a. Open Excavation Method****DESIGN**

- a) All the requirements of 8.1. b. 1.) DESIGN shall apply.
- b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

**CONSTRUCTION**

- a) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.



**SPECIAL NOTE**  
**TEMPORARY LANE/SHOULDER CLOSURE RESTRICTIONS FOR MAJOR HOLIDAYS**

There shall be no temporary lane/shoulder closures on roadway facilities owned and/or maintained by NYSDOT on the major holidays listed below.

Construction activities that will result in temporary lane/shoulder closures shall be suspended to minimize travel delays associated with road work for major holidays as follows:

<b>Holiday</b>	<b>Falls on</b>	<b>Temporary lane closures are NOT allowed from</b>
New Year's Day Independence Day Christmas Day	Sunday or Monday	6:00 AM Friday before to 6:00 AM Tuesday after
	Tuesday	6:00 AM Saturday before to 6:00 AM Wednesday after (starting at 6:00 AM Friday before to 6:00 AM Wednesday after for Christmas Day)
	Wednesday	6:00 AM Tuesday before to 6:00 AM Thursday after (starting at 6:00 AM Saturday before to 6:00 AM Thursday after for Christmas Day)
	Thursday	6:00 AM Thursday to 6:00 AM Monday after (starting at 6:00 AM Wednesday before to 6:00 AM Monday after for Christmas Day)
	Friday or Saturday	6:00 AM Thursday before to 6:00 AM Monday after

<b>Holiday</b>	<b>Falls on</b>	<b>Temporary lane closures are NOT allowed from</b>
Memorial Day Labor Day	Monday	6:00 AM Friday before to 6:00 AM Tuesday after
Thanksgiving Day	Thursday	6:00 AM Wednesday before to 6:00 AM Monday after

Exceptions can only be made under the following conditions:

- Emergency work.
- Work within long-term stationary lane/shoulder closures.
- Safety work that does not adversely impact traffic mobility and has been authorized by the Regional Traffic Engineer.

Note: The Department reserves the right to cancel any work operations, including lane closures and/or total road closures, that would create traffic delays by unforeseen events. The Contractor would be notified at least seven (7) calendar days prior to the proposed work.

## GENERAL NOTES

1. THE TYPICAL DETAILS DEPICTED ON THE STANDARD SHEETS AND IN THE MUTCD, REFLECT THE MINIMUM REQUIREMENTS.
2. THE CONTRACTOR MUST SUBMIT TO THE ENGINEER, IN WRITING, PROPOSED REVISIONS TO THE TRAFFIC CONTROL PLAN FOR REVIEW AND APPROVAL BY THE REGIONAL DIRECTOR OR HIS/HER DESIGNEE FIVE (5) WORK DAYS PRIOR TO THE PLANNED IMPLEMENTATION OF SUCH PROPOSED REVISIONS, EXCEPT FOR CHANGES THAT ALTER THE SCOPE OF THE TRAFFIC CONTROL PLAN. SUCH CHANGES IN SCOPE MUST BE SUBMITTED TO THE ENGINEER FOR APPROVAL BY THE REGIONAL DIRECTOR OR HIS/HER DESIGNEE THIRTY (30) WORKING DAYS PRIOR TO IMPLEMENTATION OF SUCH REVISIONS.
3. THE CONTRACTOR SHALL PROVIDE THE ENGINEER, IN WRITING, WITH THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF STAFF WHO ARE AUTHORIZED TO SECURE LABOR, MATERIALS, AND EQUIPMENT FOR EMERGENCY REPAIRS OUTSIDE NORMAL WORKING HOURS. THE ENGINEER WILL PROVIDE THE SUBMITTED INFORMATION TO REGIONAL MANAGEMENT, THE NEW YORK STATE POLICE, THE RESIDENT ENGINEER, AND THE LOCAL POLICE.

## ACTIVITY AREA

1. THE CONTRACTOR SHALL MAINTAIN A MINIMUM 500' LONGITUDINAL DISTANCE BETWEEN CONSTRUCTION OPERATIONS ON ALTERNATE SIDES OF THE ROADWAY, UNLESS OTHERWISE APPROVED BY THE ENGINEER.
2. WHEN TWO OR MORE AREAS ARE ADJACENT, OVERLAP, OR ARE IN CLOSE PROXIMITY, THE CONTRACTOR SHALL ENSURE THERE ARE NO CONFLICTING SIGNS AND THAT LANE CONTINUITY IS MAINTAINED THROUGHOUT ALL WORK AREAS.

## SIGNS

1. THE LOCATIONS OF THE SIGNS SHOWN ON THE WORK ZONE TRAFFIC CONTROL PLANS AND DETAILS MAY BE ADJUSTED BASED ON SIGHT DISTANCE AND OTHER CONSIDERATIONS. THE FINAL LOCATIONS OF SIGNS ARE SUBJECT TO APPROVAL BY THE ENGINEER.
2. ANY EXISTING SIGNS, INCLUDING OVERHEAD SIGNS, WHICH CONFLICT WITH THE TEMPORARY TRAFFIC CONTROL SIGN LAYOUT SHALL BE COVERED, REMOVED, STORED OR RESET, AS APPROVED BY THE ENGINEER. ALL APPROPRIATE EXISTING SIGNS SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AND/OR LOCATION UNLESS OTHERWISE REPLACED IN THIS CONTRACT.
3. SIGNS AT OR NEAR INTERSECTIONS SHALL BE PLACED SO THAT THEY DO NOT OBSTRUCT A MOTORIST'S LINE OF SIGHT.
4. ALL WARNING AND REGULATORY SIGNS SHALL BE POSTED ON BOTH SIDES OF MULTI-LANE DIVIDED HIGHWAYS, MULTI-LANE RAMPS, AND ONE-WAY STREETS, IN CASES WHERE LANE RESTRICTIONS REDUCE THE TRAVEL LANE TO ONE LANE. SIGNS SHALL BE POSTED ON THE RIGHT SIDE OF THE ACTIVE TRAVEL LANE, UNLESS OTHERWISE AUTHORIZED BY THE ENGINEER.
5. SIGNS MOUNTED ON THE MEDIAN OF DIVIDED HIGHWAYS WHERE MEDIAN BARRIER IS IN PLACE MAY BE MOUNTED ON THE BARRIER WITH A SADDLE TYPE BRACKET. LAYING THE SIGN DOWN IN A HORIZONTAL POSITION IS NOT PERMITTED.
6. THE DIMENSIONS OF WORK ZONE TRAFFIC CONTROL SIGNS ARE DESCRIBED IN THE MUTCD. ANY CHANGES TO THE DIMENSIONS SHALL BE APPROVED BY THE REGIONAL DIRECTOR OR BY HIS/HER DESIGNEE.
7. NYR9-12 MAY BE USED IN PLACE OF NYR9-11.

## CHANNELIZING DEVICES

1. WHERE POSSIBLE ALL CHANNELIZING AND GUIDING DEVICES ARE TO BE PLACED SO AS TO PROVIDE A MINIMUM 2' LATERAL CLEARANCE TO THE TRAVELED WAY.
2. DRUMS SHALL BE USED FOR ANY LANE CLOSURES OR SHOULDER CLOSURES WHICH ARE TO REMAIN OVERNIGHT.

## PUBLIC ACCESS

1. PROPERTY OWNERS WHOSE DRIVEWAYS WILL BE MADE INACCESSIBLE SHALL BE NOTIFIED BY THE CONTRACTOR AT LEAST 24 HOURS PRIOR TO RESTRICTING USE OF THE DRIVEWAY. FOR MULTIPLE ACCESS PROPERTIES, AT LEAST ONE DRIVEWAY SHALL BE OPEN AT ALL TIMES. ACCESS SHALL BE RESTORED TO ALL DRIVEWAYS AS SOON AS POSSIBLE.
2. SUITABLE RAMPS SHALL BE INSTALLED TO MAINTAIN SMOOTH TRANSITIONS FROM RESIDENTIAL AND COMMERCIAL DRIVEWAYS TO AND FROM THE WORK AREA.

## LANE CLOSURES

1. THE CONTRACTOR SHALL LOCATE LANE CLOSURES TO PROVIDE OPTIMUM VISIBILITY, I.E. BEFORE CURVES AND CRESTS, TO THE EXTENT CONDITIONS PERMIT.
2. THE ENGINEER MAY REQUIRE THAT ALL LANES BE RE-OPENED AT ANY TIME IF THE ROUTE IS NEEDED FOR EMERGENCY PURPOSES. THIS COULD INCLUDE INCIDENTS AT LOCATIONS OUTSIDE THE CONTRACT LIMITS.

## LANE WIDTHS

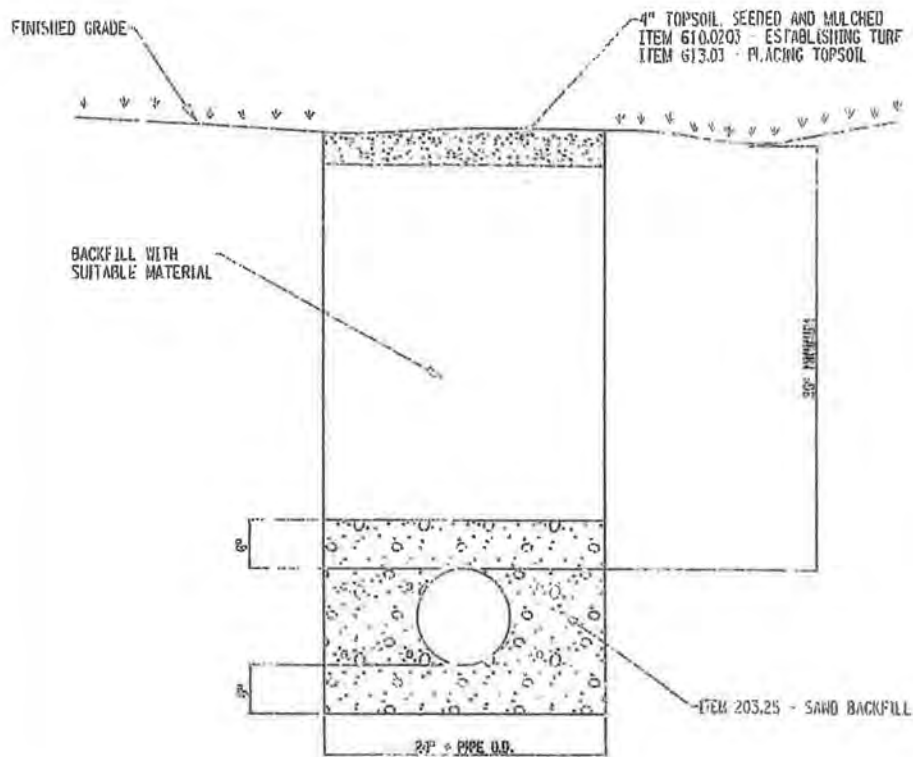
1. UNLESS AUTHORIZED BY THE ENGINEER, THE MINIMUM LANE WIDTHS FOR WORK ZONE TRAVEL LANES SHALL BE AS FOLLOWS: FREEWAYS AND/OR EXPRESSWAYS IS 11'; THE MINIMUM LANE WIDTH FOR ALL OTHER TYPES OF ROADWAYS IS 10'.
2. THE CONTRACTOR SHALL PROVIDE A WRITTEN NOTICE TO THE ENGINEER, A MINIMUM OF 21 CALENDAR DAYS IN ADVANCE OF PERFORMING ANY WORK THAT RESULTS IN THE REDUCED WIDTH OF AN EXISTING ROADWAY, SO THAT THE ENGINEER MAY NOTIFY THE REGIONAL PERMIT ENGINEER IN A TIMELY MANNER.

## BARRIER/SHADOW VEHICLES

1. BARRIER AND SHADOW VEHICLES SHALL BE REQUIRED AS PER STANDARD SHEET TITLED "WORK ZONE TRAFFIC CONTROL LEGEND AND TABLES".
2. NO WORK ACTIVITY, EQUIPMENT, VEHICLES AND/OR MATERIALS SHALL BE LOCATED BETWEEN THE BARRIER OR SHADOW VEHICLE AND THE ACTIVE WORK AREA (ROLL AHEAD DISTANCE).
3. THE CONTRACTOR MAY BE REQUIRED TO PROVIDE A BARRIER VEHICLE IN CONJUNCTION WITH POLICE PRESENCE IN THE WORK ZONE, TO BE INCLUDED IN THE UNIT BID PRICE FOR BASIC WORK ZONE TRAFFIC CONTROL.

STATE OF NEW YORK DEPT. OF TRANSPORTATION	
REGION 4 PERMIT DETAIL	
WORK ZONE TRAFFIC CONTROL GENERAL NOTES	
10 DEC 2008	WZTC-P10

# HIGHWAY WORK PERMITS EXCAVATION/RESTORATION DETAIL WITHIN NYS RIGHT-OF-WAY OUTSIDE OF PAVEMENT AND SHOULDER (N.T.S.)



## NOTES:

- 1) BACKFILL OF SUITABLE MATERIAL SHALL BE COMPACTED IN MAXIMUM 6" LIFTS.
- 2) ALL DISTURBED AREAS SHALL BE MULCHED OR HAVE TURF ESTABLISHED WITHIN 10 DAYS.
- 3) ALL WORK SHALL CONFORM TO NYS DOT SPECIFICATIONS.



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION

REGION 4

FILE NAME = 21-JUN-2012 08:47  
DATE/TIME  
USER = g33ach





## RARP EM&CP Permitting Summary

April 16, 2018

### Updates since last report:

- Field meeting held with Town of Chili DPW regarding improvements to Coates Road; the Town is requesting clarification regarding the extent of improvements that will be made following construction activities.
- Provided pole design calculations from Valmont (stamped by NY PE) to NYSDEC.
- NYSDOT I-490 Permit received for tree clearing activities at I-490/Rte. 204 (not tracked as a separate permit as this was parsed out of the DOT permit application).
- Bat waiver permit received from the ACOE.

### Upcoming anticipated activities:

- Submit Greenway Crossing Construction Permit bond.
- Proceed with Phase 3 FAA permitting pending the outcome of discussions with the City of Rochester.
- Submit Monroe Co. access road permits for Circ. 40 and modification for Beaman Road crossing.

Date: 4/16/2018

#### RARP Permitting Summary Dashboard - Segments II & III

Total Permits Required	<div><div></div></div>	Circ 40: <div><div></div></div>	Circ 940: <div><div></div></div>	Circ 943: <div><div></div></div>	Circ 906: <div><div></div></div>	Sta. 255: <div><div></div></div>	Sta. 418: <div><div></div></div>
Permits Received to Date	<div><div></div></div>	27/0%					
Permits Pending	<div><div></div></div>						
Permits Under Review	<div><div></div></div>						
Permits Delayed	<div><div></div></div>						
Permits On Hold	<div><div></div></div>						
Easements Outstanding	<div><div></div></div>	Stendero, Seneca, Empire, Bockeye, NYPA, Circ. 40 (3), Circ. 906/940/943 (7)					
Acquisitions Outstanding	<div><div></div></div>	Riverswood Tech, NYSDOT Cazen St., Richard Titus					



## RARP EM&CP Permitting Summary

April 9, 2018

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### Updates since last report:

- Field meeting held with Town of Chili DPW regarding improvements to Coates Road.
- Provided pole design calculations from Valmont (stamped by NY PE) to NYSDEC.
- Payment being made for NYSDOT I-490 Use Permit for tree clearing activities.
- Submitted Monroe Co. access road permits for Circ. 40.

### Upcoming anticipated activities:

- Submit Greenway Crossing Construction Permit bond.
- Proceed with FAA permitting.

Date: 4/9/2018

### RARP Permitting Summary Dashboard - Segments II & III

Total Permits Required	<div><div></div></div>	Circ 40: <div><div></div></div> Circ 940: <div><div></div></div> Circ 941: <div><div></div></div> Circ 906: <div><div></div></div> Sta. 255: <div><div></div></div> Sta. 418: <div><div></div></div>
Permits Received to Date	<div><div></div></div>	27.0%
Permits Pending	<div><div></div></div>	
Permits Under Review	<div><div></div></div>	
Permits Delayed	<div><div></div></div>	
Permits On Hold	<div><div></div></div>	
Easements Outstanding	<div><div>15</div></div>	Standardo, Sunoco, Empire, Buckeye, Millwood Rd., NYPA, Circ-40 (3), CPE, 906/940/941 (7)
Acquisitions Outstanding	<div><div></div></div>	Rosewood Trsch, NYSDOT Cairn St., Richard Titus



## RARP EM&CP Permitting Summary

April 2, 2018

### Updates since last report:

- Field meeting scheduled for April 4<sup>th</sup> with the Town of Chili DPW to investigate improvements to Coates Road (for requested access road use).
- Received insurance certificates from P&CG for NYSDOT permits **which are also required for the OH contractor**, also awaiting pole design calculations from Valmont (stamped by NY PE) as requested by the DOT.
- Re-revised MPTs with detours have been submitted for I-490 and now for I-390 crossings.
- The NYSDOT I-490 Use Permit for tree clearing activities is believed to have been issued last week and sent to Cindy W. (in lieu of delay associated with MPT modifications).
- No hazard determination letters received from the FAA for Phase 2 (Circ. 906) screenings; **lighting will be required for the cranes.**
- Awaiting ACOE feedback regarding Genesee River Crossing Permit renewal.

### Upcoming anticipated activities:

- Submit Greenway Crossing Construction Permit.
- Submit Monroe Co. access road permits for Circ. 40.
- Proceed with FAA permitting

Date: 4/2/2018

### RARP Permitting Summary Dashboard - Segments II & III

Total Permits Required	111	Circ 40:	Circ 940:	Circ 941:	Circ 906:	Sta. 255:	Sta. 418:
Permits Received to Date	30	27.0%					
Permits Pending	10						
Permits Under Review	28						
Permits Delayed	0						
Permits On Hold	43						
Easements Outstanding	15	Stendardo, Sunoro, Empire, Buckeye, Milewood Rd., NYPA, Circ. 40 (3), Circ. 906/940/941 (7)					
Acquisitions Outstanding	3	Riverwood Tech, NYSDOT Carrn St., Richard Titus					





**REGIONAL CONSTRUCTION PERMIT  
#CP2018-01**

<b>Permittee</b>	Rochester Gas and Electric (RG&E) 89 East Avenue Rochester, NY 14649	<b>Region</b>	Genesee
<b>Permittee Contact</b>	Debra A. Wegman SupervisorAvangrid Real Estate Services Telephone: (585) 771-2134 Cell Phone (585) 315-0928 Email: Debra_Wegman@rge.com	<b>Site</b>	Genesee Valley Greenway State Park (Greenway)
<b>Federal EIN</b>	Permittee Federal EIN	<b>State Parks Contact</b>	Kristine Uribe Telephone: (585) 493-3614 Email: kristine.uribe@parks.ny.gov
<b>Fee</b>	\$0.00.	<b>Start Date</b>	2/1/2019
		<b>End Date</b>	8/31/2019

Upon the following terms and conditions, the New York State Office of Parks, Recreation and Historic Preservation ("State Parks") hereby grants Permittee permission to conduct the following construction project at Genesee Valley Greenway State Park (Greenway) as shown on the attached map and construction plans (the "Project"):

RG&E will cross the Greenway during the construction of wires and poles to the west of the Greenway near Coates Road in Chili NY.

This Permit does not convey to Permittee any interest other than permission to complete the construction project in accordance with this Permit. Permittee acknowledges that the Site is public non-residential space and that State Parks grants only a right to use "as is/where is" and without warranty.

**Section 1. Operations**

- (a) Permittee shall conduct its activities only in the locations shown on the attached map and construction plans. Permittee shall control access to the work areas and provide safety fencing around any and all excavations and work areas.
- (b) Permittee must obtain any and all required permits related to the project work and provide copies of such permits to State Parks. State Parks is responsible for enforcing the New York State Uniform Fire Prevention and Building Code at the Site.
- (c) Permittee shall remove and dispose of all waste and refuse generated by its activities under this Permit.

**Section 2. Protection of Park Resources**

- (a) Permittee shall take care to protect any existing utilities and structures. At least forty-eight hours before undertaking any operation that would be considered "excavation" as defined in New York State Industrial Code 53, Permittee shall notify the "One-Call Notification System" to ensure that all public utilities are properly marked out; Permittee shall retain the services of a private mark-out company to work with the Park Manager to identify and mark out utility services owned and operated by State Parks.
- (b) Permittee shall take care to protect all existing trees on the Premises. This obligation notwithstanding, Permittee may seek permission to remove certain trees by contacting the park manager.
- (c) Permittee shall repair, replace, or rebuild any part of the Premises or Park, or any improvements thereon, damaged or destroyed by the actions or omissions of the Permittee, and shall restore disturbed areas of the Premises or of the Park as near to their original condition as reasonably possible by proper grading, topsoiling and seeding. Such restoration shall be subject to State Parks' approval.

**Section 3. Coordination with State Parks**

- (a) Permittee shall coordinate the timing of work with Kristine Uribe and give State Parks forty-eight hours advance notice prior to the start of work.
- (b) Permittee shall comply with all reasonable requests made by State Parks.
- (c) RG&E is the lead agency with respect to the State Environmental Quality Review Act (if applicable).
- (d) Permittee shall submit written confirmation from State Parks' Division for Historic Preservation that its activity will not impact historic resources, including archeological resources, at the Premises and from State Parks' Environmental Management Bureau that its activity at the Premises will not impact natural resources protected under the New York Natural Heritage Program.
- (e) Permittee shall provide State Parks with "as built" drawings upon the completion of work.

**Section 4. Indemnification**

Permittee agrees to defend, indemnify, and hold harmless the State of New York, State Parks, and their officers, employees, and agents from and against any claims, damages, losses, and expenses that may arise from this Permit or from Permittee's use of the Premises.

**Section 5. General Liability Insurance and Proof of Insurance**

- (a) Permittee shall obtain general liability insurance at its own cost and expense from a company licensed to conduct business in the State of New York. Such insurance policy shall name the State of New York, State Parks, and their officers, employees, and agents as an additional insured; have a liability limit of at least \$1,000,000 each occurrence and \$2,000,000 general aggregate; and be endorsed to provide written notice to State Parks at least 30 days prior to cancellation, non-renewal, or material alteration.
- (b) Prior to the start of the term of this Permit, Permittee shall deliver to State Parks an ACORD 25 Certificate of Insurance and ACORD 855 Addendum evidencing the coverage required by this Permit.
- (c) Permittee shall require that all its contractors and sub-contractors meet the insurance coverage requirements set forth in this Section.
- (d) Section 8 notwithstanding, State Parks may terminate this Permit without notice if Permittee fails to comply with the insurance requirements of this Permit.

**Section 6. Workers' Compensation and Disability Benefits Insurance**

Prior to the start of the term of this Permit, Permittee shall provide State Parks with proof of compliance with the workers' compensation and disability benefits coverage requirements of the Workers' Compensation Law in the form requested by State Parks.

**Section 7. Revocation**

If at any time during the term of the Permit, State Parks needs the Premises for any use necessary to the performance of its public purposes, State Parks may terminate this Permit by giving Permittee 10 days' notice in writing, and upon the date fixed in such notice, this Permit and its terms shall come to an end as if said date were the date originally fixed in this Permit for expiration.

**Section 8. Termination**

- (a) In the event Permittee no longer requires the use and occupancy provided for herein, Permittee may terminate this Permit by giving State Parks 10 days' notice in writing by regular mail or email.
- (b) In the event Permittee violates any applicable statute, law, rule, or regulation or does not comply with the terms and conditions of this Permit, State Parks may terminate this Permit by giving Permittee 10 days' notice in writing by regular mail or email of its intention to do so if the violation is not cured.

**Section 9. General Conditions**

- (a) Permittee acknowledges that the Project will become the property of State Parks upon completion unless this Permit expressly provides otherwise.
- (b) State Parks may inspect the Premises at any time.
- (c) State Parks is not required or obligated to make or undertake any repairs, improvements, or maintenance work of any kind.
- (d) Permittee shall comply with all applicable federal, State, and local laws, ordinances, rules, and regulations. If Permittee fails to do so, State Parks may enter the Premises and take whatever steps are necessary to achieve compliance and may bill Permittee for the cost and expense of doing so; Permittee shall pay State Parks any amount billed within 30 days of the billing date.
- (e) Permittee acknowledges that the waiver by State Parks of any term or condition of this Permit is not a waiver of any other term or condition, nor is it a waiver of the subsequent breach thereof.
- (f) Permittee shall not assign or transfer, nor mortgage or pledge, this Permit, nor let or underlet the whole or any part of the Premises. State Parks and Permittee understand that Permittee's contractors and sub-contractors are entitled to access and use the Premises for the purposes described herein.

**Section 10. Special Conditions**

- a. Work shall be coordinated with the State Park Manager, Kristine Uribe, (585) 493-3614.
- b. Care shall be taken to protect all existing utilities and structures. PERMITTEE shall verify the location of, and protect all nearby utilities and underground infrastructure and shall be responsible for repair of damaged utilities or other infrastructure.
- c. Upon completion of the project all disturbed areas shall be restored to a condition equal to or better than that found prior to construction. Restoration shall include but not be limited to removing debris, compacting subbase and subsoil, and restoring the trail surface according to the detail and specifications in Attachment B. Disturbed areas adjacent to the trail shall be top soiled and seeded to the satisfaction of PARKS.
- d. PERFORMANCE BOND: The Permittee shall provide 2 original sets of a Performance Bond for Twenty-thousand Dollars (\$20,000).
- e. COMPACTION REQUIREMENTS: 1. Place backfill in lifts not exceeding 6 inches (loose thickness). 2. Compaction shall conform to the following percentages of the maximum density at optimum moisture content: Areas under the Genesee Valley Greenway State Park trail surface and shoulders shall be 95% of the maximum dry density by ASTM D 698 (Standard Proctor), AASHTO T-99. Areas under turf, sodded, planted, or seeded non-traffic areas 90% of the

maximum dry density by ASTM D 698 (Standard Proctor), AASHTO T-99. D. 3. Tolerance is to be within +/- 20 percent of the optimum moisture content.

f. TRAIL CLOSURE: The trail will remain open to the public during the Permit period but "Stop" signs will be erected at the points of construction crossing that face and signal construction traffic to stop and give the right-of-way to Trail users. The Engineer-in-Charge (EIC), or RG&E designee, will meet with the RARP Contractor and subcontractors in advance of commencing work each day to conduct a "Safety Meeting" that:

- Overviews daily work items for all operations "in the Trail area" and,
- Reviews safe crossing protocols that outline the contractors and subcontractors practices to clearly define the safe practices required to be followed by all parties involved.

g. The PERMITTEE will stockpile five (5) cubic yards of NYSDOT Item 12304.0701 M - Crusher Run Limestone Course as specified in Attachment B. The material will be stockpiled off the trail adjacent to the restored trail surface to be used by Parks as fill for anticipated settling of the trail surface after the following year's winter season.

(End of Special Conditions)

Accepted by:

Permittee Name

By: *Ignacio L. Wacziarg* Date: 10/10/18  
Title: Manager - Program & Projects Regulatory

Issued by:

THE PEOPLE OF THE STATE OF NEW YORK

Acting by and through the Commissioner of Parks, Recreation and Historic Preservation

By: *[Signature]* Date: 10/19/18  
Choose Regional Director

*Premises map, stamped construction plans and any SEQR declaration by an entity other than State Parks must be attached.*



# Application for Permit Under Section 149 of the Highway Law

NOTE - Blank spaces in the following application must be filled in as follows:

- At the blank space indicated by (a) state whether the applicant is a citizen, a firm or a corporation and give the address. If a corporation, state the location of the principal place where office is located.
- At the blank space indicated by (b) describe the nature of the work for which permit is requested.
- At the space indicated by (c) describe the location of the highway where the work is to be performed.

This application is to be attached to the copy of the Permit and to be filed in the Town Clerk's office.

To the Highway Superintendent of the Town of Chili with offices located at 200 Beaver Road in the County of Monroe State of New York.

The undersigned (a) corporation, utility (Rochester Gas & Electric / Avangrid)

hereby makes application to you for permission (b) carry out and complete work as shown on the attached drawings dated May 2018. The project involves the installation of overhead electric transmission lines crossing Town of Chili right-of-way, and the installation of temporary construction entrances associated with the proposed utility work.

within the portion of highway in said town hereinafter described pursuant to the provisions of Section 149 of the Highway Law. The portion of such highway wherein such work is to be performed is described as follows (c) Krenzer Road

Christopher J. Wawerski  
Applicant Signature

5/25/18  
Date

## For Official Use Only

Date Received 5/22/18 Reviewer DL

Requires Town Engineer Review Yes ☐ No ☒ Date Submitted to Engineer —

Recommend Approval X Recommend Denial — Return for Modifications — Date —

Comments Attached X

Permit Review Number 2018-7

## PERMIT ISSUED UNDER SECTION 149 OF THE HIGHWAY LAW

The undersigned, the Town Superintendent of Highways, of the Town of Chili, County of Monroe, upon the written application

of: Rochester Gas & Electric / Avangrid whose address is 89 East Avenue, Rochester NY 14649

this        day of        20        and filed with him, as provided by Section 149 of the Highway Law hereby grants permission to said applicant to: Carry out and complete work as shown on the attached drawings dated May 2018.

on the highway described as follows: Krenzer Road

This permit is granted subject to the following conditions:

1. The work authorized by this permit shall be performed in a manner satisfactory to the Town Superintendent.
2. The applicant is to keep in good repair all pipes, hydrants or appurtenances which may be placed within the bounds of the highway under terms of this permit and is to save the town harmless from all damages which may accrue by reason of their location in the highway, and upon notice by the Town Superintendent, applicant agrees to make any repairs required for the protection and preservation of the highway; and further agrees that upon the failure of the applicant to make such repairs that such repairs may be made by the Town Superintendent at the expense of the applicant and such expenses shall be prior lien upon the land benefited by the use of the highway for such pipes, hydrants and appurtenances.
3. If the drainage, sewer, water pipes or appurtenances which are laid under this permit are placed in a town road, they shall be so placed as not to interrupt or interfere with public travel upon the highway and the earth removed must be replaced, and the highway left in all respects in as good condition as before the work performed.
4. If the work performed is on a road which has been improved by State aid, such drainage, sewer or water pipes must be placed at least four (4) feet below grade and in such a manner as in no way to interfere with macadam, shoulders or drainage ditches of the highway and that portion of the trench which passes under the macadam shall be left in as good a condition as before the work was performed and to the satisfaction of the Town Superintendent. Care must be taken not to interfere with drainage ditches or structures.
5. It is agreed by the applicant that any injury or disturbances of the macadam portion of the highway, its shoulders or drainage ditches which may occur hereafter by reason of the laying of said drainage, sewer or water pipes and their appurtenances shall be repaired by and at the expense of the applicant to the satisfaction of the Town Superintendent.
6. The said Town Superintendent may, upon the failure of the applicant to comply with any of the conditions and terms herein upon which it is granted, revoke this permit and remove any pipes, or hydrants, or other appurtenances which may have been placed in the highway under this permit.
7. If the road upon which this permit is issued is at any time of issuance, a town highway and should it be thereafter improved by State aid as a State or county highway, it is agreed that the applicant shall, before its improvement at the applicant's own expense remove drainage, sewer pipes, water pipes or appurtenances which may be placed under this permit and will relay the same in conformity with the directions of the engineer in charge of such improvement and in accordance with the rules and regulations prescribed by the State Commission of Highways.
8. All pipes and/or mains crossing highway pavements shall, wherever possible, be driven beneath the roadway without disturbance to the pavement. The point of driving shall not be less than ten (10) feet from the edge of paved surface unless approved by the Town Highway Superintendent. Such crossover pipes shall, whenever possible, be enclosed in sleeves or larger pipes so that repairs or replacements may be made in the future without any further disturbance of the roadway pavement. Minimum depth of cover of all pipe shall be 36 inches.
9. Approvals of open cuts will be determined by the Town of Chili Open Cut Policy. Backfill of open cuts shall conform to Town of Chili Trench and Pavement Restoration Detail for Road Cuts.
10. During the performance of all work under this permit, great care shall be exercised to prevent any damage to property within and adjacent to the Town of Chili right-of-way.
11. This permit shall not be transferred.
12. If any work authorized by this permit is not performed to the satisfaction of the Town Superintendent of Highways, is not fully completed or is otherwise defective, the said applicant hereby agrees that the Town Superintendent of Highways may satisfactorily complete said work or correct any defect therein after the discovery of such unsatisfactory or defective work. The cost or expense thereof shall be paid by said applicant immediately upon receipt of a statement of such cost or expense from the Town Superintendent of Highways.
13. The said applicant hereby agrees to hold the Town harmless on account of damages of any kind which may arise or occur as a result of the work authorized by this permit, either during the progress of same or within a period of five years from the date of such completion, and to defend at said applicant's own expense any and all actions instituted against the Town to recover for such damages.



## SPECIAL CONDITIONS CHECKLIST FOR 149 PERMIT

Permit #: 20187

- 1 ☒ All work must be done in accordance with approved permit and plans.
- 2 ☒ All disturbed areas within the right-of-way are to be restored to their original condition.
- 3 ☐ The work authorized by this permit shall be performed under the supervision of the Town Superintendent of Highways or his/her representative.
- 4 ☐ A security deposit of \_\_\_\_\_ is required for \_\_\_\_\_.
- 5 ☐ Comply with attached details:
 

a <input type="checkbox"/> Driveway Installation with curb/gutter c <input type="checkbox"/> Driveway Standards e <input type="checkbox"/> Drop Inlets g <input type="checkbox"/> Asphalt Shoulder Replacement i <input type="checkbox"/> Temporary Access	b <input type="checkbox"/> Frame & Grate Anchors d <input type="checkbox"/> Pavement Restoration f <input type="checkbox"/> Ditch Enclosure h <input type="checkbox"/> See Plan j <input type="checkbox"/> Restoration Detail
--	---
- 7 ☐ Install \_\_\_\_\_ inch perforated CMP or PE culvert with end sections; culvert must extend 10' beyond edge of driveway.
- 8 ☐ A sag vertical curve is required in the driveway.
- 9 ☐ Maintain existing drainage away from the roadway.
- 10 ☒ The highway must be kept clean of mud, dirt and other debris at all times.
- 11 ☐ A minimum of 3" of compacted temporary pavement must be placed in all approved road cuts until permanent pavement can be installed. The temporary pavement must be maintained by the permittee until permanent pavement is placed.
- 12 ☐ The proposed culvert invert elevations shall be on a grade line that is between the upstream and downstream adjacent property culverts and/or cross culvert invert elevations.
- 13 ☐ Two way traffic shall be maintained by the permittee on this section of the highway while the work is in progress and until its final completion. All maintenance and protection of traffic shall be performed as directed by the most current version of the N.Y.S. Manual of Uniform Traffic Control Devices.
- 14 ☒ The permittee must notify the Highway Department at (585) 889-2630, prompt # 2 at least 48 hours prior to performing any work within the Town right-of-way.
- 15 ☒ Other Prior to starting work furnish Cert. of Liability as per the ATTACHED & sign & return INDEM. Agreement.
- 16 ☐ Prior to beginning any work within the Town right-of-way, the permittee or their representative must schedule a meeting with a representatives of the Town Highway Department to develop and implement a maintenance and protection of traffic plan (a maintenance and protection sketch or plan may be required upon request) and/or to review the aspects of the project. Please call \_\_\_\_\_ to schedule the meeting.
- 17 ☐ A letter of notification of the start of construction must be sent to all effected residents at least two (2) weeks in advance of the start of construction. The Town Superintendent of Highways must be sent a copy of this letter.
- 18 ☐ All sites should be seeded and stabilized with erosion control materials, such as straw, mulch, jute mesh, or excelsior within 15 days of final grading. If construction has been suspended, or sections completed, areas should be seeded immediately and stabilized with erosion control materials. Maintenance should be performed as necessary to ensure continued stabilization.
- 19 ☐ An as-built record drawing will be required.
- 20 ☐ All materials installed in the Town right-of-way shall be in accordance with the current Town of Chili Standard Specifications and Details in effect when installed.
- 21 ☐ Applicant will correct broken gutters and/or concrete sidewalk caused as a result of their work performed.
- 22 ☐ The Driveway Culvert & Piping Certification form must be returned to Town of Chili Highway before the permit can be closed out and any security deposit released.



14. It is understood that should future changes in the highway construction or use should make necessary changes in the proposed work covered by this application and permit, the applicant shall on reasonable notice from the Town Superintendent make such necessary changes at his own expense within the time so specified in notice.
15. Care must be taken not to interfere with drainage ditches or structures.
16. When permitted, the installation of utilities must be made outside of the ditch line and as near to the highway right-of-way line as possible or as designated in writing by the Town Superintendent of Highways.
17. Equipment with chains, steel tracks, armored tires, lugs, etc. will not be permitted on the pavement area.
18. The person in charge of the work covered by this permit shall have the permit and the approved plans and sketches in his/her possession on the job at all times.
19. The permittee must notify Dig Safely New York, the Underground Facilities Protective Organization (U.F.P.O.) at 1-800-962-7962 and any affected agencies not covered by U.F.P.O. at least 48 hours before the start of any work.
20. It is required that the owner (utility company, town, village, sewer district, water district, developer, home owner) of the facility to be installed within the right-of-way of the town highway must sign the permit as the applicant. Contractors will not be allowed to sign the permit as applicant except as permitted by the Town Superintendent of Highways.
21. This permit is valid for a one year period from the date of issuance. The applicant may request additional time by reapplying at the end of the one year term.
22. See attached list of SPECIAL CONDITIONS FOR 149 PERMIT.

I hereby agree to conform to the conditions contained in the foregoing permit and any attached SPECIAL CONDITIONS.

Dated this 25 John Z Wawel Applicant

Day of May 2018

Dated this 25 [Signature] Highway Superintendent

Day of May 2018

Permit No. 2018-7

Expires On: 5/30/2019

## INSURANCE REQUIREMENT

The provider of service/vendor/contractor indicated under this agreement, RGE, will, at its own expense, procure and maintain an insurance policy or policies during the term of this agreement. Such policy or policies will insure for injuries or losses to persons or property that are alleged to have arisen in connection with activities of RGE, its officers, directors, employees, volunteers and agents with the following coverage forms, limits and policy endorsements:

- I. General Liability Insurance with a limit for Bodily Injury, Personal Injury and Property Damage of no less than; \$1,000,000 per occurrence, \$2,000,000 general aggregate, providing coverage for its use and occupancy of premises, its operations and its products or completed operations. The policy shall be endorsed to:
  1. Name as an Additional Insured:  
The Town of Chili  
and its Officers, Employees, Volunteers and Agents  
3333 Chili Avenue  
Rochester, NY 14624
  2. Provide that the policy is primary insurance to any other insurance available to the additional insureds with respect to claims arising out of this agreement and that the insurance applies separately to each insured against whom claim is made or suit is brought.
- II. Automobile liability insurance coverage in an amount of \$1,000,000 combined single for bodily injury and property damage and including coverage for owned, non-owned, hired or borrowed autos.
- III. Worker's Compensation (per New York Workers' Compensation law) and Employers Liability coverage: Coverage A at statutory limits and coverage B at limits of \$100,000/500,000/100,000.
- IV. Commercial Umbrella/Excess Liability  
Umbrella/excess liability limits of not less than \$1,000,000.
- V. Provide that The Town of Chili shall be given 30 days advance written notice of the cancellation, non-renewal or reduction in coverage. 10 days for non-payment is acceptable.

A signed and certified Certificate of Insurance evidencing all coverages and endorsements set forth above shall be furnished to The Town of Chili no later than 10 days prior to the usage of the property or commencement of work or services described as indicated in the agreement.

A certified copy of the above-described policy and/or endorsements shall be furnished if requested.

In addition: Indemnification and Contribution Agreement

To the fullest extent permitted by law, Contractor, \_\_\_\_\_, shall indemnify, hold harmless and defend, Town of Chili, against any and all losses, claims, actions, demands, damages, liabilities, or expenses, including but not limited to attorney's fees and all other costs of defense, by reason of the liability imposed by law or otherwise upon, Town of Chili, for damages because of bodily injuries, including death, at any time resulting therefrom, sustained by any person or persons, including Contractor's employees, or on account of damages to property, including loss of use thereof, arising directly or indirectly from the performance of Contractor's work or from any of the acts or omissions on the part of Contractor, its employees, agents, representatives, materialmen, suppliers, and/or subcontractors.

If such indemnity is made void or otherwise impaired by any law controlling the construction thereof, such indemnity shall be deemed to conform to the indemnity permitted by law, so as to require indemnification, in whole or in part, to the fullest extent permitted by law.

Contractor, \_\_\_\_\_, shall strictly observe and comply with all safety laws, rules, and regulations (including but not limited to the Federal Occupational Safety and Health Act, the New York Labor Law, and all regulations promulgated pursuant to such law(s) and to provide such protection as necessary to protect its workers and the workers of other contractors. In the event that additional safety measurers are required, Contractor agrees that it will install or procures such additional safety measures at its sole expense. To the fullest extent permitted by law, Contractor shall hold harmless, indemnify and defend, Town of Chili, against all losses, claims, fines, or expenses, including but not limited to attorney's fees, resulting from the enforcement of these laws and for related acts of its officers, employees, subcontractors, suppliers, and materialmen.

The indemnity provided by requirements contained herein shall be in addition to and not limitation upon any rights or common law indemnity.

By: \_\_\_\_\_

David P. Lindsay, P.E., Town of Chili  
Commissioner of Public Works/Superintendent of Highways

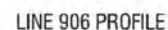
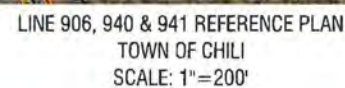
Date

5/31/18

By: \_\_\_\_\_

Date







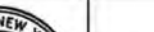


1 THE EXISTING OVERHEAD CAT CABLES ADJACENT TO KENNER ROAD WILL REMAIN IN PLACE;  
2 STRUCTURE 95S 78-21 AND EXISTING STRUCTURE 196-79 WILL BE RELOCATED BY CONTRACTOR  
3 PRIOR TO CONSTRUCTION.  
4 INSTALL 2" DIA. CONDUIT WITH #2 COPPER CONDUITFITS 2' BELOW GRADE, VIA DIRECTIONAL DRILL BETWEEN STA. 95S 78-15 AND 95S 78-21  
5 AND BETWEEN STRUCTURE 196-79 AND 95S 78-21.  
6 SET SHEETS R5525S-1-10TH-3-20TH, R5525S-1-410TH-5-20TH AND R5525S-1-410TH-3-225TH (IF USED). ABBREVIATIONS AND COMPONENTS  
7 A PROVIDE NOTES.  
8 PROVIDE CONSTRUCTION OPERATIONS IN THIS LOCATION CONTACT BUCKLEY PIPELINE & ATMOSPHERE PIPELINE - NATIONAL FUEL FOR ALIGNMENT  
9 INFORMATION.  
10 THE HORIZONTAL CONTROL IS EXPRESSED IN FEET AND IN U.S. COORDINATES BASED ON THE STATE PLANE COORDINATE SYSTEM  
11 NORTH AMERICAN DATUM 83 NEW YORK - MEAD (NAD 83 - NYM). ALL VERTICAL INFORMATION IS EXPRESSED IN FEET AND IS BASED ON THE  
12 NORTH AMERICAN VERTICAL DATUM 83.  
13 A PORTION OF THE EXISTING CROUCH 95S WILL BE RELOCATED FROM THE WEST SIDE TO THE EAST SIDE OF THE ROCHESTER A SOUTHWARD  
14 TRAVELING EXISTING WOOD STRUCTURES WILL BE CUT AND THE NYM WILL BE REMOVED. BOTH WILL BE TRANSPORTED FROM THE RIGHT TO  
15 THE ADJACENT ROADWAY AND RELOCATED TO THE ADJACENT ROADWAY. THE WOOD REMOVED WILL BE CUT UP AND TRANSPORTED TO AN  
16 MANAGED PILE AND TRANSPORTED TO AN APPROVED RECYCLING FACILITY.



1. FLAGGING OPERATIONS ARE TO BE IMPLEMENTED DURING THE FOLLOWING ACTIVITIES:
  - INSTALLATION OF OVERHEAD ELECTRIC TRANSMISSION LINE
  - INSTALLATION AND REMOVAL / RESTORATION OF CONSTRUCTION ENTRANCES
2. TWO-WAY TRAFFIC SHALL BE MAINTAINED WHEN WORK IS NOT TAKING PLACE.
3. ACCESS TO EXISTING DRIVENWAYS SHALL BE MAINTAINED AT ALL TIMES.
4. SPEED LIMIT ON KRENZER ROAD IS 30 MPH.
5. REFER TO DWG. R1500-1-0013-MY-JEPL-31100 FOR ADDITIONAL NOTES AND DETAILS.



1. TRAFFIC CONTROL MEASURES FOR TRUCK ENTRANCES ARE TO BE IN PLACE WHENEVER CONSTRUCTION VEHICLES ARE USING THE ACCESS ROADS. SIGNS SHALL NOT BE VISIBLE TO DRIVERS WHEN THE ACCESS ROADS ARE NOT BEING USED.
2. SIGN LOCATIONS SHALL BE DETERMINED IN THE FIELD IN ORDER TO PROVIDE THE MAXIMUM SIGHT DISTANCE FOR DRIVERS.
3. SIGNS SHALL HAVE A BLACK LEGEND AND BORDER ON AN ORANGE BACKGROUND.
4. SPEED LIMIT ON KRENZER RD IS 30 MPH.
5. REFER TO DWG. R1500-1-0013-WV-JEPCL-31100 FOR ADDITIONAL NOTES AND DETAILS.

REV.	DESCRIPTION	DATE	BY	CK	APP	OWNER/ENGINEER	APPROVAL/STAMP	FILE NUMBER	PROJECT NAME	SEGMENT III ROCHESTER AREA RELIABILITY PROJECT 115kV LINE 906 PLAN & PROFILE
						  <small>1100 South Street, Suite 200 Rochester, NY 14604 716.243.8100</small>				
						 <small>1100 South Street, Suite 200 Rochester, NY 14604 716.243.8100</small>	ACCEPTED BY OR			LINE 906, 940, 941, AND 40 SCALE: AS SHOWN   FILE: RS0255-1-01OH-D-3363.dwg DR: TM CK: WD APP: NO DATE: 06/27/2018 RS0255-1-01OH-D-3363
0-0A	ISSUE FOR REVIEW	5/7/18	TM	WD	WD					REV: 0-1





**REGIONAL CONSTRUCTION PERMIT  
#CP2018-01**

<b>Permittee</b>	Rochester Gas and Electric (RG&E) 89 East Avenue Rochester, NY 14649	<b>Region</b>	Genesee
<b>Permittee Contact</b>	Debra A. Wegman SupervisorAvangrid Real Estate Services Telephone: (585) 771-2134 Cell Phone (585) 315-0928 Email: Debra_Wegman@rge.com	<b>Site</b>	Genesee Valley Greenway State Park (Greenway)
<b>Federal EIN</b>	Permittee Federal EIN	<b>State Parks Contact</b>	Kristine Uribe Telephone: (585) 493-3614 Email: kristine.uribe@parks.ny.gov
<b>Fee</b>	\$0.00.	<b>Start Date</b>	7/1/2018
		<b>End Date</b>	12/31/2018

Upon the following terms and conditions, the New York State Office of Parks, Recreation and Historic Preservation ("State Parks") hereby grants Permittee permission to conduct the following construction project at Genesee Valley Greenway State Park (Greenway) as shown on the attached map and construction plans (the "Project"):

RG&E will cross the Greenway during the construction of wires and poles to the west of the Greenway near Coates Road in Chili NY.

This Permit does not convey to Permittee any interest other than permission to complete the construction project in accordance with this Permit. Permittee acknowledges that the Site is public non-residential space and that State Parks grants only a right to use "as is/where is" and without warranty.

**Section 1. Operations**

- (a) Permittee shall conduct its activities only in the locations shown on the attached map and construction plans. Permittee shall control access to the work areas and provide safety fencing around any and all excavations and work areas.
- (b) Permittee must obtain any and all required permits related to the project work and provide copies of such permits to State Parks. State Parks is responsible for enforcing the New York State Uniform Fire Prevention and Building Code at the Site.
- (c) Permittee shall remove and dispose of all waste and refuse generated by its activities under this Permit.

**Section 2. Protection of Park Resources**

- (a) Permittee shall take care to protect any existing utilities and structures. At least forty-eight hours before undertaking any operation that would be considered "excavation" as defined in New York State Industrial Code 53, Permittee shall notify the "One-Call Notification System" to ensure that all public utilities are properly marked out; Permittee shall retain the services of a private mark-out company to work with the Park Manager to identify and mark out utility services owned and operated by State Parks.
- (b) Permittee shall take care to protect all existing trees on the Premises. This obligation notwithstanding, Permittee may seek permission to remove certain trees by contacting the park manager.
- (c) Permittee shall repair, replace, or rebuild any part of the Premises or Park, or any improvements thereon, damaged or destroyed by the actions or omissions of the Permittee, and shall restore disturbed areas of the Premises or of the Park as near to their original condition as reasonably possible by proper grading, topsoiling and seeding. Such restoration shall be subject to State Parks' approval.

**Section 3. Coordination with State Parks**

- (a) Permittee shall coordinate the timing of work with Kristine Uribe and give State Parks forty-eight hours advance notice prior to the start of work.
- (b) Permittee shall comply with all reasonable requests made by State Parks.
- (c) RG&E is the lead agency with respect to the State Environmental Quality Review Act (if applicable).
- (d) Permittee shall submit written confirmation from State Parks' Division for Historic Preservation that its activity will not impact historic resources, including archeological resources, at the Premises and from State Parks' Environmental Management Bureau that its activity at the Premises will not impact natural resources protected under the New York Natural Heritage Program.
- (e) Permittee shall provide State Parks with "as built" drawings upon the completion of work.

#### **Section 4. Indemnification**

Permittee agrees to defend, indemnify, and hold harmless the State of New York, State Parks, and their officers, employees, and agents from and against any claims, damages, losses, and expenses that may arise from this Permit or from Permittee's use of the Premises.

#### **Section 5. General Liability Insurance and Proof of Insurance**

- (a) Permittee shall obtain general liability insurance at its own cost and expense from a company licensed to conduct business in the State of New York. Such insurance policy shall name the State of New York, State Parks, and their officers, employees, and agents as an additional insured; have a liability limit of at least \$1,000,000 each occurrence and \$2,000,000 general aggregate; and be endorsed to provide written notice to State Parks at least 30 days prior to cancellation, non-renewal, or material alteration.
- (b) Prior to the start of the term of this Permit, Permittee shall deliver to State Parks an ACORD 25 Certificate of Insurance and ACORD 855 Addendum evidencing the coverage required by this Permit.
- (c) Permittee shall require that all its contractors and sub-contractors meet the insurance coverage requirements set forth in this Section.
- (d) Section 8 notwithstanding, State Parks may terminate this Permit without notice if Permittee fails to comply with the insurance requirements of this Permit.

#### **Section 6. Workers' Compensation and Disability Benefits Insurance**

Prior to the start of the term of this Permit, Permittee shall provide State Parks with proof of compliance with the workers' compensation and disability benefits coverage requirements of the Workers' Compensation Law in the form requested by State Parks.

#### **Section 7. Revocation**

If at any time during the term of the Permit, State Parks needs the Premises for any use necessary to the performance of its public purposes, State Parks may terminate this Permit by giving Permittee 10 days' notice in writing, and upon the date fixed in such notice, this Permit and its terms shall come to an end as if said date were the date originally fixed in this Permit for expiration.

#### **Section 8. Termination**

- (a) In the event Permittee no longer requires the use and occupancy provided for herein, Permittee may terminate this Permit by giving State Parks 10 days' notice in writing by regular mail or email.
- (b) In the event Permittee violates any applicable statute, law, rule, or regulation or does not comply with the terms and conditions of this Permit, State Parks may terminate this Permit by giving Permittee 10 days' notice in writing by regular mail or email of its intention to do so if the violation is not cured.

#### **Section 9. General Conditions**

- (a) Permittee acknowledges that the Project will become the property of State Parks upon completion unless this Permit expressly provides otherwise.
- (b) State Parks may inspect the Premises at any time.
- (c) State Parks is not required or obligated to make or undertake any repairs, improvements, or maintenance work of any kind.
- (d) Permittee shall comply with all applicable federal, State, and local laws, ordinances, rules, and regulations. If Permittee fails to do so, State Parks may enter the Premises and take whatever steps are necessary to achieve compliance and may bill Permittee for the cost and expense of doing so; Permittee shall pay State Parks any amount billed within 30 days of the billing date.
- (e) Permittee acknowledges that the waiver by State Parks of any term or condition of this Permit is not a waiver of any other term or condition, nor is it a waiver of the subsequent breach thereof.
- (f) Permittee shall not assign or transfer, nor mortgage or pledge, this Permit, nor let or underlet the whole or any part of the Premises. State Parks and Permittee understand that Permittee's contractors and sub-contractors are entitled to access and use the Premises for the purposes described herein.

#### **Section 10. Special Conditions**

- a. Work shall be coordinated with the State Park Manager, Kristine Uribe, (585) 493-3614.
- b. Care shall be taken to protect all existing utilities and structures. PERMITTEE shall verify the location of, and protect all nearby utilities and underground infrastructure and shall be responsible for repair of damaged utilities or other infrastructure.
- c. Upon completion of the project all disturbed areas shall be restored to a condition equal to or better than that found prior to construction. Restoration shall include but not be limited to removing debris, compacting subbase and subsoil, and restoring the trail surface according to the detail and specifications in Attachment B. Disturbed areas adjacent to the trail shall be top soiled and seeded to the satisfaction of PARKS.
- d. PERFORMANCE BOND: The Permittee shall provide 2 original sets of a Performance Bond for Twenty-thousand Dollars (\$20,000).
- e. COMPACTION REQUIREMENTS: 1. Place backfill in lifts not exceeding 6 inches (loose thickness). 2. Compaction shall conform to the following percentages of the maximum density at optimum moisture content: Areas under the Genesee Valley Greenway State Park trail surface and shoulders shall be 95% of the maximum dry density by ASTM D 698 (Standard Proctor), AASHTO T-99. Areas under turf, sodded, planted, or seeded non-traffic areas 90% of the

maximum dry density by ASTM D 698 (Standard Proctor), AASHTO T-99. D. 3. Tolerance is to be within +/- 20 percent of the optimum moisture content.

f. TRAIL CLOSURE: Trail closed signs will be posted by PERMITTEE at each end of closure as described in "h." below. The trail closure shall be limited to the actual construction period such that work is substantially complete within 21 days after construction commences and the trail is then reopened.

g. The PERMITTEE will stockpile five (5) cubic yards of NYSDOT Item 12304.0701 M - Crusher Run Limestone Course as specified in Attachment B. The material will be stockpiled off the trail adjacent to the restored trail surface to be used by Parks as fill for anticipated settling of the trail surface after the following year's winter season.

h. TEMPORARY FENCE FOR TRAIL CLOSING AND TRENCH ENCLOSURE BY PERMITTEE: Set posts 2 feet into the ground with top of fence posts and fabric at a minimum of 4 feet above existing grade, and not more than 10 feet apart. Install so that bottom of fence is not more than 2 inches above existing grade. Pull fabric taut and wire tightly to posts at not more than 2 feet on center. Provide temporary fence:

1. In front of the Genesee Valley Trail gates at 1) north side of Morgan Road in the Town of Chili, and 2) south side of Brook Road in the Town of Chili. Each fence shall extend to extreme edges of trail to demonstrate the intent to exclude the public from accessing the trail.

2. Around all excavations.

(End of Special Conditions)

Accepted by:

Permittee Name

By: Cynthia L. Wamaly Date: 5/23/2018  
Title: Manager - Program and Projects, Regulatory

Issued by:

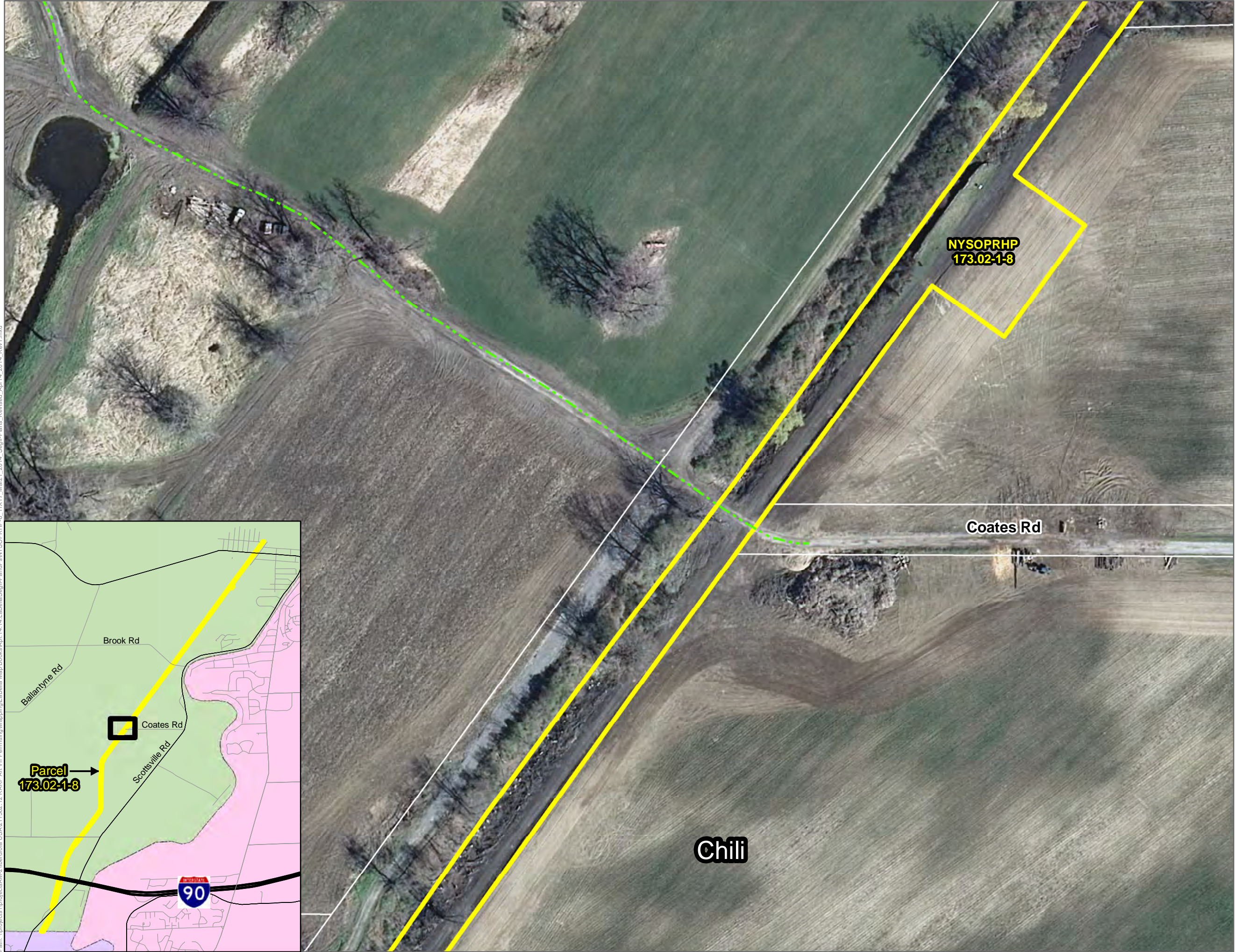
THE PEOPLE OF THE STATE OF NEW YORK

Acting by and through the Commissioner of Parks, Recreation and Historic Preservation

By: Richard E. Parker Date: 6-7-18  
Choose Regional Director

*Premises map, stamped construction plans and any SEQR declaration by an entity other than State Parks must be attached.*

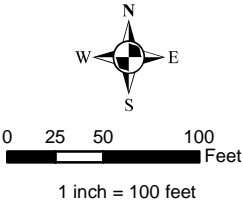




# ROCHESTER AREA RELIABILITY PROJECT

OFF-ROW SKETCH  
SEGMENT II EM&CP

New York State Office of Parks,  
Recreation & Historic Preservation  
0 Scottsville Road, Chili  
Parcel: 173.02-1-8



- Parcel 173.02-1-8
- Approx. Other Parcel Boundaries (White)
- 11X17 Map Extent
- Proposed Temporary Project Components:**
- Off-ROW Access Road

## ATTACHMENT A

Rochester Gas and Electric Corporation





## ATTACHMENT B

## **ITEM 12304.0701 M - CRUSHER RUN LIMESTONE COURSE**

### **DESCRIPTION**

The work shall consist of furnishing, placing and compacting crusher run limestone in conformity with the lines, grades, thicknesses and typical sections shown on the Plans, or as determined by field conditions and ordered in writing by the Engineer.

### **MATERIALS**

**Test and Control Methods.** The Department will perform materials tests and quality control methods pertaining to the work of this section in conformance with the procedures contained in the appropriate Departmental publications which are current on the date of advertisement for bids. These publications are available upon request to the Regional Director or the Director, Geotechnical Engineering Bureau.

**Material Requirements.** Material shall consist of crusher run limestone. All materials furnished shall be well graded and free from unsuitable materials. All processing shall be completed at the source.

#### **A. Gradation**

<u>Sieve Size Designation</u>	<u>Percent Passing by Weight</u>
12.5 mm	100
6.3 mm	80-100
2.0 mm	55-75
0.425 mm	10-40
0.075 mm	0-20

**B. Soundness.** Material will be accepted on the basis of a Magnesium Sulfate Soundness Loss after 4 cycles of 20 percent or less.

**C. Plasticity Index.** The Plasticity Index of the material passing the 0.425 mm mesh sieve shall not exceed 5.0.

**D. Elongated Particles.** Not more than 30 percent, by weight, of the particles on a 12.5 mm sieve shall consist of flat or elongated particles. A flat or elongated particle is defined herein as one which has its greatest dimension more than 3 times its least dimension. Acceptance for this requirement will normally be based on a visual inspection by the Engineer. When the State elects to test for this requirement, material with a percentage greater than 30 will be rejected.

**E. Stockpiling.** All material shall be stockpiled. No more than one project shall be supplied from a stockpile if the material is measured in the pile.

### **CONSTRUCTION DETAILS**

The crusher run limestone course shall be placed to grade with a paver. The Engineer may waive this requirement, in writing, for locations where it is deemed not practical. In these situations, trucks shall be carefully unloaded on the grade at locations which minimize the distance the

## **ITEM 12304.0701 M - CRUSHER RUN LIMESTONE COURSE**

material must be moved. Uncontrolled spreading from piles dumped on grade will not be permitted.

Material shall be compacted in accordance with the requirements of §203-3.12, Compaction. Compaction of this course shall not lag spreading operations by more than 150 linear meters.

Should the subbase become mixed with the crusher run limestone course or any other material, the Contractor shall, at his expense, remove such mixture and replace it with approved materials.

The Contractor shall assume full responsibility for any contamination and degradation of any part of this course during construction and shall, at no cost to the State, remove any and all portions of this course which does not conform to the requirements of this specification and replace these portions with approved material.

After completion, the final surface of the course shall not extend more than 6 mm above nor more than 6 mm below true grade for the course at any location.

### **METHOD OF MEASUREMENT**

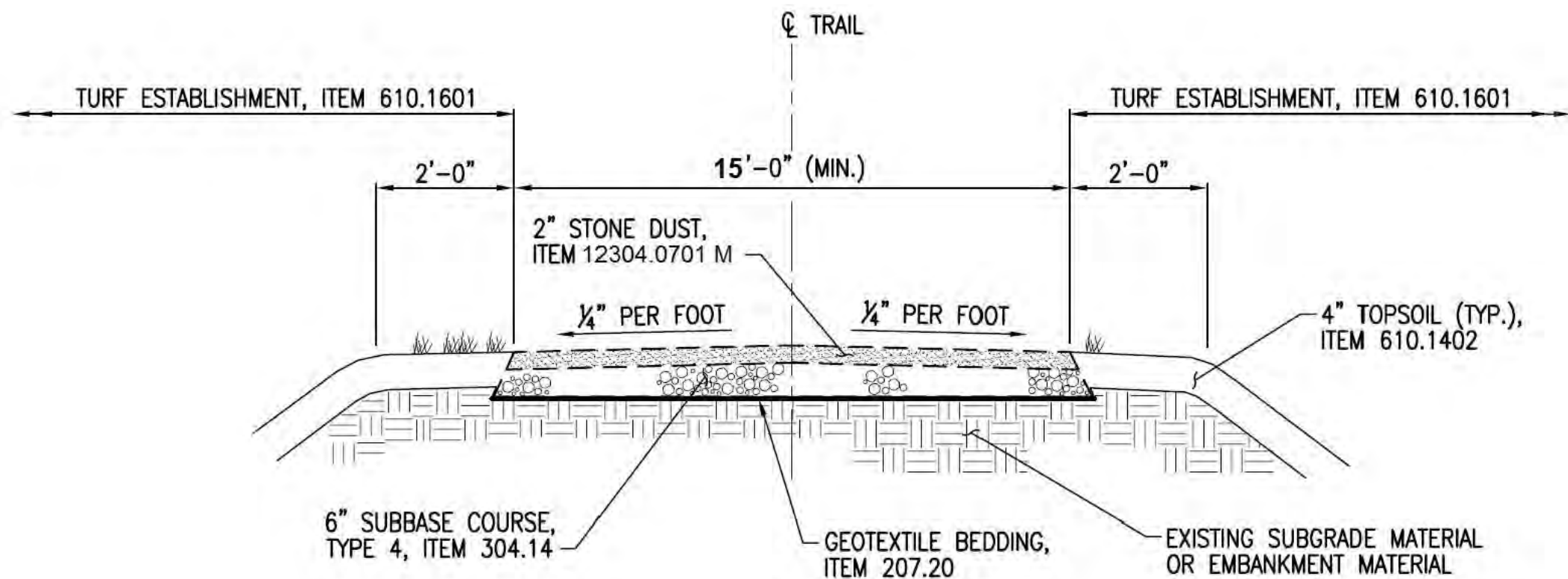
The quantity to be paid for under this item will be the number of cubic meters of material, computed from payment lines shown on the Plans, or as ordered by the Engineer.

### **BASIS OF PAYMENT**

The unit price bid for this work shall include the cost of furnishing all labor, material and equipment necessary to complete the work. The cost of adding water shall be included in the price bid unless the item for applying water is included in the Contract. No direct payment will be made for losses of material resulting from erosion or any other cause. The cost of such losses shall be included in the price bid for this item. No deductions shall be made for the volumes occupied by manholes, catch basins and other such objects.

Progress payments will be made after the crusher run limestone course has been properly placed and compacted. Payment will be made at the unit price bid for seventy-five (75%) of the quantity. The balance will be paid for after the final surface is accepted.





## TRAIL DETAIL

NO SCALE

PERM 42 (09/09)

State of New York  
Department of Transportation

Highway Work Permit

Permit No.: 20180471682

Date Issued: 07/30/2018

Project ID No.:

Expiration Date: 07/30/2019



Received By  
LaBella Associates, P.C.

AUG 01 2018

Client: \_\_\_\_\_  
Proj.#: \_\_\_\_\_

**\*Permittee 1:**

ROCHESTER GAS AND ELECTRIC/ AVANGRID

89 EAST AVENUE

ROCHESTER, NY 14649

Emergency Contact:

Emergency Number:

BETULIO  
NAVA

224-383-8321

ROAD

**\*Permittee 2:**

NOTHNAGLE DRILLING INC

1821 SCOTTSVILLE-MUMFORD

SCOTTSVILLE, NY 14546

Emergency Contact:

STEVE D

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

SR 204 RARP GEOTECHNICAL BORING IN SOUTHERN ROW OF RTE 204 RAMP FROM I-490 EB. NO TEMPORARY ENTRANCES ARE AUTHORIZED ON THIS PERMIT. \*\*\*ONLY EMPLOYEES OF RG&E AND NOTHNAGLE DRILLING ARE AUTHORIZED TO WORK WITHIN THE STATE RIGHT OF WAY UNDER THIS PERMIT. ALL INSURANCES MUST REMAIN IN FORCE UNTIL PERMIT EXPIRATION TO AVOID INVALIDATION OF THE PERMIT.\*\*\* WZTC DETAILS ARE ATTACHED. TEMPORARY SHOULDER CLOSURES ON RTE 204 ARE PROHIBITED FROM 7AM-8AM AND 4PM-6PM. SEE MAJOR HOLIDAY RESTRICTIONS. \*\*\* PERMITTEE SHALL CONTACT THE ASSISTANT RESIDENT ENGINEER AT LEAST 3 BUSINESS DAYS PRIOR TO THE START OF WORK WITHIN THE STATE RIGHT OF WAY. ALL RESTORATION IS TO THE SATISFACTION OF THE RESIDENT ENGINEER.\*\*\*

THE PERMITTEE IS RESPONSIBLE FOR TEMPORARY TRAFFIC CONTROL IN ACCORDANCE WITH THE NATIONAL MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE NYS SUPPLEMENT. ANYONE WORKING WITHIN THE HIGHWAY RIGHT-OF-WAY SHALL WEAR HIGH-VISIBILITY APPAREL MEETING THE ANSI 107-2004 CLASS II STANDARDS AND A HARD HAT.

County	Municipality	State Hwy	State Route	Beg Ref	End Ref
MONROE	GATES	61-15	204	204 43011003	204 43011004

as set forth and represented in the attached application at the particular location or areas, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit. See additional conditions on PAGE 2.

THIS PERMIT IS ISSUED BASED ON ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS BEING SATISFIED.

Dated at: Rochester Date Signed: 07/30/2018 Commissioner of Transportation By: Paul J. Spitzer

**IMPORTANT:**

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED, SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

**BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY:**

Darrell Fazio, Assistant Resident Engineer 585-352-3471

"UPON COMPLETION OF WORK", SECOND TO LAST PAGE, MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.

The issuing authority reserves the right to suspend or revoke this permit at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

**\* Upon completion of the work within the state highway right-of-way authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his/her or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.**

Permit Fee : \$32.00

Insurance Fee:

Total Fees: \$32.00

Amt Rec'd 1: \$32.00 Check Num: 120799 Check Date: 27-JUL-18

UOF: App 1: UOF App 2: No

**Attachments and additional requirements to this Highway Work Permit include:**

PERM 32 - Highway Work Permit Application for Utility Work

PERM 41-1d - Method of Performing Work within the State Right of Way

Other - Attach 1 WZTC DETAILS, NOTES, MAJOR HOLIDAY RESTRICTIONS

Other - Attach 2 STANDARD NOTES, RESTORATION DETAILS

**END OF ATTACHMENTS**

**State of New York  
Department of Transportation**

**Highway Work Permit**



**Permit No.:** 20180471682

**Date Issued:** 07/30/2018

**Project ID No.:**

**Expiration Date:** 07/30/2019

**Return this page to:**

**Darrell Fazio, Assistant Resident  
Engineer**

**2441 South Union St.  
Spencerport, NY 14559**

**Permittee 1: ROCHESTER GAS AND ELECTRIC/  
AVANGRID  
89 EAST AVENUE**

**ROCHESTER, NY 14649 -**

**UPON COMPLETION OF WORK AUTHORIZED, THIS PAGE OF THE PERMIT MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.**

**Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.**

DATE \_\_\_\_\_ PERMITTEE \_\_\_\_\_ AUTHORIZED AGENT (if any) \_\_\_\_\_

**TO BE COMPLETED BY NYSDOT:**

Work authorized by this permit has been satisfactorily completed and is accepted. **Inspection Report must be completed.**

- ☐ Refund of Deposit is authorized
- ☐ Return of Bond is authorized
- ☐ Unable to meet schedule as specified in bid proposal
- ☐ Amount charged against Bond may be released.
- ☐ Retain bond for future permits
- ☐ Forfeit of Guarantee Deposit is authorized
- ☐ Other

DATE \_\_\_\_\_ RESIDENT ENGINEER \_\_\_\_\_

- ☐ Mailing address of refund has been verified.

If different, list new address:

The Regional Office will forward this form to the Main Office with the appropriate box checked.

- ☐ Permit closed
- ☐ Bond returned/released
- ☐ Refund of Guarantee Deposit on this permit is authorized
- ☐ Forfeit Guarantee Deposit to NYSDOT
- ☐ Other

DATE \_\_\_\_\_ REGIONAL TRAFFIC ENGINEER \_\_\_\_\_



## INSPECTION REPORT

For each Highway Work Permit issued, inspections will be performed. The following report must be completed for each site visit, indicating the date, inspector, and hours spent on inspection. **If the total inspection time exceeds 1 hour, then a FIN 12 (PERMIT INSPECTION FOR DEPARTMENT SERVICES) is REQUIRED.**

### INSPECTION REPORT LOG

HOURS WORKED BY DATE									HOURS	
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									

Complete hours for each date inspected.

Add regular hour numbers across rows, and then overtime hours across rows.

Add hour columns down for total hours of permit inspection time.

#### COMMENTS/OBSERVATIONS:

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**I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.**

NAME

TITLE

Revision Date: 5/5/2016



**Form PERM 32 (December 2015)**  
**Highway Work Permit Application for Utility**  
**Work Instructions and Form**

**INSTRUCTIONS FOR COMPLETING THE APPLICATION**

**FRONT OF APPLICATION**

Three (3) copies of the entire application, work plans and all other supporting documents must be submitted. At the time of application, certain information relative to fees and deposits may be contingent upon determinations to be made by the Department. In such cases, the information may be left blank and remittance withheld until a determination is made.

Please complete the following:

- Permittee name, address, phone and email address. Provide joint applicant contact information, if appropriate. If there are additional applicants, attach contact information on a separate sheet.
- Name and phone number(s) of emergency contact person.
- If permit is to be returned to someone other than the applicant, complete this section.
- If the guarantee deposit or bond is to be returned to someone other than applicant, complete this section.
- Estimate the cost of work being performed in the state highway right-of-way and provide this figure.
- Indicate anticipated duration of work to be performed with starting date and ending date.
- Indicate the form of insurance coverage to be provided.
- Give a brief description of the work that is proposed to be done under this permit.
- Indicate whether any overhead and/or underground work (5 foot or greater depth) is included in the proposed work.
- Plans and specifications should accompany this application for any work that involves construction within the state highway right-of-way. Place a check mark on the lines for plans and specifications if they are attached to this application.
- Location of the project should be identified by State Route, highway reference marker(s), and the municipality and county in which work area is located.
- In regard to State Environmental Quality Review (SEQR), indicate the type of action, the name of the Lead Agency, and what date the final determination was made, if available.
- Signature of applicant and date.
- Signature of second applicant, if any, and date.

**BACK OF APPLICATION**

- Check type of work that will be performed.
- In the appropriate column, indicate total amount of permit fees
- Indicate Utility Charge Account Number if applicable
- Indicate type of performance security provided (bond, deposit, letter of credit), if required.
- Indicate check number of deposit or bond number.

## RESPONSIBILITIES OF PERMITTEE PURSUANT TO UTILITY HIGHWAY WORK PERMITS

**NOTE: FAILURE TO OBTAIN A PERMIT OR FAILURE TO COMPLY WITH THE TERMS OF A PERMIT MAY RESULT IN THE DEPARTMENT HALTING THE ACTIVITY FOR WHICH A PERMIT IS REQUIRED UNTIL ADEQUATE CORRECTIONS HAVE BEEN MADE.**

**1. LIMITATIONS ON USE:** The specific site identified in this Highway Work Permit, and only that site identified, will be available for use by Permittee only for the purpose stated in this Permit and only on the date(s) and for the duration designated in this permit. This Permit does not authorize any infringement of federal, state or local laws or regulations, is limited to the extent of the authority of NYSDOT and is transferable and assignable only with the written consent of the Commissioner of Transportation. The Commissioner reserves the right to modify fees and to revoke or annul the Permit at any time, at his/her discretion without a hearing or the necessity of showing cause.

**2. CONDITIONS OF USE:** NYSDOT makes no affirmation that the state-owned site used for the work has been designed, constructed, or maintained for the purpose of the conduct of the work. The Permittee assumes full responsibility for planning and conducting a safe and orderly project that does not expose workers or the public to any unreasonable hazards and that involves a minimal disruption of the normal uses of the state and local highway systems. **It shall be the sole obligation of the Permittee to determine whether the site is suitable for the purpose of safely conducting the work.** The Permittee assumes all responsibility for assuring that the use of the highway/property conforms to applicable requirements of law, including, but not limited to those set forth herein.

**Permittee agrees to assure compliance with New York Labor Law, industrial regulations, and OSHA regulations, and to assure the safety of all workers who will be engaged to do the permitted work.**

**3. INSURANCE COVERAGE:** Permittee must have the insurance that is required for the type and extent of the work being performed.

**Permittee agrees to maintain liability insurance in full force and effect throughout the term of the highway work permit. Expiration of, or lack of, liability insurance automatically terminates the permit.**

To comply with this requirement, an applicant must furnish the Department with one of the following:

- A completed **Certificate of Insurance** evidencing the required types and limits of insurance coverage, with New York State Department of Transportation named as an additional insured on the commercial general liability policy. An industry standard **ACORD 25** form with an **ACORD 855** Addendum is acceptable evidence of the required coverage. Certificate Holder should be indicated as New York State Department of Transportation, with the address of the issuing office.
- A fully executed **Undertaking Agreement** may be provided by Municipalities, Public Utilities, Transportation Corporations, Public Service Corporations or Railroads, as an alternative to providing proof of commercial general liability the insurance.

See PERM 32 Submission Package Requirements on page 4 for more detailed guidance on insurance coverage.

**4. COMPENSATION AND DISABILITY INSURANCE COVERAGE:** Permittee is required to have compensation insurance and disability coverage as noted in the provisions of the Worker's Compensation Law and Acts amendatory thereof for the entire period of the permit, or the permit will be invalid. Applicant must provide proof of coverage (Form C-105.2, U-26.3 or SI-12 for Worker's Compensation, and DB-120.1 or DB-155 for Disability Benefits), or provide proof of exemption from this requirement (Form CE-200).

**5. INDEMNIFICATION:** Permittee agrees that, in addition to any protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations; whether undertaken by Permittee's own forces or by contractor or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT and their agents from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of any claim, including but not limited to claims for personal injuries, property damage or wrongful death and/or environmental claims, in any way associated with the Permittee's activities or operations, no matter how caused.

**6. NOTIFICATION:** The following should be notified at the appropriate time as shown below:

- Commissioner of Transportation, through the NYSDOT regional office, one week prior to commencing work.
- Area gas distributors, 72 hours prior to any blasting.
- Utility companies with facilities in work areas, before starting work (in accordance with Industrial Code 53).
- Permission from utility company must be obtained before commencing work affecting the utilities' facilities.
- NYSDOT regional signal maintenance shop, 3 days prior to starting work (traffic signal work).
- NYSDOT regional office, at conclusion of work, and return original copy of permit to Resident Engineer.

**NOTIFICATION FOR ANNUAL MAINTENANCE PERMITS:** (1) Except in emergencies, the applicant will notify the regional director and resident engineer in writing, at least 72 hours before work is started. This notice will contain a complete description of the work to be done, including sketches where essential. (2) In emergencies, telephone notice will be immediately given the resident engineer, and the full requirements outlined above will be met as soon as possible, and not later than the first working day following the emergency notice.



**7. SITE CARE AND RESTORATION:** A bond, deposit (bank cashier's check), or a Letter of Credit, in an amount designated by the Department of Transportation, may be required before a permit is issued, in order to guarantee restoration of the site to its original condition. A fully executed Undertaking Agreement may be accepted as an alternative security, where applicable. If the Department is obliged to restore the site to its original condition, the costs to the Department will be deducted from the amount of the permittee's deposit at the conclusion of the work. Costs in excess of the bond/deposit on file will be billed directly to the permittee. If permittee posts a Letter of Credit, the Department may elect to have a contractor restore the site, and issue a draft drawn against the Letter of Credit as payment.

- Anyone working within state highway right-of-way must wear **high visibility apparel** and **hard hat** meeting ANSI Class 2 requirements.
- No unnecessary obstruction is to be left on the pavement or the state highway right-of-way, or in such a position as to block warning signs during non-working hours.
- No work shall be done to obstruct drainage or divert creeks, water courses or sluices onto the state highway right-of-way.
- All false work must be removed and all excavations must be filled in and restored to the satisfaction of the Regional Maintenance Engineer.

**8. COSTS INCURRED BY ISSUANCE OF THIS PERMIT:** All costs beyond the limits of any liability insurance, surety deposits, etc. are the responsibility of the permittee. The State shall be held free of any costs incurred by the issuance of this permit, direct or indirect.

**9. SUBMITTING WORK PLANS:** The applicant will submit three (3) copies of work plans and/or maps as required by the Department. This shall include (but not be limited to) such details as: measurements of driveways with relation to nearest property corner; location of existing and proposed poles, guide rail, signal equipment, trees or drainage structures; positions of guys supporting poles; a schedule of the number of poles and feet of excavation necessary for completion of work on the State right-of-way. A description of the proposed method of construction will be included.

- Plan work with future adjustments in mind, as any relocation, replacement or removal of the installation authorized by this permit and made necessary by future highway maintenance, reconstruction or new construction, will be the responsibility of the permittee.
- The permittee must coordinate the work with any State construction being conducted.

**10. TRAFFIC MAINTENANCE:** A plan detailing how the permittee intends to maintain and protect traffic shall be submitted with work plans. Traffic shall be maintained on the highway in a safe manner during working and non-working hours until construction is completed. The permittee is responsible for traffic protection and maintenance, including adequate use of signs, barriers, and flag persons during working and non-working hours until construction is completed. All sketches will be stamped with "MAINTENANCE OF TRAFFIC SHALL BE IN CONFORMANCE WITH THE NATIONAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."

**11. COST OF INSPECTION AND SUPERVISION:** Prior to issuance of the Highway Work Permit, the permittee may be required to sign an INSPECTION PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS (FORM PERM 50) agreeing to the payment of construction inspection charges, based on the number of work days involved.

**12. SCOPE:**

- **Areas Covered:** Permits issued are for highways, bridges and culverts over which the New York State Department of Transportation has jurisdiction. (Local governments issue permits for highways under their jurisdiction.) Work locations must be approved by the Department.
- **Maintenance:** Unless noted otherwise, applicant shall be fully responsible for the maintenance of all items installed and/or altered as shown on the approved permit plans and documents. Property owners having access to a state highway shall be fully responsible for the maintenance of their driveway in accordance with POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.
- **Work Commencement:** The Permittee shall have a copy of the permit available at the site during the construction period. Work should start within 30 days from validation date of permit or said permit may be revoked.

**13. REPORTING ACCIDENTS:** Permittee is required to report any accidents that occur during the course of the permit work to their insurance company, and to provide the Department with a copy of any such report.

**14. COMPLETION OF PROJECT:** Upon completion of the work within the State highway right-of-way authorized by the work permit, the person and his or its successors in interest shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the Terms and Conditions of the Highway Work Permit.

**15. USE AND OCCUPANCY:** A Use & Occupancy agreement may be a requirement of this permit. If required, Applicant agrees to enter into a Use & Occupancy agreement with the department, and to pay all fees associated with ongoing occupancy of state right-of-way, and all other conditions required under the Use & Occupancy agreement.

## PERM 32 Submission Package Requirements

Submit three (3) copies of the final submission package: Submission package must include the entire PERM 32 with all work plans and supporting documents, including the following (check all that apply):

<input checked="" type="checkbox"/>	Stamped Final Plans – Submit in PDF file format on CD, with three (3) paper copies (1" = 50'), or as requested
<input checked="" type="checkbox"/>	ACORD 25 - Certificate of Insurance, with NYSDOT named as Additional Insured (See line 3 below).
<input checked="" type="checkbox"/>	ACORD 855 - New York Construction Certificate of Liability Insurance Addendum (See line 3 below).
<input type="checkbox"/>	PERM 1, 2, 6 or 16 - Undertaking Agreement, if applicable (See line 4 below).
<input type="checkbox"/>	PERM 36 - Attachment to Highway Work Permit – Consultant Inspection, if applicable
<input type="checkbox"/>	PERM 44 - Surety Bond – Performance bond in Applicant's name, or deposit (Bank cashier's check required)
<input type="checkbox"/>	PERM 50 – Inspection/Supervision Payment Agreement, if applicable
<input checked="" type="checkbox"/>	Proof of Worker's Compensation Insurance (Form C-105.2, U-26.3 or SI-12), or proof of exemption (Form CE-200)
<input checked="" type="checkbox"/>	Proof of Disability Benefits Coverage (Form DB-120.1 or DB-155), or proof of exemption (Form CE-200)
<input checked="" type="checkbox"/>	Permit Fees
<input type="checkbox"/>	Other (specify): <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span>

### Insurance Requirements

- 1) In most cases, Permittee must provide proof of **Commercial General Liability** insurance coverage with limits of liability not less than **\$1,000,000** per claim/occurrence, unless any of the following circumstances exist, in which case the limits of liability shall not be less than **\$5,000,000** per claim/occurrence:
  - (a) The estimated value of permitted work in state right-of-way is \$250,000 or more (see line 5 below);
  - (b) The permitted work requires or includes the construction, alteration or maintenance of underground features at any depth five feet or more below grade;
  - (c) The permitted work requires or includes the construction, alteration or maintenance of overhead features that include, but are not limited to, traffic signals, overhead sign structures, retaining walls or other grade separation structures.
- 2) Exceptions to the above liability limits include: (a) Annual maintenance permits require limits of liability not less than \$5,000,000 per claim/occurrence; (b) Permits for vegetation control activities require limits of liability not less than \$1,000,000 per claim/occurrence; (c) Residential driveway permits require limits of liability not less than \$500,000 per claim/occurrence; and (d) Adopt-a-Highway permits are exempt.
- 3) **ACORD 25** with **ACORD 855** (New York Construction Addendum) shall be submitted as an acceptable proof of liability coverage. New York State Department of Transportation should be named as Additional Insured and as the Certificate Holder at the address of the issuing office.
- 4) Municipalities, public utilities, public authorities and railroads may elect to provide a fully executed **Undertaking Agreement** as a substitute for providing proof of insurance coverage, or any other financial security otherwise required.
- 5) When the estimated cost of work being performed in the right-of-way equals or exceeds \$250,000, Permittee must additionally provide proof of a **Protective Liability (OCP)** insurance policy with a minimum liability limit of \$1,000,000 per occurrence, with New York State Department of Transportation as Named Insured.

Permittee agrees to maintain liability insurance in full force and effect throughout the term of the highway work permit. Expiration of, or lack of, liability insurance coverage automatically terminates the permit.

For more information on insurance requirements, go to: [www.dot.ny.gov/permits-insurance](http://www.dot.ny.gov/permits-insurance)

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION  
HIGHWAY WORK PERMIT APPLICATION FOR UTILITY WORK

Application is hereby made for a highway work permit:

Name Rochester Gas & Electric/AVANGID/LaBella

Address 89 East Avenue

City Rochester State NY Zip 14649

Applicant Phone ( 585 ) 724-8518

Applicant Email Address cindy\_waasdorp@rge.com

Emergency Contact Betulio Nava

Emergency Phone ( 224 ) 383-8321

RETURN PERMIT TO: (if different from Permittee)

Name Jerry Leone

Address 300 State St., Suite 201

City Rochester State NY Zip 14614

For Joint application, name and address of Applicant 2 below:

Name Nothnagle Drilling Inc

Address 1821 Scottsville-Mumford Rd

City Scottsville State NY Zip 14546

Applicant 2 Phone ( 585 ) 538-2328

Applicant 2 Email Address steved@nothnagledrilling.com

RETURN DEPOSIT/BOND TO: (if different from Permittee)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

DESCRIPTION OF PROPOSED WORK:

Complete geotechnical borings in southern ROW along Rte. 204.

Estimated cost of work being performed in highway right-of-way: \$ 18,000

Anticipated duration of work: From 8/13/18 to 9/30/18 (applies to the operations indicated on the reverse side)

WILL OVERHEAD OR UNDERGROUND (5'+) OPERATIONS BE INVOLVED IN THE PROPOSED WORK? YES ☒ NO ☐

ATTACHED: Plans ☒ Specifications ☐

LOCATION: State Route: 204 Located Between Reference Markers 204 4301 1003 and 204 4301 1004

City/Town/Village of Gates County of Monroe

SEQR REVIEW (select one)

☐ Type II ☐ Type I ☐ Unlisted LEAD AGENCY: N/A - Article VII DATE OF DETERMINATION: \_\_\_\_\_

Insurance (check one): ☒ General Liability Insurance ☐ Undertaking

NOTE: PERMIT IS ISSUED CONTINGENT UPON ALL LOCAL REQUIREMENTS BEING SATISFIED

ACKNOWLEDGMENT: ON BEHALF OF THE APPLICANT, I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND THE OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND WARRANT COMPLIANCE THEREWITH.

Applicant Signature Cynthia L. Waasdorp

Date 7/25/18

Applicant 2 Signature Stephen A. DiLaura

Date 7/25/18

Approval recommended by Resident Engineer _____	Res No _____ Date _____
Approved by Regional Traffic Engineer <u>[Signature]</u>	Reg No <u>4</u> Date <u>7/25/18</u>



Operational Type and Description			PERMIT FEES				
			Base Fee	QTY	Unit Rate	Sub Total	Total Fees
<b>ORIGINAL INSTALLATION</b>			<b>Number of feet/poles</b>				
<input type="checkbox"/>	1a1	Underground - excavation, tunneling, boring, installing, etc.	32		.32/foot	0	
<input type="checkbox"/>	1a2	Underground - Commercial subsurface connection	32		.32/foot	0	
<input type="checkbox"/>	1a3	Underground - Residential subsurface connection	32		.32/foot	0	
<input type="checkbox"/>	1b1	Overhead - Erecting poles, towers	63		2.50/unit	0	
<input type="checkbox"/>	1b2	Overhead - Running new lines	63				
<input type="checkbox"/>	1b3	Overhead - Commercial service connection	19				
<input type="checkbox"/>	1b4	Overhead - Residential service connection	19				
<input type="checkbox"/>	1c1	Installation on bridge or culvert	63				
<input type="checkbox"/>	1c2	Installation on bridge or culvert requiring structural changes	625				
<b>MAINTENANCE</b>			<b>Number of regions/counties</b>				
<input type="checkbox"/>	2a	Maintenance, single job	32				
<input type="checkbox"/>	2b1	Annual maintenance per region			2500		0
<input type="checkbox"/>	2b2	Annual maintenance per county			625		0
<input type="checkbox"/>	2c	Repair of water or sewer lines	32				
<input type="checkbox"/>	2d	DOT requested maintenance	N/C				
<b>AFTER ORIGINAL CONSTRUCTION</b>			<b>Number of regions/counties</b>				
<input type="checkbox"/>	3a1	Annual - includes overhead connections - per region			2500		0
<input type="checkbox"/>	3a2	Annual - includes overhead connections - per county			625		0
<input type="checkbox"/>	3b	DOT requested relocation	N/C				
<input type="checkbox"/>	3c	Commercial subsurface service connection	32				
<input type="checkbox"/>	3d	Commercial overhead service connection	19				
<input type="checkbox"/>	3e	Residential subsurface service connection	32				
<input type="checkbox"/>	3f	Residential overhead service connection	19				
<b>MISCELLANEOUS UTILITY WORK</b>							
<input checked="" type="checkbox"/>	4	Miscellaneous (describe below)	32				32
Perform six (6) soil borings (geotechnical investigations) along Route 204							

UTILITY CHARGE ACCOUNT NUMBER: \_\_\_\_\_ WORK ORDER/REF NO: \_\_\_\_\_

PERFORMANCE SECURITY (Select One): Guarantee Deposit - Cash ☐ Performance Bond ☐ Letter of Credit ☐

Guarantee Deposit Amount: \_\_\_\_\_

Guarantee Deposit Check Number or Bond Number: \_\_\_\_\_

(To be completed by NYSDOT issuing office)

Project Identification Number \_\_\_\_\_

Highway Work Permit No. \_\_\_\_\_

State Highway (SH) Number \_\_\_\_\_

Record ID Number \_\_\_\_\_



## **Standard General Plan Notes**

1. ROAD TO BE KEPT CLEAN OF MUD AND DEBRIS AT ALL TIMES.
2. ROADSIDE DRAINAGE TO BE MAINTAINED AT ALL TIMES.
3. MATERIALS, EQUIPMENT AND VEHICLES ARE NOT TO BE STORED OR PARKED WITHIN THE NEW YORK STATE RIGHT-OF-WAY.
4. MAINTENANCE AND PROTECTION OF TRAFFIC MUST COMPLY WITH THE CURRENT NATIONAL MUTCD WITH NYS SUPPLEMENT, SECTION 619 OF THE CURRENT NYSDOT STANDARD SPECIFICATIONS, THESE PLANS AND AS ORDERED BY THE ASSISTANT RESIDENT ENGINEER. ON A NYSDOT CONSTRUCTION PROJECT, MAINTENANCE AND PROTECTION OF TRAFFIC MUST COMPLY WITH THESE PLANS AND BE IN ACCORDANCE WITH THE NYSDOT CONTRACT DOCUMENTS AS DEEMED NECESSARY BY THE NYS ENGINEER-IN-CHARGE.
5. NOTIFY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION'S ASSISTANT RESIDENT ENGINEER AT THE APPROPRIATE NUMBER, AS NOTED BELOW, FIVE (5) WORK DAYS PRIOR TO WORKING WITHIN THE STATE RIGHT-OF-WAY.

GENESEE CO. - DAN STAHLEY (585) 343-0502

LIVINGSTON CO. - ADAM KISIAH (585) 346-3036

MONROE CO. - WEST OF GENESEE RIVER  
DARRELL FAZIO (585) 352-3471

MONROE CO. - EAST OF GENESEE RIVER  
KEVIN KIESER (585) 586-4514

ONTARIO CO. - GREG TROST (585) 396-4955

ORLEANS CO. - DAN STAHLEY (585) 589-6655

WAYNE CO. - JEFF JONES (315) 332-4000

WYOMING CO. - KEN BITTNER (585) 786-3310

THE PERMITTEE IS ADVISED THAT THE NYSDOT IS NOW REVIEWING ALL LANE CLOSURES ON THE PRIORITY NETWORK FOR IMPACT ON TRAFFIC OPERATIONS IN REAL-TIME. THE PRIORITY NETWORK CONSISTS OF INTERSTATES 390, 490 AND 590 AND STATE ROUTES 390, 590, 104 (FROM NY 390 TO WAYNE COUNTY), US 20, NY 63 (FROM STEUBEN COUNTY TO I 90) AND NY 77 IN GENESEE COUNTY. THE CLOSURE WILL BE EVALUATED IN THE LIGHT OF WHAT IS HAPPENING AT THAT TIME ON THE HIGHWAY. INCIDENTS, CONFLICTING WORK ZONES OR OTHER UNPLANNED EVENTS THAT RENDER THE HIGHWAY UNAVAILABLE FOR THE CLOSURE MAY RESULT IN A SHORT-TERM DISAPPROVAL OF THE CLOSURE UNTIL THE SITUATION HAS BEEN RESOLVED. EVALUATION PROCEDURES ARE AVAILABLE FOR REVIEW AT THE REGIONAL TRAFFIC OPERATIONS CENTER, 1155 SCOTTSVILLE ROAD, ROCHESTER, NY.

6. NOTIFY THE NYSDOT TRAFFIC SIGNAL MAINTENANCE ENGINEER AT (585) 753-7793 5 DAYS PRIOR TO WORKING WITHIN 350' OF A SIGNALIZED INTERSECTION. NOTIFY DIG SAFELY NEW YORK 2 WORK DAYS PRIOR TO DIGGING, DRILLING OR BLASTING AT 811 FOR A UTILITY STAKE-OUT.
7. ALL MATERIALS USED WITHIN THE STATE RIGHT-OF-WAY MUST COMPLY WITH THE CURRENT NEW YORK STATE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS ALONG WITH ANY APPROPRIATE CURRENT NYS DEPARTMENT OF TRANSPORTATION'S STANDARD SHEETS.
8. QUALITY CONTROL OF ASPHALT CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 401 OF THE STANDARD SPECIFICATIONS. ALL ASPHALT PRODUCED AS PART OF SECTION 401 WILL BE PAID AT A FINAL QUANTITY ADJUSTMENT FACTOR OF 1.0. ASPHALT COURSE DEPTHS SHOWN ON THE PLANS ARE COMPACTED DEPTHS.
9. NO NIGHT WORK SHALL BE ALLOWED UNLESS APPROVED PRIOR TO START OF PROJECT. ADDITIONAL MAINTENANCE AND PROTECTION OF TRAFFIC MAY BE REQUIRED INCLUDING THE ADDITION OF REFLECTIVE MATERIALS AND LIGHTING.
10. HAZARDOUS WASTE NOTIFICATION - THE PERMITTEE ACCEPTS THE RIGHT-OF-WAY OF THE STATE HIGHWAY IN ITS "AS IS" CONDITION. THE DEPARTMENT OF TRANSPORTATION MAKES NO REPRESENTATION AS TO THE ABSENCE OF UNDERGROUND TANKS, STRUCTURES, FEATURES OR SIMILAR IMPEDIMENTS TO THE COMPLETION OF THE WORK PERMITTED HEREUNDER. SHOULD PERMITTEE FIND SOME PREVIOUSLY UNKNOWN UNDERGROUND IMPEDIMENTS TO ITS WORK, THE DEPARTMENT OF TRANSPORTATION SHALL HAVE NO OBLIGATION TO CURE, REMOVE, REMEDY OR OTHERWISE DEAL WITH SUCH PREVIOUSLY UNKNOWN UNDERGROUND IMPEDIMENTS. THE PERMITTEE IS REQUIRED TO REMOVE, MODIFY OR OTHERWISE DEAL WITH SUCH UNDERGROUND TANKS, STRUCTURES, FEATURES OR IMPEDIMENTS IN A MANNER WHICH MEETS ACCEPTABLE ENGINEERING PRACTICE AND IS APPROVED BY THE DEPARTMENT OF TRANSPORTATION.
11. ADA COMPLIANCE - ALL WORK ON PEDESTRIAN FACILITIES SHALL BE COMPLIANT WITH THE AMERICANS WITH DISABILITIES ACT (ADA).



## **NYSDOT Region 4 Utility Permit Notes**

- Road pavement, shoulder and drainage are not to be disturbed or undermined unless indicated otherwise in the plans.
  - Suitable non-frozen, non saturated backfill to be used and placed in 6" compacted lifts.
  - Pavement to be maintained until a permanent repair can be made.
  - Pavement to be replaced in kind or as specified on attached plans.
  - All disturbed grass areas within the R.O.W. are to be fine graded, 4" topsoil placed and turf established.
- 

### ***Note***

Road plates shall **NOT** be used during the "Snow and Ice Season" (November 1<sup>st</sup> through April 1<sup>st</sup>). During the months of October and April, call the work area jurisdictional N.Y.S.D.O.T. Transportation Maintenance Residency with plate locations. Road plates shall be pinned and ramped. A "STEEL PLATE AHEAD" sign (W8-24) shall be installed in advance of the plate in accordance with Table NY6H-3 on Standard Sheet 619-11. If the surface of the plate is 1" or greater above/below the surrounding pavement, a "BUMP" sign (W8-1) shall be installed between the plate and "STEEL PLATE AHEAD" sign in accordance with Table NY6H-3 on Standard Sheet 619-11 and a barrel with a Type A flasher shall be placed on the shoulder at the plate.

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### ***Winter Asphalt Pavement and Shoulder Restoration***

Excavation backfill shall be with No. 2 stone, Item 623.12 (not crusher run) placed to six inches (6") from the existing pavement surface. The remaining six inches (6") shall have concrete placed to match existing adjacent pavement grade and shall have a good, smooth, non-polished riding surface.

In the spring, when asphalt plants open, the concrete and stone shall be removed to the existing bottom of the subbase in order to perform final restoration per previously approved N.Y.S.D.O.T. pavement restoration procedures.

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### ***Test Pits***

All test pits in the pavement shall be completed by an 18" square/round vacuum excavation.

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### ***Excavation Support System Requirements***

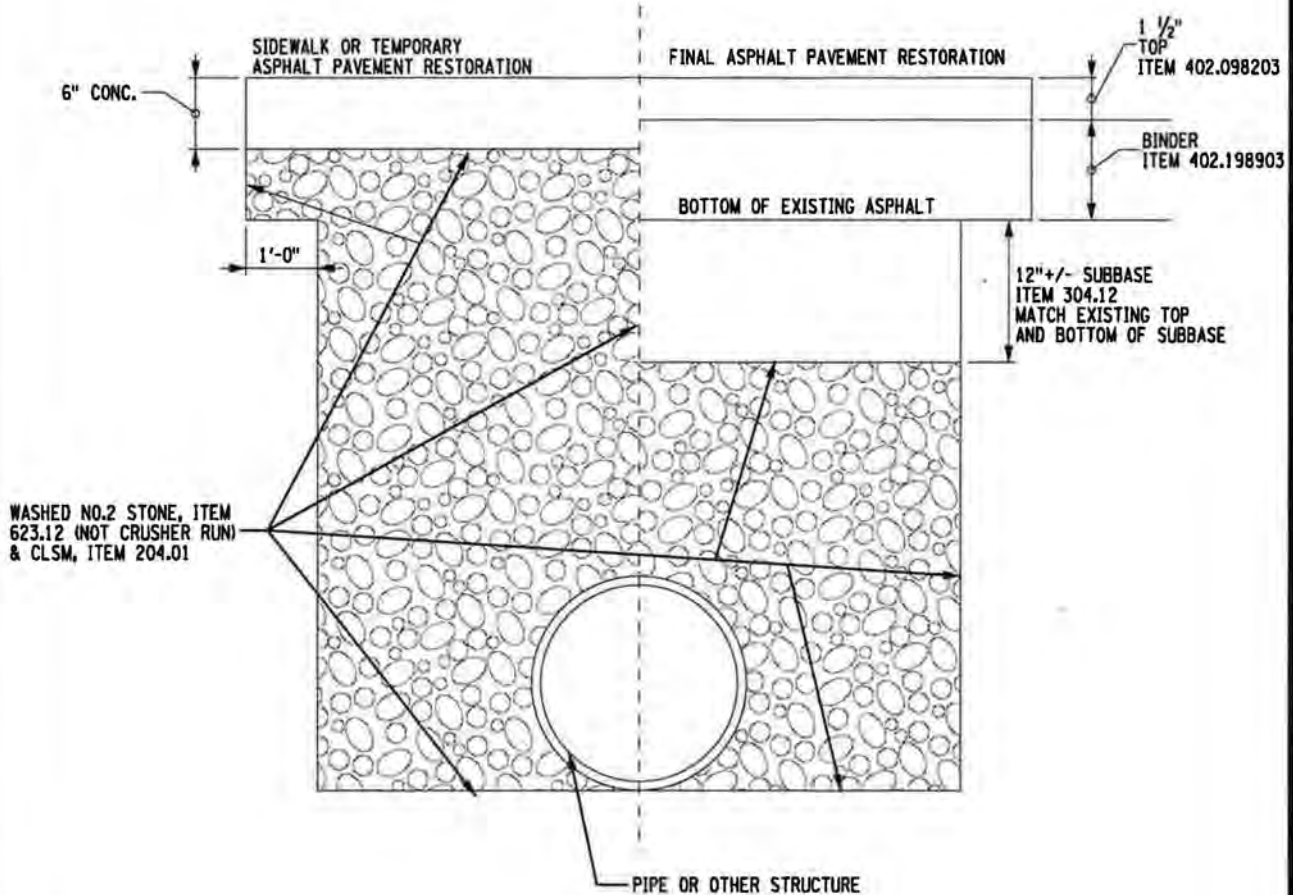
Any excavation 5 feet or more in depth shall utilize a shields and shoring or sheeting system which provides direct contact and support of the excavation sides. The system shall accommodate any associated surcharge loads and shall be submitted to NYSDOT's Regional Geotechnical Engineer for review and approval prior to permit issuance.

A sloping (layback) option will not be allowed.

Shields and shoring or sheeting system requirements do not pertain to test pits which are 18" or less in diameter.

# FULL DEPTH REPAIR ROADWAY OR SIDEWALK EXCAVATIONS

NOT TO SCALE



## GENERAL NOTES

- A. SECTION 204 OF THE STANDARD SPECIFICATIONS APPLIES, EXCEPT AS MODIFIED BY THE FOLLOWING NOTES.
- B. THE FOLLOWING NOTES PERTAIN TO THE USE OF CONTROLLED LOW STRENGTH MATERIAL (CLSM) FOR BACKFILL AT THE EXISTING UNDERGROUND UTILITY INSTALLATION.

## 1. CLSM PLACEMENT

- A. WORK INVOLVING QUANTITIES OF CLSM LESS THAN 2.6yd, THE REGIONAL PERMIT ENGINEER MAY ALLOW USE OF A SMALL CONSTRUCTION MIXER CAPABLE OF PRODUCING CLSM HAVING THE SPECIFIED COMPRESSIVE STRENGTH AND FLOW CONSISTENCY. FOR CLSM PLACED UNDER SUCH CONDITIONS, MIX TIME IS MINIMUM OF 90 SECONDS AFTER ALL THE MATERIALS ARE IN THE MIXER DRUM.
- B. OBSERVE PROPER SET TIME FOR CLSM BEFORE PLACING OVERLYING MATERIALS.

## 2. CLSM RESTRICTIONS

- A. DO NOT PLACE CLSM IN CONTACT WITH ALUMINUM PIPE OR CONNECTIONS UNLESS THE ALUMINUM IS COATED WITH AN APPROVED PRIMER.
- B. DO NOT PLACE CLSM CONTAINING FLY ASH (ITEM 204.01) IN CONTACT WITH CAST IRON OR DUCTILE IRON PIPES OR FITTINGS, USE CLSM WITH NO FLY ASH (ITEM 204.02).
- C. THERE SHALL BE NO SAND IN THE CLSM MIX DESIGN.
- D. THE WATER/CEMENT RATIO SHALL BE 0.36-0.40.

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USER = zstarko



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION

06/12/18

REGION 4

**SPECIAL NOTE**  
**TEMPORARY LANE/SHOULDER CLOSURE RESTRICTIONS FOR MAJOR**  
**HOLIDAYS**

There shall be no temporary lane/shoulder closures on roadway facilities owned and/or maintained by NYSDOT on the major holidays listed below.

Construction activities that will result in temporary lane/shoulder closures shall be suspended to minimize travel delays associated with road work for major holidays as follows:

Holiday	Falls on	Temporary lane closures are NOT allowed from
New Year's Day Independence Day Christmas Day	Sunday or Monday	6:00 AM Friday before to 6:00 AM Tuesday after
	Tuesday	6:00 AM Saturday before to 6:00 AM Wednesday after (starting at 6:00 AM Friday before to 6:00 AM Wednesday after for Christmas Day)
	Wednesday	6:00 AM Tuesday before to 6:00 AM Thursday after (starting at 6:00 AM Saturday before to 6:00 AM Thursday after for Christmas Day)
	Thursday	6:00 AM Thursday to 6:00 AM Monday after (starting at 6:00 AM Wednesday before to 6:00 AM Monday after for Christmas Day)
	Friday or Saturday	6:00 AM Thursday before to 6:00 AM Monday after

Holiday	Falls on	Temporary lane closures are NOT allowed from
Memorial Day Labor Day	Monday	6:00 AM Friday before to 6:00 AM Tuesday after
Thanksgiving Day	Thursday	6:00 AM Wednesday before to 6:00 AM Monday after

Exceptions can only be made under the following conditions:

- Emergency work.
- Work within long-term stationary lane/shoulder closures.
- Safety work that does not adversely impact traffic mobility and has been authorized by the Regional Traffic Engineer.

Note: The Department reserves the right to cancel any work operations, including lane closures and/or total road closures, that would create traffic delays by unforeseen events. The Contractor would be notified at least seven (7) calendar days prior to the proposed work.



#### GENERAL NOTES

1. THE TYPICAL DETAILS DEPICTED ON THE STANDARD SHEETS AND IN THE MUTCD, REFLECT THE MINIMUM REQUIREMENTS.
2. THE CONTRACTOR MUST SUBMIT TO THE ENGINEER, IN WRITING, PROPOSED REVISIONS TO THE TRAFFIC CONTROL PLAN FOR REVIEW AND APPROVAL BY THE REGIONAL DIRECTOR OR HIS/HER DESIGNEE FIVE (5) WORK DAYS PRIOR TO THE PLANNED IMPLEMENTATION OF SUCH PROPOSED REVISIONS, EXCEPT FOR CHANGES THAT ALTER THE SCOPE OF THE TRAFFIC CONTROL PLAN. SUCH CHANGES IN SCOPE MUST BE SUBMITTED TO THE ENGINEER FOR APPROVAL BY THE REGIONAL DIRECTOR OR HIS/HER DESIGNEE THIRTY (30) WORKING DAYS PRIOR TO IMPLEMENTATION OF SUCH REVISIONS.
3. THE CONTRACTOR SHALL PROVIDE THE ENGINEER, IN WRITING, WITH THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF STAFF WHO ARE AUTHORIZED TO SECURE LABOR, MATERIALS, AND EQUIPMENT FOR EMERGENCY REPAIRS OUTSIDE NORMAL WORKING HOURS. THE ENGINEER WILL PROVIDE THE SUBMITTED INFORMATION TO REGIONAL MANAGEMENT, THE NEW YORK STATE POLICE, THE RESIDENT ENGINEER, AND THE LOCAL POLICE.

#### ACTIVITY AREA

1. THE CONTRACTOR SHALL MAINTAIN A MINIMUM 500' LONGITUDINAL DISTANCE BETWEEN CONSTRUCTION OPERATIONS ON ALTERNATE SIDES OF THE ROADWAY, UNLESS OTHERWISE APPROVED BY THE ENGINEER.
2. WHEN TWO OR MORE AREAS ARE ADJACENT, OVERLAP, OR ARE IN CLOSE PROXIMITY, THE CONTRACTOR SHALL ENSURE THERE ARE NO CONFLICTING SIGNS AND THAT LANE CONTINUITY IS MAINTAINED THROUGHOUT ALL WORK AREAS.

#### SIGNS

1. THE LOCATIONS OF THE SIGNS SHOWN ON THE WORK ZONE TRAFFIC CONTROL PLANS AND DETAILS MAY BE ADJUSTED BASED ON SIGHT DISTANCE AND OTHER CONSIDERATIONS. THE FINAL LOCATIONS OF SIGNS ARE SUBJECT TO APPROVAL BY THE ENGINEER.
2. ANY EXISTING SIGNS, INCLUDING OVERHEAD SIGNS, WHICH CONFLICT WITH THE TEMPORARY TRAFFIC CONTROL SIGN LAYOUT SHALL BE COVERED, REMOVED, STORED OR RESET, AS APPROVED BY THE ENGINEER. ALL APPROPRIATE EXISTING SIGNS SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AND/OR LOCATION UNLESS OTHERWISE REPLACED IN THIS CONTRACT.
3. SIGNS AT OR NEAR INTERSECTIONS SHALL BE PLACED SO THAT THEY DO NOT OBSTRUCT A MOTORIST'S LINE OF SIGHT.
4. ALL WARNING AND REGULATORY SIGNS SHALL BE POSTED ON BOTH SIDES OF MULTI-LANE DIVIDED HIGHWAYS, MULTI-LANE RAMPS, AND ONE-WAY STREETS. IN CASES WHERE LANE RESTRICTIONS REDUCE THE TRAVEL LANE TO ONE LANE, SIGNS SHALL BE POSTED ON THE RIGHT SIDE OF THE ACTIVE TRAVEL LANE, UNLESS OTHERWISE AUTHORIZED BY THE ENGINEER.
5. SIGNS MOUNTED ON THE MEDIAN OF DIVIDED HIGHWAYS WHERE MEDIAN BARRIER IS IN PLACE MAY BE MOUNTED ON THE BARRIER WITH A SADDLE TYPE BRACKET. LAYING THE SIGN DOWN IN A HORIZONTAL POSITION IS NOT PERMITTED.
6. THE DIMENSIONS OF WORK ZONE TRAFFIC CONTROL SIGNS ARE DESCRIBED IN THE MUTCD. ANY CHANGES TO THE DIMENSIONS SHALL BE APPROVED BY THE REGIONAL DIRECTOR OR BY HIS/HER DESIGNEE.
7. NYR9-12 MAY BE USED IN PLACE OF NYR9-11.

#### CHANNELIZING DEVICES

1. WHERE POSSIBLE ALL CHANNELIZING AND GUIDING DEVICES ARE TO BE PLACED SO AS TO PROVIDE A MINIMUM 2' LATERAL CLEARANCE TO THE TRAVELED WAY.
2. DRUMS SHALL BE USED FOR ANY LANE CLOSURES OR SHOULDER CLOSURES WHICH ARE TO REMAIN OVERNIGHT.

#### PUBLIC ACCESS

1. PROPERTY OWNERS WHOSE DRIVEWAYS WILL BE MADE INACCESSIBLE SHALL BE NOTIFIED BY THE CONTRACTOR AT LEAST 24 HOURS PRIOR TO RESTRICTING USE OF THE DRIVEWAY. FOR MULTIPLE ACCESS PROPERTIES, AT LEAST ONE DRIVEWAY SHALL BE OPEN AT ALL TIMES. ACCESS SHALL BE RESTORED TO ALL DRIVEWAYS AS SOON AS POSSIBLE.
2. SUITABLE RAMPS SHALL BE INSTALLED TO MAINTAIN SMOOTH TRANSITIONS FROM RESIDENTIAL AND COMMERCIAL DRIVEWAYS TO AND FROM THE WORK AREA.

#### LANE CLOSURES

1. THE CONTRACTOR SHALL LOCATE LANE CLOSURES TO PROVIDE OPTIMUM VISIBILITY, I.E. BEFORE CURVES AND CRESTS, TO THE EXTENT CONDITIONS PERMIT.
2. THE ENGINEER MAY REQUIRE THAT ALL LANES BE RE-OPENED AT ANY TIME IF THE ROUTE IS NEEDED FOR EMERGENCY PURPOSES. THIS COULD INCLUDE INCIDENTS AT LOCATIONS OUTSIDE THE CONTRACT LIMITS.

#### LANE WIDTHS

1. UNLESS AUTHORIZED BY THE ENGINEER, THE MINIMUM LANE WIDTHS FOR WORK ZONE TRAVEL LANES SHALL BE AS FOLLOWS: FREEWAYS AND/OR EXPRESSWAYS IS 11'. THE MINIMUM LANE WIDTH FOR ALL OTHER TYPES OF ROADWAYS IS 10'.
2. THE CONTRACTOR SHALL PROVIDE A WRITTEN NOTICE TO THE ENGINEER, A MINIMUM OF 21 CALENDAR DAYS IN ADVANCE OF PERFORMING ANY WORK THAT RESULTS IN THE REDUCED WIDTH OF AN EXISTING ROADWAY, SO THAT THE ENGINEER MAY NOTIFY THE REGIONAL PERMIT ENGINEER IN A TIMELY MANNER.

#### BARRIER/SHADOW VEHICLES

1. BARRIER AND SHADOW VEHICLES SHALL BE REQUIRED AS PER STANDARD SHEET TITLED "WORK ZONE TRAFFIC CONTROL LEGEND AND TABLES".
2. NO WORK ACTIVITY, EQUIPMENT, VEHICLES AND/OR MATERIALS SHALL BE LOCATED BETWEEN THE BARRIER OR SHADOW VEHICLE AND THE ACTIVE WORK AREA (ROLL AHEAD DISTANCE).
3. THE CONTRACTOR MAY BE REQUIRED TO PROVIDE A BARRIER VEHICLE IN CONJUNCTION WITH POLICE PRESENCE IN THE WORK ZONE, TO BE INCLUDED IN THE UNIT BID PRICE FOR BASIC WORK ZONE TRAFFIC CONTROL.



STATE OF NEW YORK  
DEPT. OF TRANSPORTATION

REGION 4 PERMIT DETAIL

WORK ZONE TRAFFIC CONTROL  
GENERAL NOTES

10 DEC 2008

WZTC-P10



b. Boring, Jacking, and Tunneling Methods

a) All the requirements of B.1. a. 1.) DESIGN a) through .f) shall apply.

b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

CONSTRUCTION

a) All the requirements of B. 1. a. 1.) CONSTRUCTION shall apply.

C. SUBBASE, PAVEMENT AND SHOULDER REQUIREMENTS (including manholes)

1. Subbase

a. The subbase course shall be a minimum of 12 inches thick unless otherwise approved. The material shall meet the requirements of current Department of Transportation subbase course item as specified by the Regional Soils Engineer.

b. Under the permit, construction which adversely affects the subsurface drainage of the pavement structure shall be corrected by the addition of surface or subsurface drains, as required.

2. Pavement and Shoulders

a. Permanent

The replaced pavement shall be similar to the existing pavement in composition and texture. The selection of the material type and composition shall be subject to the approval of the Regional Director or his representative. The limit of pavement replacement shall be such that the replaced pavement is supported by thoroughly compacted subbase material and the pavement is restored to the proper grade, cross-slope and smoothness.

When bituminous concrete mixtures are required for the pavement replacement, the layers shall consist of one or a combination of mixture types contained in Table 401-1, Composition of Bituminous Plant Mixtures in Section 401 of the New York State Department of Transportation's Specification, including addenda. The mixture shall be placed at the proper temperature, without segregation, and compacted thoroughly.

When portland cement concrete mixtures are required for pavement replacement, the mixtures shall consist of either Class C or Class F as contained in Table 501-3, Concrete Mixtures in Section 501 of the New York State Department of Transportation's Specifications, including addenda. Class F is a high early strength mixture and should be used when early opening to traffic is desired.

The concrete mixtures shall be placed without segregation, then consolidated, finished to the proper elevation, and textured. Curing the concrete pavement shall be in accordance with one of the methods permitted in Section 502 pertaining to curing.

Pavement shoulders, curbs, gutters and other incidental features shall be replaced in kind unless otherwise approved by the Regional Director or his representative.

b. Temporary

Pavement that is replaced temporarily may be paved with either a hot bituminous concrete mixture mentioned above or a cold bituminous patching mixture. When a cold patching mixture is used it shall consist of aggregate and bituminous material proportioned and mixed in a bituminous mixing plant or rotating paddle shaft pugmill. Regardless which patching mixture is used it shall be laid on a prepared foundation and thoroughly compacted. Since cold bituminous patching mixtures are subject to distortion by traffic, the temporary patch shall be maintained to provide a smooth surface until the pavement is permanently replaced.

3. Manholes

Manhole frames and covers shall have sufficient structural adequacy to support the roadway traffic. The type of manhole frame and cover shall be approved by the Regional Director or his representative. The manhole frame shall be set flush with the surface of the roadway unless otherwise permitted by the Regional Director or his representative.

D. MAINTENANCE AND PROTECTION OF TRAFFIC

1. Traffic is to be maintained at all times during the progress of this work and adequate signs, barricades and lights shall be provided in accordance with the provisions of Sub-chapter H of the N.Y.S. Department of Transportation's Manual of Uniform Traffic Control Devices. A maintenance and protection of traffic plan may be required. No lanes shall be closed without prior approval.

2. The applicant shall erect and maintain suitable barricades around all trenches while work is in progress for the protection of the public, and they shall be suitably lighted by yellow lights at night. The work shall be carried on in such manner that not more than 100 feet of trench in earth remains open at end of day's work.

3. No pavement cuts are to be left unfilled over night, except in emergencies, and in such cases, adequate precautions must be exercised to protect traffic. Prior approval must be obtained to use steel plating.

4. No construction materials or equipment shall be left on the shoulders or pavement after working hours, nor shall any construction equipment or material be placed in any manner or location that will obstruct highway or railroad warning signs.

5. All open trench in the highway right-of-way shall be barricaded. There shall be conspicuously displayed bright red flags no less than 24" x 24" attached to such barricades and illuminated at night with flashing yellow lights. If in the judgment of the representative of the Commissioner of Transportation, flagmen are necessary, they shall be employed by the permittee and on duty at all times during the progress of the work so as to direct traffic and maintain yellow flashing lights, etc.

6. Soft shoulder signs of adequate size, not less than 24" square, shall be erected and maintained on all backfill trenches within the shoulder area until the backfill is thoroughly settled. These signs shall be located at the beginning of each section of work at intersections and at a distance not greater than 1000 feet apart.

7. During winter conditions highway shoulders shall be maintained free of obstructions which would interfere with snow removal and ice control.

8. The permittee shall keep the traveled way free of foreign objects such as rocks, timber and other items that may fall from transporting vehicles. Spillage of material carried by or dropped from the under-carriage of any carrying vehicle resulting from the permittee's hauling operations along or across any public traveled way shall be removed immediately and such traveled way, both within and outside of the work limits, shall be kept free of such spillage by the permittee.

E. COMPLETION OF WORK

1. All work is to be performed in a manner approved by the Resident Engineer of the State Department of Transportation.

2. All disturbed areas shall be returned to their original condition in a manner satisfactory to the Commissioner of Transportation or his representative.

3. The permittee shall be required to restore shoulders and ditches and clean up the highway as his work progresses. All driveways shall be restored with material in kind and to their original conditions.

4. All surplus earth and rubbish shall be cleaned up and removed from the highway right-of-way upon completion of the work, and the highway left in a neat and orderly condition.

5. As built plans showing final grade of new installation and existing underground facilities encountered shall be provided to N.Y.S.D.O.T. if variation from approved design plans occurred during construction.

F. NECESSITATED FUTURE WORK

1. The applicant agrees, that any present or future injury to or disturbance of the highway, its slopes or gutters, caused by placing mains and service pipe shall be repaired by the applicant at his own expense and in accordance with the requirements of the State Department of Transportation.

2. If necessity arises in the future because of the work on the State Highway system and/or its structures, requiring the removal, relocation or replacement of the installation authorized by the permit, said work shall be done as directed by the Commissioner or his representative, and all cost and expense so incurred shall be the obligation of the said permittee or his successor in interest.

II. TELEPHONE - TELEGRAPH INSTALLATIONS

A. SETTING OF POLES

1. All poles shall be set outside the ditch lines so that the proper drainage of the highway will not be interfered with. In case it is impracticable to set poles so as not to interfere with the flow of water in the ditches, the shoulder, ditch and space around the poles shall be paved by the applicant to protect against wash.

2. There shall be no obstruction to private driveways, connecting highways or roads, paths or sidewalks.

3. In case it is found necessary to trim trees within the boundaries of the highway, the least possible amount shall be done, and in all cases the consent of the abutting property owner must be secured before the poles are set and trees trimmed.

4. Poles shall be of sufficient length to provide a clearance of not less than eighteen feet between the wire and the crown of the highway, under the worst conditions of temperature and loading. They shall be set in line and properly plumbed. They shall be well guyed. No guying to trees, unless by special permission of owner. Special precautions shall be taken on curves and where lines cross from one side of highway to the other. Poles shall be straight, sound, and the fittings shall be of sufficient strength to carry wires under the worst condition of loading (ice, wind, etc).

5. Where telegraph and telephone wires cross high tension power lines, electric light or trolley wires, special precaution shall be taken to maintain proper clearance under the worst condition of temperature and loading.

B. RESETTling POLES

1. If necessity arises in future, because of work on the highway, to relocate, replace or re-set poles, cables or conduits, said work shall be done at the expense of the applicant.

III. SPECIAL CONDITIONS

A. In addition to the aforementioned conditions, if it is found necessary by this Department to add to or otherwise modify the same, it is to be understood such changes shall form a part of the permit and be complied with immediately upon notice.

IV. ADDITIONAL SPECIAL CONDITIONS AND SKETCHES - See Attached Sheet.



**METHOD OF PERFORMING WORK  
WITHIN THE STATE HIGHWAY RIGHT OF WAY**

**I. GENERAL CONDITIONS**

These conditions and regulations apply to Highway Work Permits authorizing work within the State highway right-of-way for water mains, gas mains, sewer lines and miscellaneous structures. General conditions apply to telephone and telegraph installations as well as specific conditions on the setting and resetting of poles. These conditions, and any special conditions which are added to this form, are enforceable by the Department of Transportation.

**A. TIME**

1. Work under the permit shall be commenced within thirty (30) days from the date of permit issuance unless a later starting date is approved by the Regional Traffic Engineer.

**B. REQUIREMENTS**

All the current requirements of the following shall apply: Occupational Safety and Health Administration, Federal Department of Labor, Safety and Health Standards (29 CFR 1926/1910); Part 131, Title 17, New York Code of Rules and Regulations, Accommodation of Utilities Within State Right-of-Way; New York State Department of Labor, Industrial Code Rule 23, Protection of Persons Employed in Construction and Demolition Work; Industrial Code Rule 53, Construction, Excavation and Demolition Operations At Or Near Underground Facilities.

Temporary soil erosion and water pollution controls shall be used as required. The final decision on the method of underground installation will be made by the Regional Director or his representative.

**1. Work Within Pavement and Shoulder Areas**

- a. Installations that cross the pavement and shoulder area. Wherever practical, all underground installations shall be placed beneath the pavement and shoulder areas without disturbance to these paved surfaces.

**1) Boring, Jacking, and Tunneling Methods**

**DESIGN**

- a) The location of all excavations (jacking pits, etc.) shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The location of all other existing utilities shall be shown.
- d) The construction equipment and procedures to be used shall be described in the permit application.
- e) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- f) The underground installation shall be described in detail, i.e. size, length, depth, material, provisions for grouting, etc.
- g) Pipes shall generally be enclosed in sleeves or larger pipes. Small diameter services (2 inch I.D. or smaller) may be placed without sleeving at the discretion of N.Y.S.D.O.T.
- h) The limits of an open excavation shall not be closer than 10 feet to the edge of the pavement unless approved by the Department. Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

**CONSTRUCTION**

- a) Grouting operations may be required if surface settlement, loss of soil or voids around the pipe develop. When grout is required, it shall consist of 1 part cement to 2 parts sand, by volume, and sufficient water to produce a consistency suitable for placing the grout.
- b) Backfill of open excavations shall be as required under 2.) 1) Open Excavation Method.

**2) Open Excavation Method**

**DESIGN**

- a) The location of all pavement crossing by the open excavation method shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The location of all other existing utilities shall be shown.
- d) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- e) When requested, the construction equipment and procedures to be used shall be described in the permit application.
- f) Pipe installations shall be done according to the requirements of the appropriate New York State Department of Transportation's Standard Sheets. The required granular material shall meet the material requirements for Select Granular Fill in the current New York State Department of Transportation's Standard Specifications including addenda. Exceptions will only be allowed if prior approval is granted by the Regional Soils Engineer.
- g) Pavement shall be saw cut at termination points of pavement replacement.

**CONSTRUCTION**

- a) Pavement and shoulder removal shall be done in a manner that provides for proper restoration of the replacement section. Straight, vertical cuts of the pavement will be required. Pavement surfaces that become undermined shall be cut back and removed. Alternative repair methods may be used if prior approval is granted.
- b) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.
- c) Generally, cuts shall be filled at the end of each working day. With prior approval, steel cover plates may be used. Recessing of these plates may be required.
- d) Temporary pavements and shoulders shall be placed as soon as a crossover installation is completed.

- b. Installations that are longitudinal to the pavement.

**1) Open Excavation Method**

**DESIGN**

- a) The location of all open excavations shall be shown in plan and profile.
- b) The soil profile and groundwater conditions shall be determined by adequate subsurface exploration.
- c) The design of all excavations, including ground and surface water control where necessary, shall be made available for review by the Department.
- d) The location of all other existing utilities shall be shown.
- e) Pipe installations shall be done according to the requirements of the appropriate New York State Department of Transportation's Standard Sheets. The required granular material shall meet the material requirements for Select Granular Fill in the current New York State Department of Transportation's Standard Specifications, including addenda. Exceptions will only be allowed if prior approval is granted by the Regional Soils Engineer.

**CONSTRUCTION**

- a) Pavement and shoulder removal shall be done in a manner that provides for proper restoration of the replacement section. Straight, vertical cuts of the pavement will be required. Pavement surfaces that become undermined shall be cut back and removed. Alternative repair methods may be used if prior approval is granted.
- b) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.
- c) Generally, cuts shall be filled at the end of each working day. With prior approval, steel cover plates may be used. Recessing of these plates may be required.
- d) Permanent or temporary pavement shall be placed immediately as sections of the total installation are completed to subbase elevation. Gravel surfaces in shoulder areas may be used if prior approval is granted.

**2) Boring, Jacking, and Tunneling Methods**

**DESIGN**

- a) All the requirements of B.1. a. 1.) DESIGN a) through g) shall apply.

**CONSTRUCTION**

- a) All the requirements of B.1. a. 1.) CONSTRUCTION a) and b) shall apply.
- b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.
- c) The requirements of B.1. b. 1.) CONSTRUCTION d) shall apply.

**2. Work Outside the Pavement and Shoulder Areas**

**a. Open Excavation Method**

**DESIGN**

- a) All the requirements of B.1. b. 1.) DESIGN shall apply.
- b) Open excavations shall be protected with the required controls for safety and for the maintenance and protection of traffic in accordance with the New York State Department of Transportation, Manual of Uniform Traffic Control Devices.

**CONSTRUCTION**

- a) The backfill material shall be placed and compacted according to the requirements for backfilling structures, culverts, pipes, conduits and direct burial cable described in Section 200, Earthwork, New York State Department of Transportation's Specifications, including addenda.



# Application for Permit Under Section 149 of the Highway Law

NOTE - Blank spaces in the following application must be filled in as follows:

- At the blank space indicated by (a) state whether the applicant is a citizen, a firm or a corporation and give the address. If a corporation, state the location of the principal place where office is located.
- At the blank space indicated by (b) describe the nature of the work for which permit is requested.
- At the space indicated by (c) describe the location of the highway where the work is to be performed.

This application is to be attached to the copy of the Permit and to be filed in the Town Clerk's office.

To the Highway Superintendent of the Town of Chili with offices located at \_\_\_\_\_  
200 Beaver Road in the County of Monroe State of New York.

The undersigned (a) corporation, utility (Rochester Gas & Electric / Avangrid)

hereby makes application to you for permission (b) carry out and complete work as shown on the attached drawing dated February 22, 2018. The project involves the installation of a temporary construction access at the west end of Coates Road. The construction access is to be used for the Rochester Area Reliability Project.

within the portion of highway in said town hereinafter described pursuant to the provisions of Section 149 of the Highway Law. The portion of such highway wherein such work is to be performed is described as follows (c) Coates Road

Cynthia L. Wawel  
Applicant Signature

2/28/2018  
Date

## For Official Use Only

Date Received \_\_\_\_\_

Reviewer DX

Requires Town Engineer Review

Yes ☐ No ☒

Date Submitted to Engineer \_\_\_\_\_

Recommend Approval X

Recommend Denial \_\_\_\_\_

Return for Modifications \_\_\_\_\_

Date \_\_\_\_\_

Comments Attached X

Permit Review Number 2018-13

## PERMIT ISSUED UNDER SECTION 149 OF THE HIGHWAY LAW

The undersigned, the Town Superintendent of Highways, of the Town of Chili, County of Monroe, upon the written application

of: Rochester Gas & Electric / Avangrid whose address is 89 East Avenue, Rochester NY 14649

this 22 day of February 2018 and filed with him, as provided by Section 149 of the Highway Law hereby grants permission to said applicant to: Carry out and complete work as shown on attached drawings dated February 22, 2018.

on the highway described as follows: Coates Road. See attached plans.

This permit is granted subject to the following conditions:

1. The work authorized by this permit shall be performed in a manner satisfactory to the Town Superintendent.
2. The applicant is to keep in good repair all pipes, hydrants or appurtenances which may be placed within the bounds of the highway under terms of this permit and is to save the town harmless from all damages which may accrue by reason of their location in the highway, and upon notice by the Town Superintendent, applicant agrees to make any repairs required for the protection and preservation of the highway; and further agrees that upon the failure of the applicant to make such repairs that such repairs may be made by the Town Superintendent at the expense of the applicant and such expenses shall be prior lien upon the land benefited by the use of the highway for such pipes, hydrants and appurtenances.
3. If the drainage, sewer, water pipes or appurtenances which are laid under this permit are placed in a town road, they shall be so placed as not to interrupt or interfere with public travel upon the highway and the earth removed must be replaced, and the highway left in all respects in as good condition as before the work performed.
4. If the work performed is on a road which has been improved by State aid, such drainage, sewer or water pipes must be placed at least four (4) feet below grade and in such a manner as in no way to interfere with macadam, shoulders or drainage ditches of the highway and that portion of the trench which passes under the macadam shall be left in as good a condition as before the work was performed and to the satisfaction of the Town Superintendent. Care must be taken not to interfere with drainage ditches or structures.
5. It is agreed by the applicant that any injury or disturbances of the macadam portion of the highway, its shoulders or drainage ditches which may occur hereafter by reason of the laying of said drainage, sewer or water pipes and their appurtenances shall be repaired by and at the expense of the applicant to the satisfaction of the Town Superintendent.
6. The said Town Superintendent may, upon the failure of the applicant to comply with any of the conditions and terms herein upon which it is granted, revoke this permit and remove any pipes, or hydrants, or other appurtenances which may have been placed in the highway under this permit.
7. If the road upon which this permit is issued is at any time of issuance, a town highway and should it be thereafter improved by State aid as a State or county highway, it is agreed that the applicant shall, before its improvement at the applicant's own expense remove drainage, sewer pipes, water pipes or appurtenances which may be placed under this permit and will relay the same in conformity with the directions of the engineer in charge of such improvement and in accordance with the rules and regulations prescribed by the State Commission of Highways.
8. All pipes and/or mains crossing highway pavements shall, wherever possible, be driven beneath the roadway without disturbance to the pavement. The point of driving shall not be less than ten (10) feet from the edge of paved surface unless approved by the Town Highway Superintendent. Such crossover pipes shall, whenever possible, be enclosed in sleeves or larger pipes so that repairs or replacements may be made in the future without any further disturbance of the roadway pavement. Minimum depth of cover of all pipe shall be 36 inches.
9. Approvals of open cuts will be determined by the Town of Chili Open Cut Policy. Backfill of open cuts shall conform to Town of Chili Trench and Pavement Restoration Detail for Road Cuts.
10. During the performance of all work under this permit, great care shall be exercised to prevent any damage to property within and adjacent to the Town of Chili right-of-way.
11. This permit shall not be transferred.
12. If any work authorized by this permit is not performed to the satisfaction of the Town Superintendent of Highways, is not fully completed or is otherwise defective, the said applicant hereby agrees that the Town Superintendent of Highways may satisfactorily complete said work or correct any defect therein after the discovery of such unsatisfactory or defective work. The cost or expense thereof shall be paid by said applicant immediately upon receipt of a statement of such cost or expense from the Town Superintendent of Highways.
13. The said applicant hereby agrees to hold the Town harmless on account of damages of any kind which may arise or occur as a result of the work authorized by this permit, either during the progress of same or within a period of five years from the date of such completion, and to defend at said applicant's own expense any and all actions instituted against the Town to recover for such damages.

14. It is understood that should future changes in the highway construction or use should make necessary changes in the proposed work covered by this application and permit, the applicant shall on reasonable notice from the Town Superintendent make such necessary changes at his own expense within the time so specified in notice.
15. Care must be taken not to interfere with drainage ditches or structures.
16. When permitted, the installation of utilities must be made outside of the ditch line and as near to the highway right-of-way line as possible or as designated in writing by the Town Superintendent of Highways.
17. Equipment with chains, steel tracks, armored tires, lugs, etc. will not be permitted on the pavement area.
18. The person in charge of the work covered by this permit shall have the permit and the approved plans and sketches in his/her possession on the job at all times.
19. The permittee must notify Dig Safely New York, the Underground Facilities Protective Organization (U.F.P.O.) at 1-800-962-7962 and any affected agencies not covered by U.F.P.O. at least 48 hours before the start of any work.
20. It is required that the owner (utility company, town, village, sewer district, water district, developer, home owner) of the facility to be installed within the right-of-way of the town highway must sign the permit as the applicant. Contractors will not be allowed to sign the permit as applicant except as permitted by the Town Superintendent of Highways.
21. This permit is valid for a one year period from the date of issuance. The applicant may request additional time by reapplying at the end of the one year term.
22. See attached list of SPECIAL CONDITIONS FOR 149 PERMIT.

I hereby agree to conform to the conditions contained in the foregoing permit and any attached SPECIAL CONDITIONS.

Dated this 28 Cynthia L. Wambers Applicant

Day of February, 2018

Dated this 9 D. J. G. Highway Superintendent

Day of Aug, 2018

Permit No. 2018-13

Expires On: 12/31/2019



## SPECIAL CONDITIONS CHECKLIST FOR 149 PERMIT

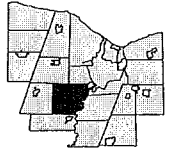
Permit #: 2018-13

- 1 ☒ All work must be done in accordance with approved permit and plans.
- 2 ☒ All disturbed areas within the right-of-way are to be restored to their original condition.
- 3 ☐ The work authorized by this permit shall be performed under the supervision of the Town Superintendent of Highways or his/her representative.
- 4 ☐ A security deposit of \_\_\_\_\_ is required for \_\_\_\_\_.
- 5 ☐ Comply with attached details:
- |  |   |
|--|---|
| a <input type="checkbox"/> Driveway Installation with curb/gutter<br>c <input type="checkbox"/> Driveway Standards<br>e <input type="checkbox"/> Drop Inlets<br>g <input type="checkbox"/> Asphalt Shoulder Replacement<br>i <input type="checkbox"/> Temporary Access | b <input type="checkbox"/> Frame & Grate Anchors<br>d <input type="checkbox"/> Pavement Restoration<br>f <input type="checkbox"/> Ditch Enclosure<br>h <input type="checkbox"/> See Plan<br>j <input type="checkbox"/> Restoration Detail |
|--|---|
- 7 ☐ Install \_\_\_\_\_ inch perforated CMP or PE culvert with end sections; culvert must extend 10' beyond edge of driveway.
- 8 ☐ A sag vertical curve is required in the driveway.
- 9 ☐ Maintain existing drainage away from the roadway.
- 10 ☒ The highway must be kept clean of mud, dirt and other debris at all times.
- 11 ☐ A minimum of 3" of compacted temporary pavement must be placed in all approved road cuts until permanent pavement can be installed. The temporary pavement must be maintained by the permittee until permanent pavement is placed.
- 12 ☐ The proposed culvert invert elevations shall be on a grade line that is between the upstream and downstream adjacent property culverts and/or cross culvert invert elevations.
- 13 ☐ Two-way traffic shall be maintained by the permittee on this section of the highway while the work is in progress and until its final completion. All maintenance and protection of traffic shall be performed as directed by the most current version of the N.Y.S. Manual of Uniform Traffic Control Devices.
- 14 ☒ The permittee must notify the Highway Department at (585) 889-6156 at least 48 hours prior to performing any work within the Town right-of-way.
- 15 ☒ Other SEE ATTACHED SHEET
- 
- 16 ☐ Prior to beginning any work within the Town right-of-way, the permittee or their representative must schedule a meeting with a representatives of the Town Highway Department to develop and implement a maintenance and protection of traffic plan (a maintenance and protection sketch or plan may be required upon request) and/or to review the aspects of the project. Please call \_\_\_\_\_ to schedule the meeting.
- 17 ☐ A letter of notification of the start of construction must be sent to all effected residents at least two (2) weeks in advance of the start of construction. The Town Superintendent of Highways must be sent a copy of this letter.
- 18 ☐ All sites should be seeded and stabilized with erosion control materials, such as straw, mulch, jute mesh, or excelsior within 15 days of final grading. If construction has been suspended, or sections completed, areas should be seeded immediately and stabilized with erosion control materials. Maintenance should be performed as necessary to ensure continued stabilization.
- 19 ☐ An as-built record drawing will be required.
- 20 ☐ All materials installed in the Town right-of-way shall be in accordance with the current Town of Chili Standard Specifications and Details in effect when installed.
- 21 ☐ Applicant will correct broken gutters and/or concrete sidewalk caused as a result of their work performed.
- 22 ☐ The Driveway Culvert & Piping Certification form must be returned to Town of Chili Highway before the permit can be closed out and any security deposit released.



# TOWN OF CHILI

STATE OF NEW YORK \* COUNTY OF MONROE  
ESTABLISHED IN 1822



David J Dunning  
Supervisor

Virginia L. Ignatowski  
Town Clerk

David Lindsay, P.E.  
Commissioner of Public Works

## HIGHWAY/DPW DEPARTMENT

Jordon I. Brown  
Mark L. DeCory  
Michael S. Slattery  
Mary C. Sperr  
Town Council Members

### Condition of Permit Section 149 Highway Law

In addition to the conditions and requirements outlined within the Perm 149 Application and identified on the Special Conditions Checklist for the 149 Permit the following condition(s)/requirement(s) are provided:

1. Prior to conducting any work or utilizing the road for construction access the Permittee shall document the surface condition of Coates Road from Scottsville Road to the terminus of the right of way by means of video recording.
2. A copy of said recording shall be provided to the Town for review and acceptance prior to conducting any work or utilizing the road for construction access.
3. Permittee agrees to notify the Town upon completion of the work and utilization of the road as a construction access for the Rochester Area Reliability Project (RARP).
4. Upon notification the Town will conduct an inspection of the road within thirty (30) days.
5. As determined solely by the Town, any necessary work on Coates Road will be documented and provided in writing to the Permittee. Permittee agrees to complete said work within ninety (90) days of the written notice or ninety (90) days from when the asphalt plants open.
6. Permittee will be responsible for snow and ice removal as required for their access beyond what is currently provided.
7. During the term of this permit the Permittee is responsible for making any repairs deemed necessary by the Town to guarantee access and use by the public and adjoining property owners.
8. Permittee to provide Certificate of Liability in accordance with the attached Insurance Requirements.
9. Permittee shall notify and obtain approval from the Superintendent of Highways prior to making any improvements or modification to Coates Road.
10. Permittee shall coordinate the opening and closing of the gate with the adjoining property owner.

## INSURANCE REQUIREMENT

The provider of service/vendor/contractor indicated under this agreement, \_\_\_\_\_, will, at its own expense, procure and maintain an insurance policy or policies during the term of this agreement. Such policy or policies will insure for injuries or losses to persons or property that are alleged to have arisen in connection with activities of \_\_\_\_\_, its officers, directors, employees, volunteers and agents with the following coverage forms, limits and policy endorsements:

- I. General Liability Insurance with a limit for Bodily Injury, Personal Injury and Property Damage of no less than; \$1,000,000 per occurrence, \$2,000,000 general aggregate, providing coverage for its use and occupancy of premises, its operations and its products or completed operations. The policy shall be endorsed to:
  1. Name as an Additional Insured:  
The Town of Chili  
and its Officers, Employees, Volunteers and Agents  
3333 Chili Avenue  
Rochester, NY 14624
  2. Provide that the policy is primary insurance to any other insurance available to the additional insureds with respect to claims arising out of this agreement and that the insurance applies separately to each insured against whom claim is made or suit is brought.
- II. Automobile liability insurance coverage in an amount of \$1,000,000 combined single for bodily injury and property damage and including coverage for owned, non-owned, hired or borrowed autos.
- III. Worker's Compensation (per New York Workers' Compensation law) and Employers Liability coverage: Coverage A at statutory limits and coverage B at limits of \$100,000/500,000/100,000.
- IV. Commercial Umbrella/Excess Liability  
Umbrella/excess liability limits of not less than \$1,000,000.
- V. Provide that The Town of Chili shall be given 30 days advance written notice of the cancellation, non-renewal or reduction in coverage. 10 days for non-payment is acceptable.

A signed and certified Certificate of Insurance evidencing all coverages and endorsements set forth above shall be furnished to The Town of Chili no later than 10 days prior to the usage of the property or commencement of work or services described as indicated in the agreement.

A certified copy of the above-described policy and/or endorsements shall be furnished if requested.



In addition: Indemnification and Contribution Agreement

To the fullest extent permitted by law, Contractor, \_\_\_\_\_, shall indemnify, hold harmless and defend, Town of Chili, against any and all losses, claims, actions, demands, damages, liabilities, or expenses, including but not limited to attorney's fees and all other costs of defense, by reason of the liability imposed by law or otherwise upon, Town of Chili, for damages because of bodily injuries, including death, at any time resulting therefrom, sustained by any person or persons, including Contractor's employees, or on account of damages to property, including loss of use thereof, arising directly or indirectly from the performance of Contractor's work or from any of the acts or omissions on the part of Contractor, its employees, agents, representatives, materialmen, suppliers, and/or subcontractors.

If such indemnity is made void or otherwise impaired by any law controlling the construction thereof, such indemnity shall be deemed to conform to the indemnity permitted by law, so as to require indemnification, in whole or in part, to the fullest extent permitted by law.

Contractor, \_\_\_\_\_, shall strictly observe and comply with all safety laws, rules, and regulations (including but not limited to the Federal Occupational Safety and Health Act, the New York Labor Law, and all regulations promulgated pursuant to such law(s) and to provide such protection as necessary to protect its workers and the workers of other contractors. In the event that additional safety measurers are required, Contractor agrees that it will install or procures such additional safety measures at its sole expense. To the fullest extent permitted by law, Contractor shall hold harmless, indemnify and defend, Town of Chili, against all losses, claims, fines, or expenses, including but not limited to attorney's fees, resulting from the enforcement of these laws and for related acts of its officers, employees, subcontractors, suppliers, and materialmen.

The indemnity provided by requirements contained herein shall be in addition to and not limitation upon any rights or common law indemnity.

By: \_\_\_\_\_  
David P. Lindsay, P.E., Town of Chili  
Commissioner of Public Works/Superintendent of Highways

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date



## Department of Transportation

**ANDREW M. CUOMO**  
Governor

**PAUL A. KARAS**  
Acting Commissioner

**KEVIN BUSH, P.E.**  
Regional Director

August 23, 2018

Rochester Gas and Electric  
89 East Avenue  
Rochester, NY 14649

**Attn: Betulio Nava**

**Re: Highway Work Permit 2018-04-71682**

Dear Mr. Nava:

An Amendment to Highway Work Permit # 2018-04-71682 is granted with the following conditions:

- Geotechnical boring locations are amended to the shoulder location as shown in revised plans received 8/20/18. We request that the borings are located outside of the shoulder as room allows.
- The 8" diameter bores in the shoulder will be restored using grout in accordance with Standard Specification 648-3.06 as described in the LaBella Associates letter from Thomas Miller, PE dated August 17, 2018.
- All other conditions of original permit shall apply.

If you have any further questions or concerns please contact me at (585) 272-3770 or via e-mail [Barbara.marsh@dot.ny.gov](mailto:Barbara.marsh@dot.ny.gov).

Sincerely,

*Allison McNamara*

for  
Barbara Marsh  
Regional Permit Engineer, Region 4

Cc: D. Fazio, Assistant Resident Engineer, Monroe West  
R.D. Byers, NYSDOT Geotechnical Engineer  
Permit File

**State of New York  
Department of Transportation**

**Highway Work Permit**



**Permit No.:** 20180471682

**Date Issued:** 07/30/2018

**Project ID No.:**

**Expiration Date:** 07/30/2019

*Copy*

**\*Permittee 1:**

ROCHESTER GAS AND ELECTRIC/ AVANGRID

89 EAST AVENUE

ROCHESTER , NY 14649

Emergency Contact:

BETULIO  
NAVA

Emergency Number:

224-383-8321

**\*Permittee 2:**

NOTHNAGLE DRILLING INC

1821 SCOTTSVILLE-MUMFORD

SCOTTSVILLE , NY 14546

Emergency Contact:

STEVE D

ROAD

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

SR 204 RARP GEOTECHNICAL BORING IN SOUTHERN ROW OF RTE 204 RAMP FROM I-490 EB. NO TEMPORARY ENTRANCES ARE AUTHORIZED ON THIS PERMIT. \*\*\*ONLY EMPLOYEES OF RG&E AND NOTHNAGLE DRILLING ARE AUTHORIZED TO WORK WITHIN THE STATE RIGHT OF WAY UNDER THIS PERMIT. ALL INSURANCES MUST REMAIN IN FORCE UNTIL PERMIT EXPIRATION TO AVOID INVALIDATION OF THE PERMIT.\*\*\* WZTC DETAILS ARE ATTACHED. TEMPORARY SHOULDER CLOSURES ON RTE 204 ARE PROHIBITED FROM 7AM-8AM AND 4PM-6PM. SEE MAJOR HOLIDAY RESTRICTIONS. \*\*\* PERMITTEE SHALL CONTACT THE ASSISTANT RESIDENT ENGINEER AT LEAST 3 BUSINESS DAYS PRIOR TO THE START OF WORK WITHIN THE STATE RIGHT OF WAY. ALL RESTORATION IS TO THE SATISFACTION OF THE RESIDENT ENGINEER.\*\*\*

THE PERMITTEE IS RESPONSIBLE FOR TEMPORARY TRAFFIC CONTROL IN ACCORDANCE WITH THE NATIONAL MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE NYS SUPPLEMENT. ANYONE WORKING WITHIN THE HIGHWAY RIGHT-OF-WAY SHALL WEAR HIGH-VISIBILITY APPAREL MEETING THE ANSI 107-2004 CLASS II STANDARDS AND A HARD HAT.

County	Municipality	State Hwy	State Route	Beg Ref	End Ref
MONROE	GATES	61-15	204	204 43011003	204 43011004

as set forth and represented in the attached application at the particular location or areas, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit. See additional conditions on PAGE 2.

THIS PERMIT IS ISSUED BASED ON ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS BEING SATISFIED.

**Dated at:** Rochester **Date Signed:** 07/30/2018 **Commissioner of Transportation** **By:** Paul J. Spitzer

**IMPORTANT:**

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED, SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

**BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY:**

**Darrell Fazio, Assistant Resident Engineer 585-352-3471**

**"UPON COMPLETION OF WORK", SECOND TO LAST PAGE, MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.**



**State of New York  
Department of Transportation**

**Highway Work Permit**



**Permit No.:** 20180471682

**Date Issued:** 07/30/2018

**Project ID No.:**

**Expiration Date:** 07/30/2019

**Return this page to:**

**Darrell Fazio, Assistant Resident  
Engineer**  
  
**2441 South Union St.  
Spencerport, NY 14559**

**Permittee 1: ROCHESTER GAS AND ELECTRIC/  
AVANGRID**  
**89 EAST AVENUE**  
  
**ROCHESTER, NY 14649 -**

**UPON COMPLETION OF WORK AUTHORIZED, THIS PAGE OF THE PERMIT MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.**

**Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.**

DATE	PERMITTEE	AUTHORIZED AGENT (if any)
------	-----------	---------------------------

**TO BE COMPLETED BY NYSDOT:**

Work authorized by this permit has been satisfactorily completed and is accepted. **Inspection Report must be completed.**

- ☐ Refund of Deposit is authorized
- ☐ Return of Bond is authorized
- ☐ Unable to meet schedule as specified in bid proposal
- ☐ Amount charged against Bond may be released.
- ☐ Retain bond for future permits
- ☐ Forfeit of Guarantee Deposit is authorized
- ☐ Other

DATE	RESIDENT ENGINEER
------	-------------------

☐ Mailing address of refund has been verified.  
If different, list new address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Regional Office will forward this form to the Main Office with the appropriate box checked.

- ☐ Permit closed
- ☐ Bond returned/released
- ☐ Refund of Guarantee Deposit on this permit is authorized
- ☐ Forfeit Guarantee Deposit to NYSDOT
- ☐ Other

DATE	REGIONAL TRAFFIC ENGINEER
------	---------------------------



## Department of Transportation

**ANDREW M. CUOMO**  
Governor

**PAUL A. KARAS**  
Acting Commissioner

**KEVIN BUSH, P.E.**  
Regional Director

Received By  
LaBella Associates, P.C.

January 29, 2018

FEB 01 2018

Attn: Jerry Leone  
Program Manager, Permitting & Compliance  
Labella Associates, D.P.C.  
300 State Street, Suite 201  
Rochester, New York 14614

Client: \_\_\_\_\_  
Proj.#: \_\_\_\_\_

RE: Permit for Use of State Owned Property No. 41417  
Permittee: Rochester Gas and Electric Corporation  
Location: 700± lineal feet of aerial transmission lines in a 100± ft. corridor  
and two 30" ducts running for 1,350± lineal feet from Rte. 204 from I-490 to  
Pixley Road, Town of Gates, Monroe County

Dear Mr. Leone:

Attached for your records is an approved original of your Permit for Use of State-Owned Property.

Thank you for your prompt return of the signed permits and the insurance information.

If you have any questions, please do not hesitate to contact me at (585) 272-3326 or by email at [Jeremy.Button@dot.ny.gov](mailto:Jeremy.Button@dot.ny.gov).

Sincerely,

  
Jeremy J. Button  
Real Estate Specialist II  
Office of Right-of-Way

cc: Mark Ellsworth, Assistant Resident Engineer, Monroe West Residency, w/ permit.

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION  
REAL ESTATE DIVISION  
PERMIT FOR USE OF STATE-OWNED PROPERTY**

P.I.N.: **FED090701** INVENTORY NO.: Permit Account No.: **41417**

Property Location: **RT. 204 FROM I-490 TO PIXLEY ROAD**

Project: **INTERSTATE ROUTE CONNECTION 580 ROCHESTER WESTERN EXPRESSWAY, AND ROCHESTER AIRPORT EXPRESSWAY PART 1**

Map No.(s): **442,443,7** Parcel No.(s): **442,444,15** County: **Monroe**

Town/City/Village: **Gates**

THIS PERMIT, made this X <sup>8th</sup> day of X December, X2017 between

**Rochester Gas and Electric Corporation  
89 East Avenue  
Rochester, NY 14649**

hereinafter referred to as "Permittee", and the COMMISSIONER OF TRANSPORTATION FOR THE PEOPLE OF THE STATE OF NEW YORK, hereinafter referred to as "the State",

**WITNESSETH:**

**WHEREAS** the State is the owner of the above identified property, hereinafter referred to as "property" or "premises"; and

**WHEREAS** the Permittee wishes to use and occupy said property;

NOW, THEREFORE, the State hereby grants this permit to the Permittee, subject to the following covenants and conditions:

1. The property covered by this permit shall be used only for the purpose of: **700± LF OF AERIAL ELECTRICAL TRANSMISSION LINES IN A 100± FT. CORRIDOR AND TWO 30" DUCTS RUNNING FOR 1,350± LF** and for no other purpose whatsoever.

2. The fee to be charged shall be: **\$3,260.00 per YEAR beginning 3/1/2017.**

3. Payment of fee is due on the first of the month unless otherwise stated. Fee must be paid by check, bank cashier's check or money order payable to "Department of Transportation" and mailed or delivered to:

New York State Department of Transportation  
Revenue Unit, POD 5-2  
50 Wolf Road  
Albany, New York 12232

4. The Permittee understands and agrees that if the full amount of the fee as stated herein is not paid within thirty days from the date billed as indicated on the billing invoice, interest penalties and collection fees will be imposed under the provisions of Section 18 of State Finance Law.

5. The Permittee understands and agrees that the fee charged by the State may periodically be updated to reflect fair market value and the Permittee will enter into a new permit for the new fee if the Permittee wishes to remain in occupancy. Failure to execute a new permit will require Permittee to immediately vacate the premises.



6. The Permittee acknowledges the State's right to collect a security deposit. This sum will be retained as security to ensure faithful performance of the permit and compliance with all terms by the Permittee. The State hereby acknowledges receipt of \$3,260.00 received on 1/16/18 by [Signature] (Dept. Rep.'s Signature)

7. This permit supersedes the permit number N/A issued to N/A in the amount of \$N/A per N/A approved by the Director, Real Estate Division on N/A.

8. Permittee, at the Permittee's expense and for the term of the permit, shall furnish and show evidence of General Liability Insurance coverage issued by an insurance carrier licensed to do business in the State of New York for the protection of the State of New York and Permittee against any claims, suits, demands or judgments by reason of bodily injury, including death, and for any claims resulting in property damage occurring on or in proximity to the permit area.

Such General Liability Insurance shall be in the amount no less than \$2000000 (combined property damage and/or bodily injury, including death) single limit per occurrence, and shall name the People of the State of New York as an additional insured.

The Permittee will furnish the State with a certificate of insurance, with a (30) thirty day(s) prior written notice of any cancellation or major change in the policy conditions. The permit shall be voided if insurance is cancelled, modified or lapses.

Approval of this permit shall be contingent upon receipt, by the State, of a copy of a properly executed insurance certificate.

9. Permittee is responsible for any repairs, improvements or maintenance work of any kind on the property at Permittee's expense. The State may, at any time, periodically inspect the premises to determine whether same is in good repair and maintenance, structurally sound, and that no unsafe, hazardous, unsanitary, or defective conditions exist.

10. Permittee hereby agrees to admit State representatives and prospective purchasers or permittees to examine these premises during reasonable business hours.

11. Permittee shall not place or store, or allow others to place or store, any flammable, explosive hazardous, toxic or corrosive materials, debris of any description, garbage or any materials commonly referred to as "junk" within the permit area, except fuel kept in the fuel tanks of legally parked vehicles allowed under the terms of this permit. Failure to comply with this provision may result in a ten (10) days written notice of cancellation of the permit in accordance with Provision 16 of the permit. The permittee is responsible for the removal of these materials and/or all expenses incurred in their removal.

12. All arrangements of services for utilities, removal of garbage, rubbish, litter, snow and ice will be made by the Permittee at the Permittee's expense, unless hereafter specified. The State shall have no responsibility to provide any services not specifically set forth in writing herein. Permittee shall comply with all local and State building standards/codes in the installation or repair of any utilities including but not limited to electricity and plumbing. Permittee is responsible for keeping and maintaining the premises in a safe and clean condition, for the regular and prompt removal of garbage, rubbish, litter, snow and ice. Permittee shall be responsible for preventing damages to the plumbing system and premises caused by lack of heat or water damage from leaks.

13. Permittee is responsible to maintain the occupancy in compliance with any and all applicable local, State, and Federal laws, ordinances, codes, rules and regulations affecting the use of the property. Permittee shall not conduct or allow any use or activity on the premises inconsistent with law and shall not conduct or allow any use or activity on the premises which may require a permit or other approval by a government agency without having lawfully obtained such permit or approval.

14. The parties acknowledge that this instrument is not a lease but is merely a permit to occupy and use, and therefore a landlord-tenant relationship is not hereby created; and further, that since this is not a lease, Section 5-321 of the General Obligations Law does not apply to this permit to the extent permitted by law.

15. The State shall have no responsibility whatever for the loss or destruction of any improvements made by the Permittee or for personal property stored or being used on the premises.

16. This permit shall be renewed automatically for successive terms of one month each unless canceled by either party. Cancellation by the State requires thirty (30) days written notice, except for cause, in which event cancellation can be effected on ten (10) days written notice. Permittee may cancel this permit by giving thirty (30) days written notice.

17. Permittee shall not sublet the premises nor assign or transfer the permit to any other parties in part or in whole without the prior written consent of the State. Failure to comply with this provision may result in ten (10) days written notice of cancellation of the permit by the State, and the State may immediately take possession and terminate all rights of the Permittee as of such moment.

18. It is understood and agreed by and between the parties that the Permittee will ( ) will not (X) be entitled to any relocation benefits provided under State and Federal law.

19. Permittee agrees and understands that the State is under no obligation to sell the property to the Permittee and that no commitment, express or implied, is made by the State to give the Permittee any preemptive right of purchase.

20. In accordance with Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Permittee will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, or marital status. Neither shall the Permittee discriminate in the use of the premises or any access thereto if such premises are used as a public accommodation or in connection with a public service.

21. The Permittee for his/her self, and/or the Permittee's personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land, that in the event improvements are made over or under such land and the furnishing of services thereon and/or facilities are constructed, maintained, or otherwise operated on the said property described in Item 1 of this permit for a purpose for which a New York State Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the Permittee shall construct such improvements and maintain and operate such facilities and services such that (1) no person on the ground of race, color, or national origin, sex, age, and disability/handicap, shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin, sex, age, and disability/handicap, shall be excluded from participation in, denied the benefits or, or otherwise be subjected to discrimination, (3) that the Permittee shall use the premises in compliance with all other requirements imposed by or pursuant to title 49, Code of Federal Regulations, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964; and to Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures; and further as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the State shall have the right to terminate the permit and to re-enter and repossess said land and the facilities thereon, and hold the same as if said permit had never been made or issued.

22. Permittee hereby agrees to indemnify and save harmless the State from any claim or loss including legal expenses by reason of the use or misuse of the premises under this permit and/or from any claim or loss by reason of any accident or damage to any person or property being on said premises, caused by Permittee, its employees, agents or invitees.

23. If any of the provisions of this permit are held invalid, such invalidity shall not affect or impair other provisions herein which can be given effect without the invalid provisions, and to this end the provisions of this permit are severable.

24. This permit shall not be effective unless accepted and approved in writing by the State.

25. Additional provisions to permit: See Page 5



**ACCEPTANCE:**

In consideration of the granting of the permit, the undersigned accepts all of the above terms, conditions and provisions.

**Rochester Gas and Electric Corporation**

Fed. I.D. No. \* 16-0612110

BY: \* Cynthia L. Waasdorp  
Signature

\* Cynthia L. Waasdorp  
Print Name

TITLE: \* Managers Program Projects Regulatory  
(President, Secretary, Treasurer, etc)

**INDIVIDUALLY**

Soc. Sec. No. \* \_\_\_\_\_

\* \_\_\_\_\_  
Signature

\* \_\_\_\_\_  
Print Name

STATE OF \* New York )  
COUNTY OF \* Monroe ) SS..

On the \* 1<sup>th</sup> day of \* December in the year 20\* 17 before me, the undersigned, a Notary Public in and for said State, personally appeared \* Cynthia L. Waasdorp, personally known to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Laurie A. Lomonaco  
Notary Public



**RECOMMENDED:**

Thomas H. L.  
Regional Real Estate Officer

1-17-18  
Date:

ACCEPTED and APPROVED: Commissioner of Transportation for the People of the State of New York

By: [Signature]  
Assistant Director, Office of Right of Way

Date: 1/23/2018



Additional Provisions to Permit # 41417

The permittee shall obtain Highway Work Permit(s) from the Department of Transportation for all construction in the permit area, and for each maintenance or reconstruction operation occurring thereafter.

This Permit is contingent upon compliance, inspection and approval under the terms of NYS DOT Highway Permit No. 42236

Upon cancellation of the permit by either party, the permit area must be restored to its original condition and should the Permittee fail to restore the site, the Permittee shall reimburse the State for any and all costs incurred by the State for the restoration of the permit area. This provision may be waived or modified with prior written consent from the State.

The property covered by this permit is more particularly described on a sketch which is attached hereto and made a part hereof.

# Permit for Use of State-Owned Property #41417 - Rochester Gas & Electric Corp.



PERM  
42  
(09/09)

**State of New York  
Department of  
Transportation  
Highway Work Permit**

**Permit  
No.:** 20180466927

**Date  
Issued:** 01/02/2019

**Project ID  
No.:**

**Expiration  
Date:** 01/31/2019

**\*Permittee 1:**

ROCHESTER GAS AND ELECTRIC

89 EAST AVENUE

ROCHESTER , NY 14649

Emergency Contact: BETULIO NAVA

Emergency Number: 224-383-8321

**\*Permittee 3:**

IRONWOOD HEAVY HIGHWAY LLC

755 JEFFERSON ROAD, STE 200

ROCHESTER , NY 14623

Emergency Contact: B STRATTON

Emergency Number: 585-235-1125

**\*Permittee 2:**

KENNY CONSTRUCTION

585 WEST BEACH STREET

WATSONVILLE, CA 95076

Emergency Contact: BETULIO NAVA

Emergency Number: 224-383-8321

**\*Permittee 4:**

HARLAN ELECTRIC COMPANY

6816 ELLICOTT STREET

SYRACUSE , NY 13057

Emergency Contact: R KIEFFER

Emergency Number: 315-432-9182

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

RARP - I490 AND RTE 204 INTERCHANGE \*\*\* INSTALL TRANSMISSION WIRES OVER I490, INSTALL TWO NEW POLE TOWERS AND BORE UNDERGROUND ELECTRIC TRANSMISSION LINES IN TWO - 30" CONDUITS UNDER I490 EB RAMP TO RTE 204 EB. THIS WORK ALSO INCLUDES THREE TEMPORARY STABILIZED CONSTRUCTION ENTRANCES: ALONG RAMP FROM RTE 204 WB TO I490 EB, AND TWO ALONG THE RAMP I490 EB TO RTE 204 EB. \*\*\*\*ONLY EMPLOYEES OF RG&E, KENNY CONSTRUCTION, IRONWOOD HEAVY HIGHWAY, AND HARLAN ELECTRIC ARE ALLOWED TO WORK WITHIN THE STATE RIGHT OF WAY UNDER THIS PERMIT. ALL INSURANCES MUST REMAIN IN FORCE FOR THE DURATION OF THE PERMIT TO AVOID INVALIDATION OF THE PERMIT.\*\*\*\* RESTORATION OF THESE AREAS WILL BE TO THE SATISFACTION OF THE RESIDENT ENGINEER. \*\*\*WZTC RESTRICTIONS: NO LANE OR SHOULDER CLOSURES ON RTE 490 EASTBOUND: 6AM-9AM & 3PM-6PM; RTE 490 WESTBOUND 6AM-8AM & 3PM-6PM; NY204 EASTBOUND 7AM-9AM; NY204 WESTBOUND 7AM-9AM & 3PM-6PM. OVERHEAD LINE INSTALLATION SHALL TAKE PLACE ON A SUNDAY MORNING - DAYLIGHT HOURS. CONTRACTOR SHALL NOTIFY NYSDOT TWO WEEKS PRIOR TO THE PLANNED DATE OF INSTALLATION AND DETOUR AS FOLLOWS: REGIONAL TRAFFIC ENGINEER KAYLE STETTNER 585 272-3471 OR CAROLINE CARRION-RIVERA 585 272-4845 AS WELL AS RTOC 585 759-7780. CONTRACTOR TO USE THE ATTACHED RTOC WZTC NOTIFICATION FORM FOR DAILY LANE CLOSURES AT LEAST 3 BUSINESS DAYS PRIOR TO ANY WZTC. \*\*\* EXCAVATION PROTECTION SYSTEM APPROVED FOR THIS WORK IS: LABELLA PE DESIGNED SYSTEM DATED 10/18/2018, ATTACHED \*\*\* SPECIAL NOTE: A PROFESSIONAL GEOTECHNICAL ENGINEER IS TO BE ENGAGED BY THE OWNER OF THE ELECTRICAL BANK FOR CONTINUOUS, SPECIAL INSPECTION AND WILL PROVIDE A COPY OF THE FINAL REPORT TO NYSDOT GEOTECHNICAL ENGINEER CLINT RULLO.\*\*\*



THE PERMITTEE IS RESPONSIBLE FOR TEMPORARY TRAFFIC CONTROL IN ACCORDANCE WITH THE NATIONAL MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE NYS SUPPLEMENT. ANYONE WORKING WITHIN THE HIGHWAY RIGHT-OF-WAY SHALL WEAR HIGH-VISIBILITY APPAREL MEETING THE ANSI 107-2004 CLASS II STANDARDS AND A HARD HAT.

County	Municipality	State Hwy	State Route	Beg Ref	End Ref
MONROE	GATES	61-15	490I	490I43021145	490I43021146
MONROE	GATES	61-15	204	204 43011000	204 43011001

as set forth and represented in the attached application at the particular location or areas, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit. See additional conditions on PAGE 2.

THIS PERMIT IS ISSUED BASED ON ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS BEING SATISFIED.

**Dated at:**                **Rochester**    **Date Signed:**                **01/02/2019**    **Commissioner of Transportation**    **By:**                **Paul J. Spitzer**

**IMPORTANT:**

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED, SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

**BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY:**

**Darrell Fazio, Assistant Resident Engineer    585-352-3471**

**"UPON COMPLETION OF WORK", SECOND TO LAST PAGE, MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.**

The issuing authority reserves the right to suspend or revoke this permit at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized. The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

**\* Upon completion of the work within the state highway right-of-way authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his/her or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.**

Permit Fee :                \$579.0  
0

Insurance Fee:

Total Fees:                \$579.0  
0

Amt Rec'd 1:                \$579.00    Check Num:    1212384    Check Date:    04-DEC-18

UOF:    App 1:    UOF                App 2:    No                App 3:    No                App 4:    No

**Attachments and additional requirements to this Highway Work Permit include:**

PERM 32 - Highway Work Permit Application for Utility Work

PERM 41-1d - Method of Performing Work within the State Right of Way

PERM 41-2a - Method of Performing Work - Electric Light or Power Lines Crossing Highways

PERM 41-3a - Method of Performing Work - Excavating Near Trees or Pruning or Planting or Tree Removal and Use of Pesticides

PERM 50 - Inspection and/or Supervision Payment Agreement for Highway Work Permits

Plans signed and stamped by a Licensed PE

T 22-NOV-  
MILLER 17

Other - Attach 1 WZTC DETAILS, NOTES, MAJOR HOLIDAY RESTRICTION

Other - Attach 2 STANDARD NOTES, RESTORATION DETAILS

**END OF ATTACHMENTS**

PERM 42 (09/09)

**State of New York  
Department of Transportation  
Highway Work Permit**

**Permit No.:** 20180466927

**Date Issued:** 01/02/2019

**Project ID No.:**

**Expiration Date:** 01/31/2019

**Return this page to:**

**Darrell Fazio, Assistant Resident Engineer**

**2441 South Union St.  
Spencerport, NY 14559**

**Permittee 1: ROCHESTER GAS AND ELECTRIC  
89 EAST AVENUE**

**ROCHESTER , NY 14649 -**

**UPON COMPLETION OF WORK AUTHORIZED, THIS PAGE OF THE PERMIT MUST BE COMPLETED,  
SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.**

**Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.**

DATE

PERMITTEE

AUTHORIZED AGENT (if any)

**TO BE COMPLETED BY NYSDOT:**

Work authorized by this permit has been satisfactorily completed and is accepted. **Inspection Report must be completed.**

- ☐ Refund of Deposit is authorized
- ☐ Return of Bond is authorized
- ☐ Unable to meet schedule as specified in bid proposal
- ☐ Amount charged against Bond may be released.
- ☐ Retain bond for future permits
- ☐ Forfeit of Guarantee Deposit is authorized
- ☐ Other

DATE

RESIDENT ENGINEER

☐ Mailing address of refund has been verified.

If different, list new address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Regional Office will forward this form to the Main Office with the appropriate box checked.

- ☐ Permit closed
- ☐ Bond returned/released
- ☐ Refund of Guarantee Deposit on this permit is authorized
- ☐ Forfeit Guarantee Deposit to NYSDOT
- ☐ Other

DATE

REGIONAL TRAFFIC ENGINEER



## INSPECTION REPORT

For each Highway Work Permit issued, inspections will be performed. The following report must be completed for each site visit, indicating the date, inspector, and hours spent on inspection. **If the total inspection time exceeds 1 hour, then a FIN 12 (PERMIT INSPECTION FOR DEPARTMENT SERVICES) is REQUIRED.**

## INSPECTION REPORT LOG

HOURS WORKED BY DATE									HOURS	
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									

**Complete hours for each date inspected.**  
**Add regular hour numbers across rows, and then overtime hours across rows.**  
**Add hour columns down for total hours of permit inspection time.**

### COMMENTS/OBSERVATIONS:

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**I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.**

---

NAME

TITLE

# Application for Permit Under Section 149 of the Highway Law

NOTE - Blank spaces in the following application must be filled in as follows:

- At the blank space indicated by (a) state whether the applicant is a citizen, a firm or a corporation and give the address. If a corporation, state the location of the principal place where office is located.
- At the blank space indicated by (b) describe the nature of the work for which permit is requested.
- At the space indicated by (c) describe the location of the highway where the work is to be performed.

This application is to be attached to the copy of the Permit and to be filed in the Town Clerk's office.

To the Highway Superintendent of the Town of Chili with offices located at 200 Beaver Road in the County of Monroe State of New York.

The undersigned (a) corporation, utility (Rochester Gas & Electric / Avangrid)

hereby makes application to you for permission (b) carry out and complete work as shown on the attached drawings dated May 2018. The project involves the installation of overhead electric transmission lines crossing Town of Chili right-of-way, and the installation of temporary construction entrances associated with the proposed utility work.

within the portion of highway in said town hereinafter described pursuant to the provisions of Section 149 of the Highway Law. The portion of such highway wherein such work is to be performed is described as follows (c) Krenzer Road

Christopher J. Wawerski  
Applicant Signature

5/25/18  
Date

## For Official Use Only

Date Received 5/22/18 Reviewer DL

Requires Town Engineer Review Yes ☐ No ☒ Date Submitted to Engineer —

Recommend Approval X Recommend Denial — Return for Modifications — Date —

Comments Attached X

Permit Review Number 2018-7

## PERMIT ISSUED UNDER SECTION 149 OF THE HIGHWAY LAW

The undersigned, the Town Superintendent of Highways, of the Town of Chili, County of Monroe, upon the written application

of: Rochester Gas & Electric / Avangrid whose address is 89 East Avenue, Rochester NY 14649

this        day of        20        and filed with him, as provided by Section 149 of the Highway Law hereby grants permission to said applicant to: Carry out and complete work as shown on the attached drawings dated May 2018.

on the highway described as follows: Krenzer Road

This permit is granted subject to the following conditions:

1. The work authorized by this permit shall be performed in a manner satisfactory to the Town Superintendent.
2. The applicant is to keep in good repair all pipes, hydrants or appurtenances which may be placed within the bounds of the highway under terms of this permit and is to save the town harmless from all damages which may accrue by reason of their location in the highway, and upon notice by the Town Superintendent, applicant agrees to make any repairs required for the protection and preservation of the highway; and further agrees that upon the failure of the applicant to make such repairs that such repairs may be made by the Town Superintendent at the expense of the applicant and such expenses shall be prior lien upon the land benefited by the use of the highway for such pipes, hydrants and appurtenances.
3. If the drainage, sewer, water pipes or appurtenances which are laid under this permit are placed in a town road, they shall be so placed as not to interrupt or interfere with public travel upon the highway and the earth removed must be replaced, and the highway left in all respects in as good condition as before the work performed.
4. If the work performed is on a road which has been improved by State aid, such drainage, sewer or water pipes must be placed at least four (4) feet below grade and in such a manner as in no way to interfere with macadam, shoulders or drainage ditches of the highway and that portion of the trench which passes under the macadam shall be left in as good a condition as before the work was performed and to the satisfaction of the Town Superintendent. Care must be taken not to interfere with drainage ditches or structures.
5. It is agreed by the applicant that any injury or disturbances of the macadam portion of the highway, its shoulders or drainage ditches which may occur hereafter by reason of the laying of said drainage, sewer or water pipes and their appurtenances shall be repaired by and at the expense of the applicant to the satisfaction of the Town Superintendent.
6. The said Town Superintendent may, upon the failure of the applicant to comply with any of the conditions and terms herein upon which it is granted, revoke this permit and remove any pipes, or hydrants, or other appurtenances which may have been placed in the highway under this permit.
7. If the road upon which this permit is issued is at any time of issuance, a town highway and should it be thereafter improved by State aid as a State or county highway, it is agreed that the applicant shall, before its improvement at the applicant's own expense remove drainage, sewer pipes, water pipes or appurtenances which may be placed under this permit and will relay the same in conformity with the directions of the engineer in charge of such improvement and in accordance with the rules and regulations prescribed by the State Commission of Highways.
8. All pipes and/or mains crossing highway pavements shall, wherever possible, be driven beneath the roadway without disturbance to the pavement. The point of driving shall not be less than ten (10) feet from the edge of paved surface unless approved by the Town Highway Superintendent. Such crossover pipes shall, whenever possible, be enclosed in sleeves or larger pipes so that repairs or replacements may be made in the future without any further disturbance of the roadway pavement. Minimum depth of cover of all pipe shall be 36 inches.
9. Approvals of open cuts will be determined by the Town of Chili Open Cut Policy. Backfill of open cuts shall conform to Town of Chili Trench and Pavement Restoration Detail for Road Cuts.
10. During the performance of all work under this permit, great care shall be exercised to prevent any damage to property within and adjacent to the Town of Chili right-of-way.
11. This permit shall not be transferred.
12. If any work authorized by this permit is not performed to the satisfaction of the Town Superintendent of Highways, is not fully completed or is otherwise defective, the said applicant hereby agrees that the Town Superintendent of Highways may satisfactorily complete said work or correct any defect therein after the discovery of such unsatisfactory or defective work. The cost or expense thereof shall be paid by said applicant immediately upon receipt of a statement of such cost or expense from the Town Superintendent of Highways.
13. The said applicant hereby agrees to hold the Town harmless on account of damages of any kind which may arise or occur as a result of the work authorized by this permit, either during the progress of same or within a period of five years from the date of such completion, and to defend at said applicant's own expense any and all actions instituted against the Town to recover for such damages.



## SPECIAL CONDITIONS CHECKLIST FOR 149 PERMIT

Permit #: 20187

- 1 ☒ All work must be done in accordance with approved permit and plans.
- 2 ☒ All disturbed areas within the right-of-way are to be restored to their original condition.
- 3 ☐ The work authorized by this permit shall be performed under the supervision of the Town Superintendent of Highways or his/her representative.
- 4 ☐ A security deposit of \_\_\_\_\_ is required for \_\_\_\_\_.
- 5 ☐ Comply with attached details:
 

a <input type="checkbox"/> Driveway Installation with curb/gutter c <input type="checkbox"/> Driveway Standards e <input type="checkbox"/> Drop Inlets g <input type="checkbox"/> Asphalt Shoulder Replacement i <input type="checkbox"/> Temporary Access	b <input type="checkbox"/> Frame & Grate Anchors d <input type="checkbox"/> Pavement Restoration f <input type="checkbox"/> Ditch Enclosure h <input type="checkbox"/> See Plan j <input type="checkbox"/> Restoration Detail
--	---
- 7 ☐ Install \_\_\_\_\_ inch perforated CMP or PE culvert with end sections; culvert must extend 10' beyond edge of driveway.
- 8 ☐ A sag vertical curve is required in the driveway.
- 9 ☐ Maintain existing drainage away from the roadway.
- 10 ☒ The highway must be kept clean of mud, dirt and other debris at all times.
- 11 ☐ A minimum of 3" of compacted temporary pavement must be placed in all approved road cuts until permanent pavement can be installed. The temporary pavement must be maintained by the permittee until permanent pavement is placed.
- 12 ☐ The proposed culvert invert elevations shall be on a grade line that is between the upstream and downstream adjacent property culverts and/or cross culvert invert elevations.
- 13 ☐ Two way traffic shall be maintained by the permittee on this section of the highway while the work is in progress and until its final completion. All maintenance and protection of traffic shall be performed as directed by the most current version of the N.Y.S. Manual of Uniform Traffic Control Devices.
- 14 ☒ The permittee must notify the Highway Department at (585) 889-2630, prompt # 2 at least 48 hours prior to performing any work within the Town right-of-way.
- 15 ☒ Other Prior to starting work furnish Cert. of Liability as per the ATTACHED & sign & return INDEM. Agreement.
- 16 ☐ Prior to beginning any work within the Town right-of-way, the permittee or their representative must schedule a meeting with a representatives of the Town Highway Department to develop and implement a maintenance and protection of traffic plan (a maintenance and protection sketch or plan may be required upon request) and/or to review the aspects of the project. Please call \_\_\_\_\_ to schedule the meeting.
- 17 ☐ A letter of notification of the start of construction must be sent to all effected residents at least two (2) weeks in advance of the start of construction. The Town Superintendent of Highways must be sent a copy of this letter.
- 18 ☐ All sites should be seeded and stabilized with erosion control materials, such as straw, mulch, jute mesh, or excelsior within 15 days of final grading. If construction has been suspended, or sections completed, areas should be seeded immediately and stabilized with erosion control materials. Maintenance should be performed as necessary to ensure continued stabilization.
- 19 ☐ An as-built record drawing will be required.
- 20 ☐ All materials installed in the Town right-of-way shall be in accordance with the current Town of Chili Standard Specifications and Details in effect when installed.
- 21 ☐ Applicant will correct broken gutters and/or concrete sidewalk caused as a result of their work performed.
- 22 ☐ The Driveway Culvert & Piping Certification form must be returned to Town of Chili Highway before the permit can be closed out and any security deposit released.

14. It is understood that should future changes in the highway construction or use should make necessary changes in the proposed work covered by this application and permit, the applicant shall on reasonable notice from the Town Superintendent make such necessary changes at his own expense within the time so specified in notice.
15. Care must be taken not to interfere with drainage ditches or structures.
16. When permitted, the installation of utilities must be made outside of the ditch line and as near to the highway right-of-way line as possible or as designated in writing by the Town Superintendent of Highways.
17. Equipment with chains, steel tracks, armored tires, lugs, etc. will not be permitted on the pavement area.
18. The person in charge of the work covered by this permit shall have the permit and the approved plans and sketches in his/her possession on the job at all times.
19. The permittee must notify Dig Safely New York, the Underground Facilities Protective Organization (U.F.P.O.) at 1-800-962-7962 and any affected agencies not covered by U.F.P.O. at least 48 hours before the start of any work.
20. It is required that the owner (utility company, town, village, sewer district, water district, developer, home owner) of the facility to be installed within the right-of-way of the town highway must sign the permit as the applicant. Contractors will not be allowed to sign the permit as applicant except as permitted by the Town Superintendent of Highways.
21. This permit is valid for a one year period from the date of issuance. The applicant may request additional time by reapplying at the end of the one year term.
22. See attached list of SPECIAL CONDITIONS FOR 149 PERMIT.

I hereby agree to conform to the conditions contained in the foregoing permit and any attached SPECIAL CONDITIONS.

Dated this 25 June 2 Wardle Applicant

Day of May 2018

Dated this 25 June 2 Wardle Highway Superintendent

Day of May 2018

Permit No. 2018-7

Expires On: 20 5/30/2019



## INSURANCE REQUIREMENT

The provider of service/vendor/contractor indicated under this agreement, RGE, will, at its own expense, procure and maintain an insurance policy or policies during the term of this agreement. Such policy or policies will insure for injuries or losses to persons or property that are alleged to have arisen in connection with activities of RGE, its officers, directors, employees, volunteers and agents with the following coverage forms, limits and policy endorsements:

- I. General Liability Insurance with a limit for Bodily Injury, Personal Injury and Property Damage of no less than; \$1,000,000 per occurrence, \$2,000,000 general aggregate, providing coverage for its use and occupancy of premises, its operations and its products or completed operations. The policy shall be endorsed to:
  1. Name as an Additional Insured:  
The Town of Chili  
and its Officers, Employees, Volunteers and Agents  
3333 Chili Avenue  
Rochester, NY 14624
  2. Provide that the policy is primary insurance to any other insurance available to the additional insureds with respect to claims arising out of this agreement and that the insurance applies separately to each insured against whom claim is made or suit is brought.
- II. Automobile liability insurance coverage in an amount of \$1,000,000 combined single for bodily injury and property damage and including coverage for owned, non-owned, hired or borrowed autos.
- III. Worker's Compensation (per New York Workers' Compensation law) and Employers Liability coverage: Coverage A at statutory limits and coverage B at limits of \$100,000/500,000/100,000.
- IV. Commercial Umbrella/Excess Liability  
Umbrella/excess liability limits of not less than \$1,000,000.
- V. Provide that The Town of Chili shall be given 30 days advance written notice of the cancellation, non-renewal or reduction in coverage. 10 days for non-payment is acceptable.

A signed and certified Certificate of Insurance evidencing all coverages and endorsements set forth above shall be furnished to The Town of Chili no later than 10 days prior to the usage of the property or commencement of work or services described as indicated in the agreement.

A certified copy of the above-described policy and/or endorsements shall be furnished if requested.



In addition: Indemnification and Contribution Agreement

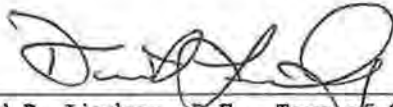
To the fullest extent permitted by law, Contractor, \_\_\_\_\_, shall indemnify, hold harmless and defend, Town of Chili, against any and all losses, claims, actions, demands, damages, liabilities, or expenses, including but not limited to attorney's fees and all other costs of defense, by reason of the liability imposed by law or otherwise upon, Town of Chili, for damages because of bodily injuries, including death, at any time resulting therefrom, sustained by any person or persons, including Contractor's employees, or on account of damages to property, including loss of use thereof, arising directly or indirectly from the performance of Contractor's work or from any of the acts or omissions on the part of Contractor, its employees, agents, representatives, materialmen, suppliers, and/or subcontractors.

If such indemnity is made void or otherwise impaired by any law controlling the construction thereof, such indemnity shall be deemed to conform to the indemnity permitted by law, so as to require indemnification, in whole or in part, to the fullest extent permitted by law.

Contractor, \_\_\_\_\_, shall strictly observe and comply with all safety laws, rules, and regulations (including but not limited to the Federal Occupational Safety and Health Act, the New York Labor Law, and all regulations promulgated pursuant to such law(s) and to provide such protection as necessary to protect its workers and the workers of other contractors. In the event that additional safety measurers are required, Contractor agrees that it will install or procures such additional safety measures at its sole expense. To the fullest extent permitted by law, Contractor shall hold harmless, indemnify and defend, Town of Chili, against all losses, claims, fines, or expenses, including but not limited to attorney's fees, resulting from the enforcement of these laws and for related acts of its officers, employees, subcontractors, suppliers, and materialmen.

The indemnity provided by requirements contained herein shall be in addition to and not limitation upon any rights or common law indemnity.

By:

  
David P. Lindsay, P.E., Town of Chili  
Commissioner of Public Works/Superintendent of Highways

Date

5/31/18

By: \_\_\_\_\_

Date \_\_\_\_\_

**State of New York  
Department of Transportation**

**Highway Work Permit**



**Permit No.:** 20180466927

**Date Issued:** 01/02/2019

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89 EAST AVENUE

ROCHESTER, NY 14649

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IRONWOOD HEAVY HIGHWAY LLC

755 JEFFERSON ROAD, STE 200

ROCHESTER, NY 14623

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**\*Permittee 2:**

KENNY CONSTRUCTION

585 WEST BEACH STREET

WATSONVILLE, CA 95076

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6816 ELLICOTT STREET

SYRACUSE, NY 13057

Emergency Contact: R KIEFFER

Emergency Number: 315-432-9182

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

RARP - I490 AND RTE 204 INTERCHANGE \*\*\* INSTALL TRANSMISSION WIRES OVER I490, INSTALL TWO NEW POLE TOWERS AND BORE UNDERGROUND ELECTRIC TRANSMISSION LINES IN TWO - 30" CONDUITS UNDER I490 EB RAMP TO RTE 204 EB. THIS WORK ALSO INCLUDES THREE TEMPORARY STABILIZED CONSTRUCTION ENTRANCES: ALONG RAMP FROM RTE 204 WB TO I490 EB, AND TWO ALONG THE RAMP I490 EB TO RTE 204 EB. \*\*\*\*ONLY EMPLOYEES OF RG&E, KENNY CONSTRUCTION, IRONWOOD HEAVY HIGHWAY, AND HARLAN ELECTRIC ARE ALLOWED TO WORK WITHIN THE STATE RIGHT OF WAY UNDER THIS PERMIT. ALL INSURANCES MUST REMAIN IN FORCE FOR THE DURATION OF THE PERMIT TO AVOID INVALIDATION OF THE PERMIT \*\*\*\* RESTORATION OF THESE AREAS WILL BE TO THE SATISFACTION OF THE RESIDENT ENGINEER. \*\*\*WZTC RESTRICTIONS: NO LANE OR SHOULDER CLOSURES ON RTE 490 EASTBOUND: 6AM-9AM & 3PM-6PM; RTE 490 WESTBOUND 6AM-8AM & 3PM-6PM; NY204 EASTBOUND 7AM-9AM; NY204 WESTBOUND 7AM-9AM & 3PM-6PM. OVERHEAD LINE INSTALLATION SHALL TAKE PLACE ON A SUNDAY MORNING - DAYLIGHT HOURS. CONTRACTOR SHALL NOTIFY NYSDOT TWO WEEKS PRIOR TO THE PLANNED DATE OF INSTALLATION AND DETOUR AS FOLLOWS: REGIONAL TRAFFIC ENGINEER KAYLE STETTNER 585 272-3471 OR CAROLINE CARRION-RIVERA 585 272-4845 AS WELL AS RTOC 585 759-7780. CONTRACTOR TO USE THE ATTACHED RTOC WZTC NOTIFICATION FORM FOR DAILY LANE CLOSURES AT LEAST 3 BUSINESS DAYS PRIOR TO ANY WZTC. \*\*\* EXCAVATION PROTECTION SYSTEM APPROVED FOR THIS WORK IS: LABELLA PE DESIGNED SYSTEM DATED 10/18/2018, ATTACHED \*\*\* SPECIAL NOTE: A PROFESSIONAL GEOTECHNICAL ENGINEER IS TO BE ENGAGED BY THE OWNER OF THE ELECTRICAL BANK FOR CONTINUOUS, SPECIAL INSPECTION AND WILL PROVIDE A COPY OF THE FINAL REPORT TO NYSDOT GEOTECHNICAL ENGINEER CLINT RULLO.\*\*\*

THE PERMITTEE IS RESPONSIBLE FOR TEMPORARY TRAFFIC CONTROL IN ACCORDANCE WITH THE NATIONAL MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE NYS SUPPLEMENT. ANYONE WORKING WITHIN THE HIGHWAY RIGHT-OF-WAY SHALL WEAR HIGH-VISIBILITY APPAREL MEETING THE ANSI 107-2004 CLASS II STANDARDS AND A HARD HAT.

County	Municipality	State Hwy	State Route	Beg Ref	End Ref
MONROE	GATES	61-15	490I	490I43021145	490I43021146
MONROE	GATES	61-15	204	204 43011000	204 43011001

as set forth and represented in the attached application at the particular location or areas, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit. See additional conditions on PAGE 2.

THIS PERMIT IS ISSUED BASED ON ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS BEING SATISFIED.

**Dated at:** Rochester **Date Signed:** 01/02/2019 **Commissioner of Transportation** By: Paul J. Spitzer

**IMPORTANT:**

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED, SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

**BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY:**

**Darrell Fazio, Assistant Resident Engineer 585-352-3471**

**"UPON COMPLETION OF WORK", SECOND TO LAST PAGE, MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.**

The issuing authority reserves the right to suspend or revoke this permit at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

**\* Upon completion of the work within the state highway right-of-way authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his/her or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.**

Permit Fee : \$579.00

Insurance Fee:

Total Fees: \$579.00

Amt Rec'd 1: \$579.00 Check Num: 1212384 Check Date: 04-DEC-18

UOF: App 1: UOF App 2: No App 3: No App 4: No

**Attachments and additional requirements to this Highway Work Permit include:**

PERM 32 - Highway Work Permit Application for Utility Work

PERM 41-1d - Method of Performing Work within the State Right of Way

PERM 41-2a - Method of Performing Work - Electric Light or Power Lines Crossing Highways

PERM 41-3a - Method of Performing Work - Excavating Near Trees or Pruning or Planting or Tree Removal and Use of Pesticides

PERM 50 - Inspection and/or Supervision Payment Agreement for Highway Work Permits

Plans signed and stamped by a Licensed PE

T 22-NOV-  
MILLER 17

Other - Attach 1 WZTC DETAILS, NOTES, MAJOR HOLIDAY RESTRICTION

Other - Attach 2 STANDARD NOTES, RESTORATION DETAILS

**END OF ATTACHMENTS**



**State of New York  
Department of Transportation**

**Highway Work Permit**



**Permit No.:** 20180466927

**Date Issued:** 01/02/2019

**Project ID No.:**

**Expiration Date:** 01/31/2020

**Return this page to:**

**Darrell Fazio, Assistant Resident  
Engineer**

**2441 South Union St.  
Spencerport, NY 14559**

**Permittee 1: ROCHESTER GAS AND ELECTRIC  
89 EAST AVENUE**

**ROCHESTER, NY 14649 -**

**UPON COMPLETION OF WORK AUTHORIZED, THIS PAGE OF THE PERMIT MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.**

**Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.**

DATE \_\_\_\_\_ PERMITTEE \_\_\_\_\_ AUTHORIZED AGENT (if any) \_\_\_\_\_

**TO BE COMPLETED BY NYSDOT:**

Work authorized by this permit has been satisfactorily completed and is accepted. **Inspection Report must be completed.**

- ☐ Refund of Deposit is authorized
- ☐ Return of Bond is authorized
- ☐ Unable to meet schedule as specified in bid proposal
- ☐ Amount charged against Bond may be released.
- ☐ Retain bond for future permits
- ☐ Forfeit of Guarantee Deposit is authorized
- ☐ Other

DATE \_\_\_\_\_ RESIDENT ENGINEER \_\_\_\_\_

☐ Mailing address of refund has been verified.

If different, list new address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Regional Office will forward this form to the Main Office with the appropriate box checked.

- ☐ Permit closed
- ☐ Bond returned/released
- ☐ Refund of Guarantee Deposit on this permit is authorized
- ☐ Forfeit Guarantee Deposit to NYSDOT
- ☐ Other

DATE \_\_\_\_\_ REGIONAL TRAFFIC ENGINEER \_\_\_\_\_

## INSPECTION REPORT

For each Highway Work Permit issued, inspections will be performed. The following report must be completed for each site visit, indicating the date, inspector, and hours spent on inspection. **If the total inspection time exceeds 1 hour, then a FIN 12 (PERMIT INSPECTION FOR DEPARTMENT SERVICES) is REQUIRED.**

## INSPECTION REPORT LOG

HOURS WORKED BY DATE									HOURS	
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									
Inspector Name	Date Inspected								Regular	Overtime
	Regular									
	Overtime									

Complete hours for each date inspected.  
 Add regular hour numbers across rows, and then overtime hours across rows.  
 Add hour columns down for total hours of permit inspection time.

**COMMENTS/OBSERVATIONS:**

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**I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.**

NAME	TITLE
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Revision Date: 5/5/2016

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION  
HIGHWAY WORK PERMIT APPLICATION FOR UTILITY WORK

Application is hereby made for a highway work permit:

Name Rochester Gas & Electric (RG&E)

Address 89 East Avenue

City Rochester State NY Zip 14649

Applicant Phone ( 585 ) 278-7947

Applicant Email Address cindy\_waasdorp@rge.com

Emergency Contact Betulio Nava

Emergency Phone ( 224 ) 383-8321

RETURN PERMIT TO: (if different from Permittee)

Name Jerry Leone, LaBella Associates DPC

Address 300 State St, Suite 201

City Rochester State NY Zip 14614

For Joint application, name and address of Applicant 2 below:

Name Kenny Construction Company

Address 585 West Beach Street

City Watsonville State CA Zip 95076

Applicant 2 Phone ( 224 ) 383-8321

Applicant 2 Email Address Betulio.Nava@gcinc.com

RETURN DEPOSIT/BOND TO: (if different from Permittee)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

DESCRIPTION OF PROPOSED WORK:

Install overhead electric transmission lines crossing I-490 EB & WB and NYS Route 204.  
Install underground electric transmission lines crossing ramp from I-490 EB to Route 204 EB (jack & bore) and along Route 204 (open cut).  
Install temporary construction entrances at various locations.

Estimated cost of work being performed in highway right-of-way: \$ 1,376,723

Anticipated duration of work: From 12/1/18 to 12/31/19 (applies to the operations indicated on the reverse side)

WILL OVERHEAD OR UNDERGROUND (5'+) OPERATIONS BE INVOLVED IN THE PROPOSED WORK? YES ☒ NO ☐

ATTACHED: Plans ☒ Specifications ☐

LOCATION: State Route: I-490, 204 Located Between Reference Markers 490I 4302 1145 and 204 4301 1001

City/Town/Village of Gates County of Monroe

SEQR REVIEW (select one)

☐ Type II ☐ Type I ☐ Unlisted LEAD AGENCY: N/A - Article VII DATE OF DETERMINATION: \_\_\_\_\_

Insurance (check one): ☐ General Liability Insurance ☒ Undertaking

NOTE: PERMIT IS ISSUED CONTINGENT UPON ALL LOCAL REQUIREMENTS BEING SATISFIED

ACKNOWLEDGMENT: ON BEHALF OF THE APPLICANT, I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND THE OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND WARRANT COMPLIANCE THEREWITH.

Applicant Signature (RG&E) Cynthia L. Waasdorp

Date 11/2/18

Applicant 2 Signature (Kenny) Josh Allen

Date 11-7-18

Approval recommended by Resident Engineer _____	Res No _____	Date _____
Approved by Regional Traffic Engineer _____	Reg No _____	Date _____

DEC 12 2018





**STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION  
HIGHWAY WORK PERMIT APPLICATION FOR UTILITY WORK**

Application is hereby made for a highway work permit:

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Applicant Phone (\_\_\_\_) \_\_\_\_\_

Applicant Email Address \_\_\_\_\_

Emergency Contact \_\_\_\_\_

Emergency Phone (\_\_\_\_) \_\_\_\_\_

RETURN PERMIT TO: (if different from Permittee)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

For Joint application, name and address of Applicant 2 below:

Name Ironwood Heavy Highway, LLC

Address 755 Jefferson Rd, Suite 200

City Rochester State NY Zip 14623

Applicant 2 Phone ( 585 ) 235-1125

Applicant 2 Email Address bstratton@ironwoodhh.com

RETURN DEPOSIT/BOND TO: (if different from Permittee)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

DESCRIPTION OF PROPOSED WORK:

Estimated cost of work being performed in highway right-of-way: \$ \_\_\_\_\_

Anticipated duration of work: From \_\_\_\_\_ to \_\_\_\_\_ (applies to the operations indicated on the reverse side)

WILL OVERHEAD OR UNDERGROUND (5'+) OPERATIONS BE INVOLVED IN THE PROPOSED WORK? YES ☐ NO ☐

ATTACHED: Plans ☐ Specifications ☐

LOCATION: State Route: \_\_\_\_\_ Located Between Reference Markers \_\_\_\_\_ and \_\_\_\_\_

City/Town/Village of \_\_\_\_\_ County of \_\_\_\_\_

SEQR REVIEW (select one)

☐ Type II ☐ Type I ☐ Unlisted LEAD AGENCY: \_\_\_\_\_ DATE OF DETERMINATION: \_\_\_\_\_

Insurance (check one): ☐ General Liability Insurance ☐ Undertaking

**NOTE: PERMIT IS ISSUED CONTINGENT UPON ALL LOCAL REQUIREMENTS BEING SATISFIED**

**ACKNOWLEDGMENT:** ON BEHALF OF THE APPLICANT, I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND THE OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND WARRANT COMPLIANCE THEREWITH.

Applicant Signature \_\_\_\_\_

Date \_\_\_\_\_

Applicant 2 Signature (Ironwood) Brian Stratton

Date 11.9.18

Approval recommended by Resident Engineer \_\_\_\_\_

Res No \_\_\_\_\_ Date \_\_\_\_\_

Approved by Regional Traffic Engineer \_\_\_\_\_

Reg No \_\_\_\_\_ Date \_\_\_\_\_

DEC 12 2018





STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION  
HIGHWAY WORK PERMIT APPLICATION FOR UTILITY WORK

DEC 03 2018

RECEIVED

Application is hereby made for a highway work permit:

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Applicant Phone (\_\_\_\_) \_\_\_\_\_

Applicant Email Address \_\_\_\_\_

Emergency Contact \_\_\_\_\_

Emergency Phone (\_\_\_\_) \_\_\_\_\_

RETURN PERMIT TO: (if different from Permittee)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

For Joint application, name and address of Applicant 2 below:

Name Harlan Electric Company

Address 6816 Ellicott St

City Syracuse State NY Zip 13057

Applicant 2 Phone ( 315 ) 432-9182

Applicant 2 Email Address rkleffer@myrgroup.com

RETURN DEPOSIT/BOND TO: (if different from Permittee)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

DESCRIPTION OF PROPOSED WORK:

Estimated cost of work being performed in highway right-of-way: \$ \_\_\_\_\_

Anticipated duration of work: From \_\_\_\_\_ to \_\_\_\_\_ (applies to the operations indicated on the reverse side)

WILL OVERHEAD OR UNDERGROUND (5'+) OPERATIONS BE INVOLVED IN THE PROPOSED WORK? YES ☐ NO ☐

ATTACHED: Plans ☐ Specifications ☐

LOCATION: State Route: \_\_\_\_\_ Located Between Reference Markers \_\_\_\_\_ and \_\_\_\_\_

City/Town/Village of \_\_\_\_\_ County of \_\_\_\_\_

SEQR REVIEW (select one)

☐ Type II ☐ Type I ☐ Unlisted LEAD AGENCY: \_\_\_\_\_ DATE OF DETERMINATION: \_\_\_\_\_

Insurance (check one): ☐ General Liability Insurance ☐ Undertaking

NOTE: PERMIT IS ISSUED CONTINGENT UPON ALL LOCAL REQUIREMENTS BEING SATISFIED

ACKNOWLEDGMENT: ON BEHALF OF THE APPLICANT, I HEREBY REQUEST A HIGHWAY WORK PERMIT, AND DO ACKNOWLEDGE AND AGREE TO THE RESPONSIBILITIES OF PERMITTEE AND THE OTHER OBLIGATIONS SET FORTH IN THIS PERMIT AND WARRANT COMPLIANCE THEREWITH.

Applicant Signature \_\_\_\_\_

Date \_\_\_\_\_

Applicant 2 Signature (Harlan) 

Date 11.8.18

Approval recommended by Resident Engineer \_\_\_\_\_

Res No \_\_\_\_\_ Date \_\_\_\_\_

Approved by Regional Traffic Engineer \_\_\_\_\_

Reg No \_\_\_\_\_ Date \_\_\_\_\_

DEC 12 2018



Operational Type and Description			PERMIT FEES				
			Base Fee	QTY	Unit Rate	Sub Total	Total Fees
<b>ORIGINAL INSTALLATION</b>			<b>Number of feet/poles</b>				
<input checked="" type="checkbox"/>	1a1	Underground - excavation, tunneling, boring, installing, etc.	32	1,300 LF	.32/foot	0 416.00	448.00
<input type="checkbox"/>	1a2	Underground - Commercial subsurface connection	32		.32/foot	0	
<input type="checkbox"/>	1a3	Underground - Residential subsurface connection	32		.32/foot	0	
<input checked="" type="checkbox"/>	1b1	Overhead - Erecting poles, towers	63	2 EA	2.50/unit	0 5.00	68.00
<input checked="" type="checkbox"/>	1b2	Overhead - Running new lines	63				63.00
<input type="checkbox"/>	1b3	Overhead - Commercial service connection	19				
<input type="checkbox"/>	1b4	Overhead - Residential service connection	19				
<input type="checkbox"/>	1c1	Installation on bridge or culvert	63				
<input type="checkbox"/>	1c2	Installation on bridge or culvert requiring structural changes	625				
<b>MAINTENANCE</b>			<b>Number of regions/counties</b>				
<input type="checkbox"/>	2a	Maintenance, single job	32				
<input type="checkbox"/>	2b1	Annual maintenance per region			2500		0
<input type="checkbox"/>	2b2	Annual maintenance per county			625		0
<input type="checkbox"/>	2c	Repair of water or sewer lines	32				
<input type="checkbox"/>	2d	DOT requested maintenance	N/C				
<b>AFTER ORIGINAL CONSTRUCTION</b>			<b>Number of regions/counties</b>				
<input type="checkbox"/>	3a1	Annual - includes overhead connections - per region			2500		0
<input type="checkbox"/>	3a2	Annual - includes overhead connections - per county			625		0
<input type="checkbox"/>	3b	DOT requested relocation	N/C				
<input type="checkbox"/>	3c	Commercial subsurface service connection	32				
<input type="checkbox"/>	3d	Commercial overhead service connection	19				
<input type="checkbox"/>	3e	Residential subsurface service connection	32				
<input type="checkbox"/>	3f	Residential overhead service connection	19				
<b>MISCELLANEOUS UTILITY WORK</b>							
<input type="checkbox"/>	4	Miscellaneous (describe below)	32				

UTILITY CHARGE ACCOUNT NUMBER: \_\_\_\_\_ WORK ORDER/REF NO: \_\_\_\_\_

PERFORMANCE SECURITY (Select One): Guarantee Deposit – Cash ☐ Performance Bond ☐ Letter of Credit ☐

Guarantee Deposit Amount: \_\_\_\_\_

Guarantee Deposit Check Number or Bond Number: \_\_\_\_\_

(To be completed by NYSDOT issuing office)

Project Identification Number \_\_\_\_\_

Highway Work Permit No. \_\_\_\_\_

State Highway (SH) Number \_\_\_\_\_

Record ID Number \_\_\_\_\_







Department of  
Transportation

**Form PERM 32 (December 2015)**  
**Highway Work Permit Application for Utility**  
**Work Instructions and Form**

**INSTRUCTIONS FOR COMPLETING THE APPLICATION**

**FRONT OF APPLICATION**

Three (3) copies of the entire application, work plans and all other supporting documents must be submitted. At the time of application, certain information relative to fees and deposits may be contingent upon determinations to be made by the Department. In such cases, the information may be left blank and remittance withheld until a determination is made.

Please complete the following:

- Permittee name, address, phone and email address. Provide joint applicant contact information, if appropriate. If there are additional applicants, attach contact information on a separate sheet.
- Name and phone number(s) of emergency contact person.
- If permit is to be returned to someone other than the applicant, complete this section.
- If the guarantee deposit or bond is to be returned to someone other than applicant, complete this section.
- Estimate the cost of work being performed in the state highway right-of-way and provide this figure.
- Indicate anticipated duration of work to be performed with starting date and ending date.
- Indicate the form of insurance coverage to be provided.
- Give a brief description of the work that is proposed to be done under this permit.
- Indicate whether any overhead and/or underground work (5 foot or greater depth) is included in the proposed work.
- Plans and specifications should accompany this application for any work that involves construction within the state highway right-of-way. Place a check mark on the lines for plans and specifications if they are attached to this application.
- Location of the project should be identified by State Route, highway reference marker(s), and the municipality and county in which work area is located.
- In regard to State Environmental Quality Review (SEQR), indicate the type of action, the name of the Lead Agency, and what date the final determination was made, if available.
- Signature of applicant and date.
- Signature of second applicant, if any, and date.

**BACK OF APPLICATION**

- Check type of work that will be performed.
- In the appropriate column, indicate total amount of permit fees
- Indicate Utility Charge Account Number if applicable
- Indicate type of performance security provided (bond, deposit, letter of credit), if required.
- Indicate check number of deposit or bond number.

**DOT - REGION 4**  
**MONROE WEST**

**DEC 03 2018**

**RECEIVED**





## RESPONSIBILITIES OF PERMITTEE PURSUANT TO UTILITY HIGHWAY WORK PERMITS

**NOTE: FAILURE TO OBTAIN A PERMIT OR FAILURE TO COMPLY WITH THE TERMS OF A PERMIT MAY RESULT IN THE DEPARTMENT HALTING THE ACTIVITY FOR WHICH A PERMIT IS REQUIRED UNTIL ADEQUATE CORRECTIONS HAVE BEEN MADE.**

**1. LIMITATIONS ON USE:** The specific site identified in this Highway Work Permit, and only that site identified, will be available for use by Permittee only for the purpose stated in this Permit and only on the date(s) and for the duration designated in this permit. This Permit does not authorize any infringement of federal, state or local laws or regulations, is limited to the extent of the authority of NYSDOT and is transferable and assignable only with the written consent of the Commissioner of Transportation. The Commissioner reserves the right to modify fees and to revoke or annul the Permit at any time, at his/her discretion without a hearing or the necessity of showing cause.

**2. CONDITIONS OF USE:** NYSDOT makes no affirmation that the state-owned site used for the work has been designed, constructed, or maintained for the purpose of the conduct of the work. The Permittee assumes full responsibility for planning and conducting a safe and orderly project that does not expose workers or the public to any unreasonable hazards and that involves a minimal disruption of the normal uses of the state and local highway systems. **It shall be the sole obligation of the Permittee to determine whether the site is suitable for the purpose of safely conducting the work.** The Permittee assumes all responsibility for assuring that the use of the highway/property conforms to applicable requirements of law, including, but not limited to those set forth herein.

**Permittee agrees to assure compliance with New York Labor Law, industrial regulations, and OSHA regulations, and to assure the safety of all workers who will be engaged to do the permitted work.**

**3. INSURANCE COVERAGE:** Permittee must have the insurance that is required for the type and extent of the work being performed.

**Permittee agrees to maintain liability insurance in full force and effect throughout the term of the highway work permit. Expiration of, or lack of, liability insurance automatically terminates the permit.**

To comply with this requirement, an applicant must furnish the Department with one of the following:

- A completed **Certificate of Insurance** evidencing the required types and limits of insurance coverage, with New York State Department of Transportation named as an additional insured on the commercial general liability policy. An industry standard **ACORD 25** form with an **ACORD 855** Addendum is acceptable evidence of the required coverage. Certificate Holder should be indicated as New York State Department of Transportation, with the address of the issuing office.
- A fully executed **Undertaking Agreement** may be provided by Municipalities, Public Utilities, Transportation Corporations, Public Service Corporations or Railroads, as an alternative to providing proof of commercial general liability the insurance.

See PERM 32 Submission Package Requirements on page 4 for more detailed guidance on insurance coverage.

**4. COMPENSATION AND DISABILITY INSURANCE COVERAGE:** Permittee is required to have compensation insurance and disability coverage as noted in the provisions of the Worker's Compensation Law and Acts amendatory thereof for the entire period of the permit, or the permit will be invalid. Applicant must provide proof of coverage (Form C-105.2, U-26.3 or SI-12 for Worker's Compensation, and DB-120.1 or DB-155 for Disability Benefits), or provide proof of exemption from this requirement (Form CE-200).

**5. INDEMNIFICATION:** Permittee agrees that, in addition to any protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations; whether undertaken by Permittee's own forces or by contractor or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT and their agents from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of any claim, including but not limited to claims for personal injuries, property damage or wrongful death and/or environmental claims, in any way associated with the Permittee's activities or operations, no matter how caused.

**6. NOTIFICATION:** The following should be notified at the appropriate time as shown below:

- Commissioner of Transportation, through the NYSDOT regional office, one week prior to commencing work.
- Area gas distributors, 72 hours prior to any blasting.
- Utility companies with facilities in work areas, before starting work (in accordance with Industrial Code 53).
- Permission from utility company must be obtained before commencing work affecting the utilities' facilities.
- NYSDOT regional signal maintenance shop, 3 days prior to starting work (traffic signal work).
- NYSDOT regional office, at conclusion of work, and return original copy of permit to Resident Engineer.

**NOTIFICATION FOR ANNUAL MAINTENANCE PERMITS:** (1) Except in emergencies, the applicant will notify the regional director and resident engineer in writing, at least 72 hours before work is started. This notice will contain a complete description of the work to be done, including sketches where essential. (2) In emergencies, telephone notice will be immediately given the resident engineer, and the full requirements outlined above will be met as soon as possible, and not later than the first working day following the emergency notice.



**7. SITE CARE AND RESTORATION:** A bond, deposit (bank cashier's check), or a Letter of Credit, in an amount designated by the Department of Transportation, may be required before a permit is issued, in order to guarantee restoration of the site to its original condition. A fully executed Undertaking Agreement may be accepted as an alternative security, where applicable. If the Department is obliged to restore the site to its original condition, the costs to the Department will be deducted from the amount of the permittee's deposit at the conclusion of the work. Costs in excess of the bond/deposit on file will be billed directly to the permittee. If permittee posts a Letter of Credit, the Department may elect to have a contractor restore the site, and issue a draft drawn against the Letter of Credit as payment.

- Anyone working within state highway right-of-way must wear **high visibility apparel** and **hard hat** meeting ANSI Class 2 requirements.
- No unnecessary obstruction is to be left on the pavement or the state highway right-of-way, or in such a position as to block warning signs during non-working hours.
- No work shall be done to obstruct drainage or divert creeks, water courses or sluices onto the state highway right-of-way.
- All false work must be removed and all excavations must be filled in and restored to the satisfaction of the Regional Maintenance Engineer.

**8. COSTS INCURRED BY ISSUANCE OF THIS PERMIT:** All costs beyond the limits of any liability insurance, surety deposits, etc. are the responsibility of the permittee. The State shall be held free of any costs incurred by the issuance of this permit, direct or indirect.

**9. SUBMITTING WORK PLANS:** The applicant will submit three (3) copies of work plans and/or maps as required by the Department. This shall include (but not be limited to) such details as: measurements of driveways with relation to nearest property corner; location of existing and proposed poles, guide rail, signal equipment, trees or drainage structures; positions of guys supporting poles; a schedule of the number of poles and feet of excavation necessary for completion of work on the State right-of-way. A description of the proposed method of construction will be included.

- Plan work with future adjustments in mind, as any relocation, replacement or removal of the installation authorized by this permit and made necessary by future highway maintenance, reconstruction or new construction, will be the responsibility of the permittee.
- The permittee must coordinate the work with any State construction being conducted.

**10. TRAFFIC MAINTENANCE:** A plan detailing how the permittee intends to maintain and protect traffic shall be submitted with work plans. Traffic shall be maintained on the highway in a safe manner during working and non-working hours until construction is completed. The permittee is responsible for traffic protection and maintenance, including adequate use of signs, barriers, and flag persons during working and non-working hours until construction is completed. All sketches will be stamped with "MAINTENANCE OF TRAFFIC SHALL BE IN CONFORMANCE WITH THE NATIONAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."

**11. COST OF INSPECTION AND SUPERVISION:** Prior to issuance of the Highway Work Permit, the permittee may be required to sign an INSPECTION PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS (FORM PERM 50) agreeing to the payment of construction inspection charges, based on the number of work days involved.

**12. SCOPE:**

- **Areas Covered:** Permits issued are for highways, bridges and culverts over which the New York State Department of Transportation has jurisdiction. (Local governments issue permits for highways under their jurisdiction.) Work locations must be approved by the Department.
- **Maintenance:** Unless noted otherwise, applicant shall be fully responsible for the maintenance of all items installed and/or altered as shown on the approved permit plans and documents. Property owners having access to a state highway shall be fully responsible for the maintenance of their driveway in accordance with POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.
- **Work Commencement:** The Permittee shall have a copy of the permit available at the site during the construction period. Work should start within 30 days from validation date of permit or said permit may be revoked.

**13. REPORTING ACCIDENTS:** Permittee is required to report any accidents that occur during the course of the permit work to their insurance company, and to provide the Department with a copy of any such report.

**14. COMPLETION OF PROJECT:** Upon completion of the work within the State highway right-of-way authorized by the work permit, the person and his or its successors in interest shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the Terms and Conditions of the Highway Work Permit.

**15. USE AND OCCUPANCY:** A Use & Occupancy agreement may be a requirement of this permit. If required, Applicant agrees to enter into a Use & Occupancy agreement with the department, and to pay all fees associated with ongoing occupancy of state right-of-way, and all other conditions required under the Use & Occupancy agreement.





## PERM 32 Submission Package Requirements

**Submit three (3) copies of the final submission package: Submission package must include the entire PERM 32 with all work plans and supporting documents, including the following (check all that apply):**

<input checked="" type="checkbox"/>	Stamped Final Plans – Submit in PDF file format on CD, with three (3) paper copies (1" = 50'), or as requested
<input checked="" type="checkbox"/>	ACORD 25 - Certificate of Insurance, with NYSDOT named as Additional Insured (See line 3 below).
<input checked="" type="checkbox"/>	ACORD 855 - New York Construction Certificate of Liability Insurance Addendum (See line 3 below).
<input checked="" type="checkbox"/>	PERM 1, 2, 6 or 16 - Undertaking Agreement, if applicable (See line 4 below).
<input type="checkbox"/>	PERM 36 - Attachment to Highway Work Permit – Consultant Inspection, if applicable
<input type="checkbox"/>	PERM 44 - Surety Bond – Performance bond in Applicant's name, or deposit (Bank cashier's check required)
<input type="checkbox"/>	PERM 50 – Inspection/Supervision Payment Agreement, if applicable
<input checked="" type="checkbox"/>	Proof of Worker's Compensation Insurance (Form C-105.2, U-26.3 or SI-12), or proof of exemption (Form CE-200)
<input checked="" type="checkbox"/>	Proof of Disability Benefits Coverage (Form DB-120.1 or DB-155), or proof of exemption (Form CE-200)
<input checked="" type="checkbox"/>	Permit Fees
<input type="checkbox"/>	Other (specify): <span style="border: 1px solid black; display: inline-block; width: 200px; height: 20px; vertical-align: middle;"></span>

### Insurance Requirements

- 1) In most cases, Permittee must provide proof of **Commercial General Liability** insurance coverage with limits of liability not less than **\$1,000,000** per claim/occurrence, unless any of the following circumstances exist, in which case the limits of liability shall not be less than **\$5,000,000** per claim/occurrence:
  - (a) The estimated value of permitted work in state right-of-way is \$250,000 or more (see line 5 below);
  - (b) The permitted work requires or includes the construction, alteration or maintenance of underground features at any depth five feet or more below grade;
  - (c) The permitted work requires or includes the construction, alteration or maintenance of overhead features that include, but are not limited to, traffic signals, overhead sign structures, retaining walls or other grade separation structures.
- 2) Exceptions to the above liability limits include: (a) Annual maintenance permits require limits of liability not less than \$5,000,000 per claim/occurrence; (b) Permits for vegetation control activities require limits of liability not less than \$1,000,000 per claim/occurrence; (c) Residential driveway permits require limits of liability not less than \$500,000 per claim/occurrence; and (d) Adopt-a-Highway permits are exempt.
- 3) **ACORD 25** with **ACORD 855** (New York Construction Addendum) shall be submitted as an acceptable proof of liability coverage. New York State Department of Transportation should be named as Additional Insured and as the Certificate Holder at the address of the issuing office.
- 4) Municipalities, public utilities, public authorities and railroads may elect to provide a fully executed **Undertaking Agreement** as a substitute for providing proof of insurance coverage, or any other financial security otherwise required.
- 5) When the estimated cost of work being performed in the right-of-way equals or exceeds \$250,000, Permittee must additionally provide proof of a **Protective Liability (OCP)** insurance policy with a minimum liability limit of \$1,000,000 per occurrence, with New York State Department of Transportation as Named Insured.

**Permittee agrees to maintain liability insurance in full force and effect throughout the term of the highway work permit. Expiration of, or lack of, liability insurance coverage automatically terminates the permit.**

**For more information on insurance requirements, go to: [www.dot.ny.gov/permits-insurance](http://www.dot.ny.gov/permits-insurance)**





**STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
EXCAVATING NEAR TREES, PRUNING, PLANTING,  
TREE REMOVAL AND USE OF PESTICIDES  
METHOD OF PERFORMING WORK**

**PART I**

**Major Tree Pruning**

Tree pruning shall include drop crotching, side pruning, pruning through, under pruning, the removal of large branches, limbs and trunks of trees and brush clearance, but not the removal of trees. Locations and heights of new poles and aerial lines as they relate to the preservation of trees to be retained shall be approved by the Regional Traffic Engineer. All proposed work shall be reviewed, in the field, by the Regional Traffic Engineer before the permit is granted.

Special Considerations listed in Part II below shall also apply.

**PART II**

**Tree Pruning for Aerial Line Maintenance**

Tree pruning for aerial line maintenance may include removal of up to 50% of the existing sucker growth. It shall not include the removal of large branches, limbs or portions of the trunks of trees, nor shall it include the removal of large branches, limbs or portions of the trunks of trees, nor shall it include the removal of trees or shrubs. Special Considerations listed below shall also apply.

**Special Considerations**

Primary consideration shall always be given to location of utility lines on a separate right of way or underground installations. Where separate right of way or underground installation is not possible, aerial cables, joint use of pole lines by supply and signal companies, and other installations which will avoid interference with existing or anticipated tree growth shall be utilized. Offset crossarms, racks, cable guards, tree wires, pole toprake, pole line offsets, crossovers and similar expedients shall be considered as alternative methods in lieu of pruning. Specific approval must be obtained for proposals to place guy wires where they will not interfere with mowing operations. Guy wires may not be attached to trees within the R.O.W.

**VOLUNTEER GROWTH:** Existing volunteer growth shall be considered the same as planted trees and shrubs. Only volunteer growth that has been designated by the Regional Traffic Engineer may be removed.

**TREE TRAINING:** Pruning for the purposes of controlling existing or anticipated growth that may affect overhead utility lines shall preserve the original natural tree form to the extent possible.

**TREE SURGERY PRACTICE:** All work shall conform to recognized good tree surgery practice and the National Arborist Association's "Pruning Standards for Shade Trees."

- a. Work shall be done under the direction of a qualified tree surgeon.
- b. Pruning shall be done by experience tree pruners.
- c. Climbing irons shall not be used on trees unless the trees are being removed.
- d. Pruning shall preserve the natural character and balance of the tree.
- e. Pruning cuts shall be made at a parent branch or limb and outside of the branch collar. No damage shall be done to the branch collar.
- f. Removal of branches by sawing shall be preceded by pre-cutting and under-cutting where necessary to prevent stripping the bark.
- g. Wounds shall be shaped, if necessary, to leave smooth edges and properly rounded shapes.
- h. In cutting back a branch the cut shall be made at a crotch having another branch at least 1/3 the diameter of the cut branch.
- i. Excessive pruning shall not be permitted in a single season, on thin barked trees, or during the summer months. To avoid girdling, opposite side limbs shall not be removed in a single season.
- j. Tree wound paints shall not be used.

**PART III**

**Removal of Trees**

When removal of trees is required, the work shall be performed under the supervision of the Regional Traffic Engineer. The work shall consist of removing all cut wood from the right of way. Trees to be removed shall be topped unless conditions clearly permit felling without obstructing the highway or damaging surrounding vegetation, signs, fences, guide rail or other property and features.

**VOLUNTEER GROWTH:** Same as listed under "PART II Special Considerations".

**STUMPS:** Stumps and all roots over 4" in diameter shall be cut flush with the ground except in lawn areas where stumps and roots shall be removed to at least 6" below ground level.

**BACKFILL:** Backfill for stump holes shall consist of material approved by and compacted to the satisfaction of the Regional Traffic Engineer. Backfill stump holes shall be seeded, fertilized and mulched with materials and by methods approved by the Regional Traffic Engineer.

**PART IV**

**Use of Pesticides**

Detailed work plans outlining proposed use of pesticides shall be submitted for the Regional Traffic Engineer's approval and for coordination with the Department's pesticide work plans.

Upon the expiration of the permit a report confirming that the applications were completed as planned or identifying where planned applications were not completed shall be submitted to the Regional Traffic Engineer.

PART V

Planting

The work shall include planting of trees, shrubs and ground covers in locations approved or designated by the Regional Traffic Engineer.

**DISTANCE OF PLANTING FROM PAVEMENT:** No tree planting will be permitted within the roadside clear area designated by the Regional Traffic Engineer.

**DISTANCE OF PLANTING FROM GRADE CROSSING:** No plantings having an ultimate height of over 2 feet will be permitted in locations where plants may obstruct sight distances at highway or railroad grade crossings. Required site distances for highway or railroad grade crossings shall be determined by the Regional Traffic Engineer. In addition to the required plans, the pre-planting field stake-out shall also be approved by the Regional Traffic Engineer wherever planting is proposed within 1000 feet of a highway or railroad grade crossing.

**PRESERVATION OF HORIZONTAL AND VERTICAL SIGHT DISTANCES ALONG HIGHWAYS:** No planting will be permitted at locations on horizontal or sag vertical curves where they would reduce sight distances to less than the minimum sight distance standard for the highway class.

**PROTECTION OF DRAINAGE:** No planting will be permitted in locations where plants would be detrimental to drainage ditches or structures.

**PLANTING IN RELATION TO UTILITY LINES:** No planting will be permitted where plants would interfere with existing or proposed utilities.

PART VI

Excavating Near Trees

The work shall be performed under the supervision of the Regional Traffic Engineer if so required. The work shall consist of excavation and/or construction involving the cutting or disturbance of tree roots. Wherever possible excavation and construction shall be avoided near the roots of trees to be preserved. When such work is approved, tunneling shall be employed where practicable and the minimum number of roots shall be cut or disturbed.

**STANDARDS:** All work shall conform to recognized tree surgery practices.

- a. Root pruning shall be accomplished with sharp tools capable of a clean, smooth cut.
- b. Roots exposed to the air during excavation operations shall be wrapped with burlap or other suitable material and kept moist until backfilled.
- c. Backfill adjacent to roots shall be approved soil and shall be firmly compacted.
- d. Tree crowns shall be pruned to compensate for root losses when so directed by the Regional Traffic Engineer.

PART VII

Special Conditions

1. This permit shall be kept at the site of the work and must be shown to anyone upon request.
2. Any work in connection with this permit which damages or interferes with the established drainage facilities on the right of way shall be repaired and restored to the satisfaction of the Regional Traffic Engineer.
3. No pavement cuts are to be left unfilled overnight except in extraordinary cases. All open trench in the highway right-of-way shall be barricaded. There shall be conspicuously displayed bright red flags not less than 24" X 24" attached to such barricades and illuminated at night with red lanterns and bomb flares. If in the judgement of the representative of the Commissioner of Transportation, flagpersons are necessary, they shall be employed by the permittee and on duty at all times during the progress of the work so as to direct traffic and maintain flares, etc.
4. Shoring shall progress with the excavation to prevent cave-ins.
5. Pavement replacement shall be as specified by the Commissioner of Transportation or his representative.
6. Any and all underground and overhead public utility facilities encountered shall not be disturbed in any manner without proper authority from the owner.
7. No construction materials or equipment shall be left on the shoulders or pavement between work hours, nor shall any construction equipment or materials be placed in any manner that will obstruct highway or railroad warning signs.
8. All disturbed areas within the R.O.W. shall be returned to their original condition in a manner satisfactory to the Commissioner of Transportation or his representative.
9. In addition to the aforementioned special conditions, if it is deemed necessary by this Department to make changes in, or additions to these conditions, such changes shall become a part of the permit and be complied with immediately.

ADDITIONAL SPECIAL CONDITIONS AND SKETCHES

- A. Work authorized under this Permit shall be performed in the manner specified in part(s) \_\_\_\_\_, which are listed under Method of Performing Work.
- B. Permittee will also notify the Regional Landscape Architect, \_\_\_\_\_, prior to starting work and upon completion of work so that it may be inspected. Satisfactory compliance with the terms of the permit as well as the inspection and approval of the work authorized is a prerequisite to the issuance of subsequent permits.
- C. Duration of permit (not to exceed six months) \_\_\_\_\_



## ELECTRIC LIGHT OR POWER LINES CROSSING HIGHWAYS

### METHOD OF PERFORMING WORK

The applicant shall present for approval a plan showing details of the proposed crossing at the time application is made for a permit.

In addition to the following special conditions, Part 131 NYCRR (Accommodation of Utilities Within State Highway Right-of-Way) shall apply. If it is deemed necessary by this Department to make changes in, or additions to, these conditions, such changes shall form a part of this permit and be complied with immediately.

#### LOCATION:

The poles or towers supporting the crossing span shall, where practicable, be outside the limits of state highway right-of-way.

Unusually long crossing spans shall be located, wherever practicable, away from flammable material or structures.

The poles or towers supporting the crossing span and the adjoining span on either side shall preferably be in a straight line.

The wires or cables shall cross over telegraph, telephone, and similar wires wherever practicable.

Cradles or overhead bridges shall not be used.

#### CLEARANCE:

The minimum vertical clearance above all roadways shall be at least 18 ft. above the crown of the highway for wires carrying less than 750 volts, for guys, messenger wires, communication cables, supply cables encased in continuous metal sheath and insulated supply cables fastened to an effectively grounded messenger cable.

For 750 to 15,000 volts, the minimum vertical clearance shall be 20 ft.

For 15,000 to 50,000 volts, the minimum vertical clearance shall be 22 ft.

Above 50,000 volts, the minimum vertical clearance shall be 22 ft. plus 0.4 inch for each 1000 volt increase.

The above clearances are for spans not exceeding the following conditions:

Heavy loading zone (ice and wind conditions) 175 ft.;

Medium loading zone, 250 ft.;

Where spans are to be longer than described above, additional clearance should be allowed at the rate of 0.15 ft. per each 10 ft. of increased length for large conductors and 0.30 ft. for small conductors.

The vertical clearance of wires and cables crossing existing wiring should be as follows:

Open wiring up to 750 volts grounded continuous metal sheathed cable and insulated conductors attached to a grounded messenger (any voltage) – 2 ft. clearance above communication cables, guy lines, and messengers;

Open wiring 750 to 8,700 volts-4 ft. clearance above communication cables, guys, and messengers;

Open wiring 8,700 to 50,000 volts-6 ft. clearance above communication cables, guys, and messengers;

When the crossed wiring carries 0 to 750 volts and the crossing wiring carries 0 to 750 volts, the clearance shall be 2 ft.;

When the crossed wiring carries 750 to 8,700 volts and the crossing wiring carries 750 to 8,700 volts, the clearance shall be 2 ft.;

When the crossed wiring carries 8,700 to 22,000 volts and the crossing wiring carries 8,700 to 22,000 volts, the clearance shall be 4 ft.;

When the crossed wiring carries of 0 to 8,700 volts and the crossing wiring carries 8,700 to 22,000 volts, the clearance shall be 2 ft.;

Voltages in excess of 22,000 shall call for vertical clearance increase of 0.4 inch per each additional 1,000 volts.

The increased clearance requirements for spans exceeding the length and loading as previously described will also apply.

#### GUYS:

Guys shall be not less than 5/16th inch in diameter of an approved material protected from corrosion. The anchorage details shall be shown on the plans.

Wooden poles supporting the crossing span shall be side-guyed in both directions, if practicable, and be head-guyed away from the crossing span. The next adjoining poles shall also be head-guyed. Braces may be used in place of guys.

Guy insulators shall be required on ungrounded guys attached to supporting structures carrying open supply conductors of greater than 300 volts, or if exposed to such conductors. Insulators shall not be required on guys for supporting structures that are thoroughly grounded. Guy insulators shall be located not less than 8 ft. above grade.

#### CLEARING:

The area around poles or towers, for an adequate distance, shall be kept free of flammable material, underbrush and grass.

#### SIGNS:

Warning signs of an approved design shall be placed on all towers, and on all poles stepped less than 6½ ft. from the ground, carrying wires or cables across highways.

#### GROUNDING:

Where wires carry more than 7,500 volts, and unless two cross arms are used on each pole of the crossing span, the towers and poles supporting the crossing span shall be permanently grounded. In addition, a satisfactory device shall be used to ground each part of the conductor at the tower or pole.

#### FOUNDATIONS:

Foundations for steel poles and towers shall be designed to prevent overturning. Where a crossing is located in wet ground or swampy conditions, special precautions shall be taken to insure stability of poles and towers.



#### **MATERIALS:**

Conductors shall be of copper, steel, reinforced aluminum, or other noncorrodible material, sufficient in mechanical strength to cover the length of span.

The minimum size of conductor, for spans less than 150 ft. shall be:

No. 6B. & S. gage for medium or hard-drawn copper wires;

No. 4B. & S. gage for soft-drawn copper wires;

No. 6B. & S. gage for aluminum wires with steel reinforcements.

For longer spans, wire sizes shall be increased accordingly.

Conductors of the crossing span shall contain no joints.

#### **INSULATORS:**

Insulators shall be of porcelain (wet process or equivalent) for voltages exceeding 2,300 volts. Strain insulators for guys shall have a mechanical strength at least equal to that of the guy. Strain insulators shall be so constructed that the guy wires holding insulators in place interlock in case of failure of the insulator.

#### **INSULATORS PINS:**

Insulator pins shall have sufficient strength to withstand all expected loads to which they may be subjected. Wood pins shall be sound and straight-grained, with a diameter of shank not less than 1¼ inch. Steel or iron pins shall have diameter of shank not less than ½ inch.

#### **POLES:**

All poles are to be set in line and carefully plumbed. Wooden poles are to be of select timber, straight, peeled, and free from defects, which could decrease their strength or durability, and shall be doubly armed.

#### **ADDITIONAL REQUIREMENTS:**

On completion of the work, all false work, plant and rubbish incident to the construction shall be removed promptly and the site left unobstructed and clean.

### **ELECTRIC LIGHT OR POWER LINES ALONG HIGHWAY METHOD OF PERFORMING WORK**

In addition to the following special provisions, Part 131 NYCRR (Accommodation of Utilities Within State Highway Right-of-Way) shall apply. If it is deemed necessary by this Department to make changes in, or additions to, these conditions, such changes shall form a part of this permit and be complied with immediately.

The applicant shall submit a detailed plan showing proposed location, height and spacing of poles or towers. This plan shall indicate size and kind of conductor, maximum voltage, type of insulator, number of lightning arresters per mile, and location of transformer houses. The details of all towers and their foundations shall be shown. If poles are used, method of setting shall be indicated with guys and anchorage.

All requirements for guys, setting of poles, clearing and materials, outlined under the heading "Electric Light or Power Line Crossing Highways" apply.

Conspicuous warning signs shall be attached to towers or poles at frequent intervals and to all transformer houses and substations. On bridge structures, lines carrying 750 volts or more shall also be signed.

Traffic flow is to be maintained at all times during the progress of work.

Adequate signs, barricades, flagpersons, lights and other control devices shall be provided and shall be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD). The Department may require the permittee to provide an approved detour for traffic, maintain and remove the same, and restore the site.

All work shall be performed in such a manner as to minimize hazards to the traveling public. Construction materials, equipment, etc. shall not be left on the shoulders or pavement after working hours, nor at any time be placed in a manner or location that will obstruct highway or railroad warning signs, highway safety, or the clear sight distance at intersections, including driveway entrances, without proper traffic control devices and measures.

Permittee shall keep the roadway free of foreign objects such as mud, rocks, timber and other items. Spillage of material from any vehicle resulting from the permittee's operation shall be removed immediately.

All traffic control devices shall be immediately removed or covered when not required by site conditions.

Nothing contained herein, nor any permit issued pursuant to these regulations, shall be deemed to authorize any interference with the property rights of abutting landowners, including, but not limited to, rights with respect to trees and other vegetation, and with entry upon private property. Permittees shall be required to obtain such permission or authorization as may be required by law, prior to undertaking any activity which would require permission or authorizations from the owners of properties outside the rights-of-way.

All poles shall be set at the locations approved by the Regional Traffic Engineer.

Poles shall be of sufficient length to provide a clearance of not less than 18 ft., or as dictated by voltage and/or span length requirements above the crown of the highway, under the worst conditions of temperature and loading. They shall be set in line and properly plumbed.

Poles shall be well-guyed. Special precautions shall be taken on curves and where lines cross from one side of the highway to the other.

Poles shall be straight, sound, and the fittings shall be of sufficient strength to carry wires under the worst conditions of loading (ice, wind, etc.).

Where telephone wires cross high tension power lines, electric light or trolley wires, special precaution shall be taken to maintain proper clearance under the worst conditions of temperature and loading.

Permittees must conduct operations within the right-of-way in a manner so as to minimize damage to the natural condition of the landscape. Clearing operations shall be minimized in scope and conducted with care. All plant material shall be pruned consistent with current arboricultural practices.

A restoration plan, commensurate with the scale of work, shall accompany the permit application.

If future work on the highway requires the relocation, replacement or resetting of poles, cables or conduits, said work shall be done at the expense of the applicant.

## Standard General Plan Notes

1. ROAD TO BE KEPT CLEAN OF MUD AND DEBRIS AT ALL TIMES.
2. ROADSIDE DRAINAGE TO BE MAINTAINED AT ALL TIMES.
3. MATERIALS, EQUIPMENT AND VEHICLES ARE NOT TO BE STORED OR PARKED WITHIN THE NEW YORK STATE RIGHT-OF-WAY.
4. MAINTENANCE AND PROTECTION OF TRAFFIC MUST COMPLY WITH THE CURRENT NATIONAL MUTCD WITH NYS SUPPLEMENT, SECTION 619 OF THE CURRENT NYSDOT STANDARD SPECIFICATIONS, THESE PLANS AND AS ORDERED BY THE ASSISTANT RESIDENT ENGINEER. ON A NYSDOT CONSTRUCTION PROJECT, MAINTENANCE AND PROTECTION OF TRAFFIC MUST COMPLY WITH THESE PLANS AND BE IN ACCORDANCE WITH THE NYSDOT CONTRACT DOCUMENTS AS DEEMED NECESSARY BY THE NYS ENGINEER-IN-CHARGE.
5. NOTIFY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION'S ASSISTANT RESIDENT ENGINEER AT THE APPROPRIATE NUMBER, AS NOTED BELOW, FIVE (5) WORK DAYS PRIOR TO WORKING WITHIN THE STATE RIGHT-OF-WAY.

GENESEE CO. - DAN STAHLEY (585) 343-4802

LIVINGSTON CO. - ADAM KISIAH (585) 346-3836

MONROE CO. - WEST OF GENESEE RIVER  
DARRELL FAZIO (585) 352-3471

MONROE CO. - EAST OF GENESEE RIVER  
KEVIN KIESER (585) 586-4514

ONTARIO CO. - GREG TROST (585) 396-4955

ORLEANS CO. - ANDREW SHICK (585) 588-6635

WAYNE CO. - JEFF JONES (315) 332-4000

WYOMING CO. - KEN BITTNER (585) 786-3310

THE PERMITTEE IS ADVISED THAT THE NYSDOT IS NOW REVIEWING ALL LANE CLOSURES ON THE PRIORITY NETWORK FOR IMPACT ON TRAFFIC OPERATIONS IN REAL-TIME. THE PRIORITY NETWORK CONSISTS OF INTERSTATES 390, 490 AND 590 AND STATE ROUTES 390, 590, 104 (FROM NY 390 TO WAYNE COUNTY), US 20, NY 63 (FROM STEUBEN COUNTY TO I 90) AND NY 77 IN GENESEE COUNTY. THE CLOSURE WILL BE EVALUATED IN THE LIGHT OF WHAT IS HAPPENING AT THAT TIME ON THE HIGHWAY. INCIDENTS, CONFLICTING WORK ZONES OR OTHER UNPLANNED EVENTS THAT RENDER THE HIGHWAY UNAVAILABLE FOR THE CLOSURE MAY RESULT IN A SHORT-TERM DISAPPROVAL OF THE CLOSURE UNTIL THE SITUATION HAS BEEN RESOLVED. EVALUATION PROCEDURES ARE AVAILABLE FOR REVIEW AT THE REGIONAL TRAFFIC OPERATIONS CENTER, 1155 SCOTTSVILLE ROAD, ROCHESTER, NY.

6. NOTIFY THE NYSDOT TRAFFIC SIGNAL MAINTENANCE ENGINEER AT (585) 753-7793 5 DAYS PRIOR TO WORKING WITHIN 350' OF A SIGNALIZED INTERSECTION. NOTIFY DIG SAFELY NEW YORK 2 WORK DAYS PRIOR TO DIGGING, DRILLING OR BLASTING AT 811 FOR A UTILITY STAKE-OUT.
7. ALL MATERIALS USED WITHIN THE STATE RIGHT-OF-WAY MUST COMPLY WITH THE CURRENT NEW YORK STATE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS ALONG WITH ANY APPROPRIATE CURRENT NYS DEPARTMENT OF TRANSPORTATION'S STANDARD SHEETS.
8. QUALITY CONTROL OF ASPHALT CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 401 OF THE STANDARD SPECIFICATIONS. ALL ASPHALT PRODUCED AS PART OF SECTION 401 WILL BE PAID AT A FINAL QUANTITY ADJUSTMENT FACTOR OF 1.0. ASPHALT COURSE DEPTHS SHOWN ON THE PLANS ARE COMPACTED DEPTHS.
9. NO NIGHT WORK SHALL BE ALLOWED UNLESS APPROVED PRIOR TO START OF PROJECT. ADDITIONAL MAINTENANCE AND PROTECTION OF TRAFFIC MAY BE REQUIRED INCLUDING THE ADDITION OF REFLECTIVE MATERIALS AND LIGHTING.
10. HAZARDOUS WASTE NOTIFICATION - THE PERMITTEE ACCEPTS THE RIGHT-OF-WAY OF THE STATE HIGHWAY IN ITS "AS IS" CONDITION. THE DEPARTMENT OF TRANSPORTATION MAKES NO REPRESENTATION AS TO THE ABSENCE OF UNDERGROUND TANKS, STRUCTURES, FEATURES OR SIMILAR IMPEDIMENTS TO THE COMPLETION OF THE WORK PERMITTED HEREUNDER. SHOULD PERMITTEE FIND SOME PREVIOUSLY UNKNOWN UNDERGROUND IMPEDIMENTS TO ITS WORK, THE DEPARTMENT OF TRANSPORTATION SHALL HAVE NO OBLIGATION TO CURE, REMOVE, REMEDY OR OTHERWISE DEAL WITH SUCH PREVIOUSLY UNKNOWN UNDERGROUND IMPEDIMENTS. THE PERMITTEE IS REQUIRED TO REMOVE, MODIFY OR OTHERWISE DEAL WITH SUCH UNDERGROUND TANKS, STRUCTURES, FEATURES OR IMPEDIMENTS IN A MANNER WHICH MEETS ACCEPTABLE ENGINEERING PRACTICE AND IS APPROVED BY THE DEPARTMENT OF TRANSPORTATION.
11. ADA COMPLIANCE - ALL WORK ON PEDESTRIAN FACILITIES SHALL BE COMPLIANT WITH THE AMERICANS WITH DISABILITIES ACT (ADA).





# RTOC CONSTRUCTION NOTIFICATION FORM

**Fax/Email this form to the RTOC at least 72 hours in advance of the work when possible.  
Changes to the work plan needs to be called into the RTOC as soon as possible.**

**Date:** \_\_\_\_\_

**Submitted by:** \_\_\_\_\_ **Telephone Number:** \_\_\_\_\_

**D#:** \_\_\_\_\_ **Project Name:** \_\_\_\_\_

**Group (Check One):** ☐ **Construction** ☐ **Maintenance** ☐ **Other /Bridge Inspections**

Date of Closure	Highway (Rte/Name)	Location (use exit numbers, cross streets)	Dir	What lanes will be Closed? (Number, left, right, and/or alternating)	Times	
					From	To

**ADDITIONAL COMMENTS:**

**RTOC CONSTRUCTION NOTIFICATION FORM**

Please follow the instructions below to fill out the RTOC Construction Notification Form.

RTOC will place your data into 511NY, supplying the motoring public and Albany with your information for travel.

Send completed forms to the following address only: [tmc-r04@dot.ny.gov](mailto:tmc-r04@dot.ny.gov)

- Use only the following text in the **Subject** of the construction notification emails:  
For Construction..... **511NY-WZTC CONSTRUCTION NOTIFICATION**  
For Maintenance..... **511NY-WZTC MAINTENANCE NOTIFICATION**  
For Inspection..... **511NY-WZTC INSPECTION NOTIFICATION**  
For Other..... **511NY-WZTC OTHER NOTIFICATION**
- **ATTACHED COMMENTS:** use the following formats when filing (saving) to your PC: *Construction and Construction/Contractors:*  
**RTOC\_CN\_D#####\_sequential number of submittals for this project\_MMM\_YYYY**

**Region 4 Residencies:**

**RTOC\_CN\_RES##\_sequential number For The Year\_MMM\_YYYY**

**"RES##" is the residency number (e.g. Monroe East is RES43)**

- Updates to previously submitted notifications should be treated as a new notification. In the comments area on the form please note that it is an update.
- Add the following text to the body of the email and update the yellow highlighted areas with the relevant information.  
**Attached is the closure notification information for D000000-Project Name for the week of Month and date. Please add this information into 511NY and notify me when it is completed.**  
**Any questions or concerns please contact me at: (585)-000-0000.**
- Insert single closure per table row.

Form can be found on Region 4 Web Site, Operations, RTOC

For questions please call 573-7780 or 573-7784