



CITY OF MILPITAS – PUBLIC WORKS DEPARTMENT

455 E. CALAVERAS BLVD, MILPITAS, CA 95035

ENCROACHMENT PERMIT APPLICATION

(Please complete ALL fields and type "N/A" if not applicable. All fields shall be typed or printed clearly.)



ENCROACHMENT PERMIT CONDITIONS

INSPECTION REQUEST: VISIT WEBSITE
<https://app.acuityscheduling.com/schedule.php?owner=18287911> **OR CALL (408) 586-2797 TO SCHEDULE INSPECTION AT LEAST 48 HRS PRIOR TO ANY WORK.**



CONTACT (USA) UNDERGROUND SERVICE ALERT 1-800-227-2600 PRIOR TO EXCAVATION

In consideration in the granting of this Permit, both Permittee and Contractor, their heirs, executors, administrators, and assigns of the undersigned, agree that Permittee shall be responsible for all liability imposed by law including for personal injury and property damage proximately caused by failure on Permittee's part to perform its obligations under this Permit. Permittee shall defend the City, its officers, employees, and agents against any claim including for liability with respect to this Permit and shall defend, indemnify, and hold them harmless from such claim. Nothing herein is intended to impose any different or higher standards or care other than that required by law.

1. Permittee agrees it will not provide video or programming services including but not limited to programming delivered using internet protocol over facilities installed within City right-of-way without first obtaining a City Franchise Agreement and an Encroachment Permit Agreement.
2. Permittee shall comply with current City Standard Details and Specifications published on the City's website.
3. Permittee shall comply with City approved plans and Permit requirements. No changes without prior City approval.
4. Permittee shall comply with City approved Traffic Control Plans and the California Manual on Uniform Traffic Control Devices (California MUTCD).
5. ADA compliant detours and signage for Pedestrians shall be provided when sidewalks/curb ramps are closed.
6. **Construction Notices** shall be provided to residents and business within 300-feet of Permittees construction work two weeks, one week and 24 hours prior to start of construction.
7. **Underground Service Alert** shall be contacted prior to any excavation - 1-800-227-2600.
8. Permittee shall contact City Inspector to coordinate a **Preconstruction Meeting** prior to starting work.
9. Permittee shall contact City Inspection daily **PRIOR** to starting any work within City street or right of way.
10. Permittee shall provide **Record Drawings** (As Built) of installed Encroachment, both hardcopy and in CADD format meeting City standards prior to final inspection and Permit close-out.
11. Permittee acknowledges Permit may be revoked at any time for cause and/or convenience of City.
12. Permittee shall obtain consent from private property owners for work outside City right of way.
13. Copy of Permit and approved documents shall be kept at job site at all times.
14. Work hours shall be from 7 a.m. to 5 p.m., Monday-Friday except City Holidays unless modified by the City Engineer, however, lane closure hours may be more restrictive dependent on traffic conditions.
15. Proposed Encroachment shall not hinder or obstruct water meters, fire hydrants or other City infrastructure.
16. Permittee shall remove Encroachment authorized by this Permit at its own expense when ordered by City.
17. City has the right to remove Encroachment without compensation for cause or convenience of City.
18. City shall not be responsible for replacement, repair, or maintenance of Encroachment.
19. Existing City infrastructure damaged by Permittee shall be replaced in kind or to a better condition.
20. **Trench Backfill and Asphalt Pavement Section** shall conform to City Standard Details No. 220 or 222.
21. Temporary pavement materials shall be inspected daily and repaired by Permittee within 24 hours when settlement, uplift or other deficiency occurs and/or when directed by City.
22. **Final Finish Asphalt Pavement and Concrete Surfaces** shall be installed within 14 days following completion of excavation activities. Temporary pavement surface materials shall not be used for longer than 14 days.
23. Permittee shall implement **Construction Best Management Practices** and construction practices shall not damage property, create dust, or contribute to storm water pollution.
24. Construction equipment and materials shall not be stored within the Street or right of way.
25. **Survey Monuments:** Permittee shall protect, preserve survey monumentation in the field in accordance with the State of California Business and Professions Code.
26. Water Based Paint shall be used for temporary USA markings and markings shall be removed when no longer required or prior to City final inspection and Permit close-out.
27. Failure to comply with Permit Conditions including requirements of the City approved plans shall be cause for revocation of Permit.
28. Potable Water shall not be used for dust control or construction purposes unless authorized by the City Engineer.