

**A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ADOPTING AMENDED CONSTRUCTION AND EXCAVATION STANDARDS FOR WORK IN
PUBLIC RIGHTS-OF-WAY**

WHEREAS, the City of Cherry Hills Village is a home rule municipal corporation organized pursuant to Article XX of the Colorado Constitution; and

WHEREAS, Chapter 11, Article 2 of the Cherry Hills Village Municipal Code ("Code" provides the principals, standards, and procedures for the placement of facilities, construction, excavation, encroachments, and work activities within, under, or upon any public right-of-way; and

WHEREAS, Section 11-2-20 and 11-2-220 of the Code provide that City Council may adopt and amend a document entitled, "Construction and Excavation Standards for Work in Public Rights-of-Way" ("Construction and Excavation Standards"); and

WHEREAS, the Construction and Excavation Standards establish the minimum design and technical criteria for the placement, maintenance and construction of all work in the public right-of-way; and

WHEREAS, City staff has recommended amendments to the existing Construction and Excavation Standards to meet the changing technologies and practices being utilized by utilities, contractors, and residents working within the rights-of-way and to ensure that the City's substantial investment in street and trail infrastructure are protected and safe, consistent with the purpose and objectives stated in Section 11-2-10 of the Code; and

WHEREAS, City Council desires to adopt the amended Construction and Excavation Standards attached to this resolution.

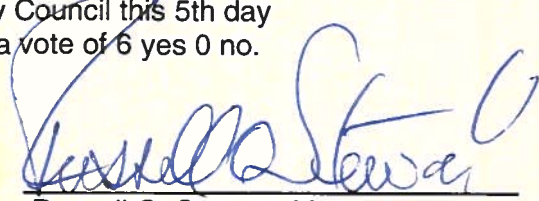
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cherry Hills Village, Colorado that:

Section 1. The City Council hereby approves and adopts the amended Construction and Excavation Standards, attached hereto as **Attachment A**.

Section 2. This resolution shall be effective immediately.

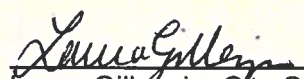
Introduced, passed and adopted at the
regular meeting of City Council this 5th day
of October, 2021, by a vote of 6 yes 0 no.

(SEAL)




Russell O. Stewart, Mayor

ATTEST:



Laura Gillespie, City Clerk

APPROVED AS TO FORM:



Kathie B. Guckenberger, City Attorney

ATTACHMENT A

Construction and Excavation Standards for Work in Public Rights-of-Way 2021

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Construction and Excavation Standards for Work in Public Rights-of-Way 2021

I. General

- A. Purpose: In accordance with and supplemental to Chapter 11, Article II of the City of Cherry Hills Village Municipal Code (“Code”), these standards establish the minimum design and technical criteria for the placement, maintenance, and construction of all work in the public right-of-way. All proposed work submitted for approval under Chapter 11, Article II of the Code shall conform to the criteria set forth herein.
- B. Applicability: These standards apply to all work in the public right-of-way as required pursuant to Section 11-2-40 of the Code.
- C. Definitions: Words and phrases used herein shall have the meanings set forth in Section 11-2-20 of the Code.

II. Permit Fees

Fee Structure - Public right-of-way permit fees are divided into four separate categories: management fees, inspection fees, pavement restoration fees, and other fees. All permits are subject to a management/inspection fee. Landscape work, driveway installations and occupation permits within the City’s rights-of-way may be issued at a reduced rate. If the work approved by the permit consists of any pavement or surface disturbance, the permit may also be subject to a restoration fee. Other fees shall be added to the cost of the permit as appropriate, in accordance with the fee schedule. Pursuant to Section 11-2-90, City of Cherry Hills Village Code, the applicable permit fees shall be described as follows: (See Exhibit C Right-of-Way Permit Descriptions)

Management Fee- includes all application processing related to the permit, and the end of warranty inspection performed one month prior to the end of the 2-year warranty period. This fee is based on current year labor rates.

Inspection Fee- is based on a maximum of 3 site inspections during the permit period. During the permitting process, the City will determine whether any additional inspections will be required, and any additional fees that apply.

Pavement Restoration Fee- The pavement restoration fee shall include all construction costs associated with the restoration of the pavement to minimize the impact to the useful service life of the roadway. The fee shall be applied to all Major Installations. Major installations include work in the public right-of-way involving an excavation exceeding 50 feet in length or 200 sq ft of total disturbance. This cost will include the cost to mill and overlay the disturbed area and if applicable re-chipseal the surface. Cost will be based on current City paving/chipseal contracts plus 5%. The City will collect this fee with the initial application. If permittee disturbs more pavement than originally included in the permit, the City will collect any additional funds due prior to final approval and closeout. Permittee will remain responsible for all patching and repair work for the warranty period. The City may at its discretion require the permittee to perform the asphalt repair as a requirement of the permit issuance. In this case no pavement restoration fee will be collected, however the estimated

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cost of the asphalt repair will be required to be added to the bond amount. These fees apply no matter the age of the pavement or chipseal.

Work in gravel streets: All work performed within a right-of-way with a gravel surface will be charged a restoration fee. The fee will consist of charges for City staff to restore the street to its original condition before the work was performed. This does not release the permittee of the responsibility to repair the road to a safe condition with Class 6 virgin road base at a 10” minimum. **

** For minor installations the cost is calculated at 50% and is to account for the City performing the restoration during regularly scheduled gravel road maintenance operations. The fee is to cover the extra time and materials to restore the work area. Depending on the size of the work area, this fee may increase as determined by the City. Major installations will be charged at actual cost plus 5% or performed by the permittee with prior approval from the City.

Other Fees - Other fees shall include additional costs directly incurred by the City in providing services related to the granting and administration of a permit such as, but not limited to engineering review costs, additional oversight by City staff, materials testing, additional signage and or safety related barricades provided by the City. These costs will be based on the current year labor rate of the Director of Public Works or his designee’s time as estimated by the City and all costs associated with services provided by the City’s contract consultants. For major installations, material testing fees will be added to the permit. Costs will be based on the size/length of the project.

(Placement of construction trash containers or other materials or equipment typically associated with construction of residential properties is prohibited. The only occupancy that may be allowed is cranes for setting roof trusses, etc. This is to be determined by City Staff. If the operation is possible from private property, no permit will be issued for right-of-way occupancy. Insurance and minimum bond requirements will apply to all occupation permits).

Bond and Certificate of Liability - Right-of-way permits will require a minimum \$5,000 bond per permit issued, effective for **two (2)** years covering the entire warranty period of each permit. Occupancy permits and driveway permits will only require a \$5,000 one-year bond. Major installations will require a higher bond amount and will be determined by City staff. All bonds for work on trails, parks and open space will be a minimum of \$10,000.00 two-year bond. If any bond is prematurely canceled before the required time period, the permittee will be prohibited from working in the City until the bond is reinstated. A separate site-specific bond is required for each individual job. All right-of-way permits will require a Certificate of Liability Insurance endorsed to name the “*City of Cherry Hills Village, its officers, officials, employees, agents, and volunteers as Additional Insured.*”

Failure to Obtain a Valid Permit - As outlined in the Cherry Hills Village Municipal Code – Section 11-2-290 (b)(2). For commencing work without a valid permit: the fee is five hundred dollars (\$500.00), plus twice the applicable permit fee.

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III. Landscape Permits*

No private improvements are allowed within the public rights-of-way without the approval of the City through a revocable encroachment license, with the exception of placing and maintaining limited landscaping, such as sod or grasses, flowers, and no more than four (4) bushes or small trees of a caliper not to exceed two (2) inches that will not interfere with the public's use of the right-of-way. In no case shall trees or bushes be placed in drainage ditch areas. All newly planted trees must be at least 10 feet from the actual road surface.

Installation of any private improvement or landscaping that impairs or interferes with the use or maintenance of the public right-of-way, including on-street parking where permitted, is prohibited. Allowing the placement and maintenance of such limited landscaping or other private improvements in the public right-of-way shall not be construed to abridge, limit or restrict the City in exercising its right to make full use of the public right-of-way encroached upon as public thoroughfares or public places, nor shall it operate to restrict utility companies or any other licensees in exercising their rights to construct, remove, operate and maintain their installations within the City's right-of-way. Any landscaping that exceeds the installation guidelines above shall be required to be permitted by the City prior to installation. No landscaping may be placed that disrupts or blocks any drainage facility within the public right-of-way or any drainage easement. The City retains the right to trim or require the property owner to trim all landscaping as deemed necessary for public health, safety, and welfare. Any landscaping or other private improvements installed within the right-of-way are the responsibility of the property owner to maintain in compliance with all applicable City codes and policies. This includes private improvements made to City maintained rights-of-way.

*If any construction equipment will be on a City street, the full right-of-way fee will apply. The City may, in its sole discretion deny equipment on the street if it is determined that the work can be reasonably performed from private property. At no time can construction or landscape materials be stored on a City street or in the City's rights-of-way. No zero-turn/tracked equipment is allowed on paved/chip sealed City streets at any time without proper protection (matting) of the road surface.

IV. Location of Facilities

A. General

- 1). The location of all facilities within the public right-of-way shall comply with the details and specifications shown on the construction plans approved by the City.
 - a. For all installations over 50 ft in total length or 200 sq ft of total disturbance permittee may be required to submit with the permit application plan and profile showing **all** existing infrastructure and utilities and the proposed location of new facilities and infrastructure.

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- 2). As-builts; Permittee may be required to submit to the City within two weeks of the work being completed as-builts of the work completed including the location of new and existing infrastructure within the work area.
- 3). It is City policy to discourage the placement of utility lines and other facilities within landscaped median areas unless there is no other reasonable location for the placement of such lines and facilities. Perpendicular crossings of the median for utility purposes are allowed subject to the provisions of these standards and specifications. No applicant shall receive a permit for work in a landscaped median within the public right-of-way unless the applicant provides the City with evidence that, prior to commencing construction it has provided notice to the metropolitan, special district, homeowners association or adjacent property owner that owns or maintains the median or roadside right-of-way landscaping.
- 4). The utility alignment shall not vary greater than eighteen inches (18") from the approved design alignment without prior City approval.
- 5). If the designed alignment conflicts with other facilities not shown on the approved plans, the permittee shall submit an alignment modification request and the change shall be approved by the City prior to proceeding.
- 6). All underground facilities must be constructed with the means to be locatable. This may require installation of a tracking wire.
- 7). Depth of bury for gas and electric are as follows and subject to change: Gas service line – 18"; Gas main line – 24"; Electric 0 to 600 volts – 24"; Street light circuits less than 150 V phase to ground – 18"; Electric 601 to 50,000 volts – 30"; all depths are measured from bottom of pavement structure including base course and flow line of ditch as determined by the City. These depths may be increased if required by the applicable utility provider.
- 8). Within the proposed utility boundary area (which extends eighteen inches (18") on either side of the proposed facility), the proposed facility shall be placed at the lowest elevation in relation to other existing facilities within the boundary area such that a minimum eighteen inches (18") vertical clearance is provided. This separation may be less if agreed to by both facility owners. The separation distance shall be increased to five feet (5') in relation to wet utilities such as water and sewer.
- 9). All cuts made in City rights-of-way greater than 50 feet in length or 200 sq ft of total disturbance are considered major installations and will be subject to additional fees including, reviews and approval by the City Engineer, extra inspection, testing, repair, and oversight costs.
- 10). All street cuts, regardless of disturbance made in pavement (this includes chipseal), will be subject to complete surface replacement as determined by the City. Major

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installations will require the resurfacing of the entire lane(s) disturbed during construction. The City will determine the extent of the resurfacing as part of the permit process. The City will require full payment for the restoration and reserves the right to delay the work until the newly disturbed work area has settled out. The City will add these costs to the initial cost of the permit. The City may at its discretion require the permittee to perform the asphalt repair as a requirement of the permit issuance. In this case no pavement restoration fee will be collected, however the estimated cost of the asphalt repair will be required to be added to the bond amount.

B. Above-ground structures

- 1) A detailed plan shall be required for all above-ground structures placed in the public right-of-way. The plan shall show dimensions of the cabinet, base, and proposed location.
- 2) A permittee shall use its best efforts to locate all above-ground structures outside the public right-of-way within a private easement on the property being served. Above ground structures may not be placed on trail easements in any manner that may restrict use of the trail for recreation or maintenance as determined by the City.
- 3) All new above-ground structures shall be screened from the view of adjacent properties with existing landscaping or approved landscape plan to provide screening as directed by the City. If the adjacent property owner is not willing to maintain the landscaping, no screening will be required.
- 4) All facilities shall be placed underground when the technology exists and where practical.
- 5) The location of above-ground structures shall not interfere with sight distance requirements for intersecting streets and access drives as determined by the City.
- 6) Above-ground structures shall be located to minimize the aesthetic impact on the landscaping within the public right-of-way.

C. Underground access structures (vaults and hand-holes)

- 1) Underground access structures shall be placed in line with the utility alignment when practical. Horizontal adjustments to accommodate underground access structures are discouraged and shall only be permitted when conditions warrant at the City's sole discretion. The placement of each access structure shall require field approval prior to placement.
- 2) The location of access structures, when placed within the City's right of way, must be approved by the City before installation.

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- 3) The maximum size of an access structure and access lid shall be the minimum necessary for the facilities being installed, as determined by the City.
- 4) Access lids when placed in landscaped areas, shall be integrated into the landscaping while allowing for direct access for operations and maintenance while meeting applicable safety requirements.
- 5) Access lids placed in sidewalks shall be flush with the existing surface.
- 6) All access lids within travel lanes shall be placed outside of the wheel track as defined by the City.
- 7) Access lids shall be placed at an elevation of +0 inch to -1/4 inch relative to the surrounding pavement surface.
- 8) Any approved structures placed within the right-of-way will be required to be adjusted by the owner of the structure without cost to the City if tolerances in paragraph 7 are not met or become out of tolerance any time after final acceptance, if deemed by the City to be a health, safety or welfare issue, or when the City resurfaces or maintains the road in any manner that changes the grade of the road surface.

D. Existing Private Improvements

All private facilities located within public rights-of-way are required to be registered with 811, in accordance with state law. This includes private infrastructure such as private irrigation systems for HOAs and Developments, private electrical lines for signs and other services, private communications lines, and any other non-utility owned infrastructure in the right of way. Any owner/operator that fails to register or properly locate such facilities shall be presumably liable for any resulting cost or damage incurred by the excavator or facility owner/operator and for injury or damage to persons or property as set forth in state law.

V. Construction Standards

A. General

- 1). Testing, in compliance with the City's testing schedule, which is attached hereto as Exhibit "A", shall be performed by a pre-approved testing company or tester acceptable to the City and results shall be provided to the City Inspector within two (2) working days of completion of testing and prior to the next phase of construction. (For example, a sub grade test is required prior to asphalt placement).
- 2). Testing will not be required for work defined as a Minor Installation as flowable flash fill or flow fill is required. If the City determines that excess disturbance has

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occurred compaction testing may be required at the permittees expense prior to installation of flowable flash fill or flow fill (see Compaction Standards)

- 3). Any damage not documented during the pre-construction inspection shall be repaired by the permittee at the permittee's sole expense. It is the permittees responsibility to document the pre-construction condition of the construction area and immediate surrounding vicinity.
- 4). Utility markings shall be limited to the boundaries of the construction area and shall be removed by a method approved by the City within fifteen (15) days of the completion of work, pursuant to Chapter 11, Article II of the City of Cherry Hills Village Code. This may include removal of paint if removal can be accomplished without damage to the road surface. No marking paint may be sprayed on public or private improvements such as fences, entry features, mailboxes, trees, landscape rocks, etc.
- 5). Permittee shall advise the City at least 48 hours in advance of the date work will be started and shall notify the City at least twenty-four (24) hours in advance if this date is changed or cancelled. Inspections required on the permit shall be scheduled by permittee at least twenty-four (24) hours in advance.
- 6). Each permittee shall maintain the work site so that: a) Trash and construction materials are contained and not blown off the work site. b) Trash is removed from a work site often enough so that it does not become a health, fire, or safety hazard. c) Trash dumpsters and storage or construction trailers are not to be placed in the street without specific approval of the Director. All stormwater quality BMPs (Urban Drainage and Flood Control District, Urban Storm Drainage Criteria Volume # 3) and/or CDOT standards are to be maintained at all times while work progresses and until all vegetation that has been disturbed has been reestablished to the satisfaction of the City. All applicable stormwater regulations must be followed even if no stormwater permit is required.
- 7). Each permittee shall utilize a vehicle tracking control pad (VTC) to eliminate the tracking of mud or debris upon any street or sidewalk. The City requires a ROW / Construction Access Permit be obtained prior to all VTC construction. Tracking pads must meet the requirements of the City of Cherry Hills Village. Per Cherry Hills Village jurisdiction, the City does not allow recycled concrete or asphalt as acceptable tracking pad material. Cherry Hills Village recognizes only THREE forms of vehicle tracking pads:
 1. Fractured virgin rock, minimum 4 to 6 inches in diameter. The fractured rock tracking pad must be 20 feet in width and 50 feet in length, with a minimal depth of 10 inches.

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2. Track out control mats / mud mats. All forms of mud mats must be 12 feet in width and a minimum of 30 feet in length.
3. Raised steel or hard rubber cattle guard grates. All grates must be 12 feet in width and a minimum of 30 feet in length.

During sustained construction periods or wet conditions, a geo-textile barrier may be required under all forms of VTCs. Per Cherry Hills Village jurisdiction, existing concrete or asphalt driveways will not be acceptable tracking pads. Cherry Hills Village will allow approved tire wash basins / sediment traps, provided they are constructed with appropriate stormwater BMPs (silt fence, hay wattles, rock socks, etc.) protecting the City's ditches, gutter pans, storm drains, and waterways from all runoff. All streets and sidewalks shall be cleaned of mud and debris immediately if contaminated by construction traffic. Under certain conditions the City may allow a variance to VTC lengths or widths.

- 8). Backhoe equipment outriggers shall be fitted with rubber pads whenever outriggers are placed on any paved surface. Tracked vehicles / zero turn vehicles that may damage pavement surfaces shall not be permitted on paved surfaces unless specific precautions (matting) are taken to protect the surface. The permittee shall be responsible for any damage caused to the pavement/chipseal by the operation of such equipment and shall repair such surfaces at its own expense. Should the permittee fail to make such repairs to the satisfaction of the City, the City may use the permittee's performance bond or letter of credit to repair any damage. No construction equipment of any type may be operated on a City Right of Way without first obtaining the appropriate Right of Way Permit.
- 9). As the work progresses, all public rights-of-way and other property shall be thoroughly cleaned of all rubbish, excess dirt, rock, and other debris, at the sole expense of the permittee.
- 10). No permittee shall disturb any surface monuments, property marks or survey hubs and points found on the line of work unless approval is obtained from the appropriate entity. Any monument, hub, or point which is disturbed by the permittee shall be replaced by a Colorado Registered Land Surveyor at the permittee's sole expense.
- 11). There shall be no parking on sidewalks, paved, gravel and bridle trails, open ditches, or in any park, or recreation site within the City. In the event work must occur in these areas, a parking and detour plan must be submitted to the City for approval.
- 12). A permittee shall provide necessary sanitary facilities for workers, the location of which shall be approved by the City in the permit. For linear projects a mobile unit may be required.

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- 13). No construction materials including spoils may be stored on any City street, road, or right-of-way at any time. Contractors must load all spoils into trucks and remove them from the site.
- 14). For all minor installation permits, less than 50 feet in length or width, flowable flash fill or flow fill must be placed in the entire trench or pit. For all major installation permits, Class 1 Virgin structural fill meeting all Cherry Hills Village Public Works Minimum Density Testing Requirements or flowable flash fill or flow fill must be utilized. No native soils may be utilized for backfill.
- 15). No loading and unloading of materials with construction equipment is permitted on any City street. All material loading and unloading must be done from driveways or private property. Equipment making sharp or abrupt turns, especially zero turn vehicles such as skid loaders and tracked vehicles cause excessive damage to road surfaces. Delivery trucks must be positioned in such a manner to keep all loading and unloading equipment on driveways and/or private property.
- 16). No new permanent or temporary access points may be utilized or constructed without first securing a ROW / Construction Access Permit. In areas with curbs the applicant must protect the curb from damage and ensure proper stormwater protections (tracking pads, silt fences, hay wattles, rock socks, etc.) are installed in a manner approved in the right-of-way permit. In areas with open ditches, temporary piping (minimum 12" inch diameter) will be required to maintain drainage in the ditch, and a tracking pad (VTC) meeting Item # 7 specifications may need to be constructed over the temporary piping. Under certain conditions the City may allow a variance for tracking pads, however all tracking pads must meet City approval. Open ditches shall not be crossed by construction vehicles or equipment except at the permitted ROW / Construction Access point. All other crossing points of an open ditch are a Code Violation. Specifications and drawings are to be included with the permit application for new permanent or temporary access points for review and approval.
- 17). All work within City rights-of-way must adhere to all applicable stormwater standards even when disturbance is less than one acre. It is the applicant's responsibility to ensure compliance with all local, state and federal regulations and install and maintain all necessary stormwater BMP's. The City may, in its sole discretion, require the permittee to install additional protection. A separate stormwater permit may be required in addition to the appropriate right-of-way permit.

B. Pavement Removal

- 1). All asphalt cuts will require an ROW / Street Cut Permit issuance. All asphalt pavement cuts shall be in straight lines. Irregular shaped cuts with more than four (4) sides or cuts within existing patches shall not be allowed. All cuts shall be

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rectangular in shape, and edges shall be parallel or perpendicular to the flow of traffic.

- 2). In order to provide straight edges, all asphalt pavement cuts shall be cut by saw cutting, roto-milling, or an approved method, which assures a straight edge for the required depth of the cut.
 - 3). Asphalt pavement cuts shall be such that no longitudinal joint lies within the wheel track as determined by the City.
 - 4). No pavement cuts will be allowed within twenty-four inches (24") from the edge of pavement or concrete structures of any kind. With all planned excavations within this limit, the asphalt from the edge of the planned excavation to the edge of asphalt or concrete structure shall be removed and replaced in a manner determined by the City.
 - 5). Concrete pavement shall be removed and replaced from existing panel joints only. All concrete removal will require an ROW / Street Cut Permit be obtained. All utility locates potholes will require full panel (joint to joint) replacement with pinning.
- C. Excavation and Backfill. All Trenching operations will require an ROW / Street Cut Permit and Major Installation Fees may apply.
- 1). Excavation
 - a. All trench excavation shall be made by open cut to the depth required to construct the facility and provide adequate bracing of trench walls. All excavation, trenching, shoring, and stockpiling of excavated materials shall be in strict compliance with all applicable OSHA rules and regulations. The permittee shall furnish, place, and maintain all supports and shoring required for the sides of the excavation, as to prevent damage to the work, street or adjoining property. If the permittee is not expected to fully complete the work within any excavated area in a reasonable length of time as determined by the City, the City may require the permittee to backfill the excavation and re-excavate when the work can be completed expeditiously.
 - b. The length of an open trench shall be limited to the amount of pipe, wire etc. that can be placed and backfilled in a single day. However, in no case shall the length of the open trench exceed three hundred feet (300') unless otherwise approved by the City. No open trench shall be left unprotected overnight.
 - c. A maximum of two excavations shall be open at any one time for access structure installation and conduit splicing, unless otherwise approved by the City.

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- d. When stockpiles are permitted by the City, the permit will require a storm water management plan that meets local, state and federal guidelines during the project to prevent sediment from entering the stormwater flows in that area. Material or equipment shall not be placed within the right-of-way without the prior written approval of the City.
 - e. All open excavations shall be properly barricaded to protect vehicles and pedestrians. All permits will require a traffic control plan for review and approval by the City. At anytime it is determined that additional traffic control is needed, the permittee will stop work, and not begin work until the requested traffic control has been provided. The permittee is responsible for the costs related to these traffic control devices and personnel.
 - f. No undercutting of trench walls will be allowed. If under cutting is observed the permittee will be required to enlarge the trench and use flowable flash fill or flow fill to ensure proper compaction is achieved. This may result in higher permit fees being applied.
- 2). Backfilling
- a. Controlled Low Strength Material (CLSM) Flowable Flash Fill
 - i. All excavations under 50 feet in length or 200 sq ft in total disturbance, within the roadway pavement, sidewalk or hard surface trail shall be backfilled with controlled low strength material (flowable flash fill or flow fill) unless otherwise approved by the City.
 - ii. Controlled low strength material (CLSM) shall consist of a controlled low strength, self-leveling material (flowable flash fill) composed of various combinations of cement, fly ash, aggregate, water, and chemical admixtures. It shall have a design compressive strength between 50 to 150 psi at 28 days when tested in accordance with ASTM 4832. The mix shall result in a product having a slump in the range of seven inches (7") to ten inches (10") at the time of placement. The permittee shall submit a mix design for approval by the City.
 - iii. The maximum layer thickness for CLSM shall be three feet (3'). Additional layers shall not be placed until the backfill has lost sufficient moisture to be walked on without indenting more than two inches (2").
 - b. Pipe Bedding
All pipe, conduit, and utilities shall be placed in preapproved bedding material consisting of squeegee, or similar material to minimize settling and future damage to the infrastructure and road surface. Each utility owner may specify a

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specific bedding material that meets industry standards and is approved by the City.

- c. **Native Soils**
No native soils are allowed for any installations. Minor installations will require CSLM flash fill or flow fill and major projects will require either CSLM flash fill or flow fill Class 1 Virgin road base properly compacted in one foot loose lifts meeting Cherry Hills Village Minimum Density Testing Requirements. Material certification and compaction testing will be required. Materials must meet all current CDOT standards.
- d. **Testing**
The Permittee shall provide compaction testing for all backfill work per the Minimum Testing Requirements table attached in Exhibit "A". Each lift not tested in accordance with the testing frequency may be rejected by the City. The City at its discretion may hire a third-party tester. These costs will be included in the permit fees and do not relieve the permittee from this requirement.

Note:

Excavation and backfill shall be accomplished on the same day in order to minimize impact to the public right-of-way. In instances where the City determines that this cannot be accomplished, the Permittee shall submit a plan for City approval showing how traffic will be handled around the work zone.

3). Bridging Plates

- a. Substantial bridging plates, properly anchored and capable of carrying the legal limit loading, in addition to adequate trench bracing, shall be used to bridge across trenches at street crossings where trench backfill and temporary patches have not been completed during regular working hours. Safe and convenient passage for pedestrians and access to all properties shall be provided.
- b. The bridging plate shall be secured to the pavement with anchored pins so that it does not slip. The bridging plate shall extend over supporting pavement by a minimum of one foot (1') on all sides. Cold mixed asphalt shall be ramped a minimum of two feet (2') in the travel direction.
- c. The use of bridging plates shall not be allowed from October through April. Use of bridging plates shall only be allowed with prior written approval from the City.
- d. The permittee's design engineer shall certify in writing the suitability of the plates for the specific use by the Permittee.

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D. Boring.

All Boring operations will require a ROW / Street Cut Permit and Major Installation Fees may apply as determined by the City.

- 1). To minimize the impact to traffic and the right-of-way infrastructure, the City encourages boring rather than open trenching. (In unique cases the City may require open trenches.)
- 2). If the Permittee's boring results in disturbance to other utilities in the public right-of-way, whether or not described on the approved plan, the City shall issue a stop work order directing the permittee to immediately repair such damage. Prior to the recommencement of work, the permittee shall provide the City with written verification of the cause of the disturbance and method to ensure the situation will not occur again.
- 3). Waste material from boring shall be contained within the work site and shall not be allowed to discharge onto private property, the curb and gutter, any stormwater system or the roadway. All Stormwater BMP'S must be followed. All waste material must be removed from the site each day.
- 4). The City does not allow micro trenching on paved streets or trails. Use elsewhere may be utilized with written authorization from the City.

E. Repairing Streets, All Asphalt repairs will require a ROW / Street Cut Permit be obtained.

- 1). Asphalt Pavements
 - a. The minimum patch dimensions shall be five feet by five feet (5'X5') or 25 square feet unless approved by the City.
 - b. Prior to placing the permanent patch, the existing pavement shall be saw cut to a neat straight-line, square to the travel lane. The longitudinal edges of the patch shall not fall within the existing wheel tracks as defined by the City.
 - c. A tack coat shall be applied to all edges of the existing pavement prior to placing the patch.
 - d. Asphalt mix shall be CDOT, SX mix (1/2 inch) for all streets unless otherwise required by the City. Patch back areas greater than one hundred twenty square feet (120 SF) shall require the submittal and approval of a mix design to the City prior to placement.

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- e. Compaction shall be between 92 and 96 percent of AASHTO T 209. Average compaction of less than 92 percent of AASHTO T 209 shall be cause for rejection.
- f. Compaction equipment shall be capable of compacting corners and edges of patch. Trenches must be wider than the compaction equipment.
- g. Hot bituminous patches shall be placed in maximum three inch (3") compacted lifts to a depth of the existing pavement plus two inches (2").
- h. Patches shall also have a cross slope section consistent with the existing elevation of the road and the patch must be rolled in all four directions.
- i. A cold mix asphaltic material may only be used as a temporary patch.
- j. Whenever permanent patches are not constructed within the same day following trench backfilling operations, temporary pavement patches consisting of a minimum of three inches (3") of hot or cold plant mix or steel plates must be utilized to provide the required number of paved travel lanes. Plates may be left for a short duration approved by the City. The use of bridging plates shall not be allowed from October through April. Use of bridging plates shall only be allowed with the prior written approval of the City. Temporary pavement patches may be left in place for a maximum of TEN (10) working days following completion of backfilling operations. All Restoration of Hot Asphalt or Concrete Repairs must be accomplished in this timeframe, weather permitting, unless otherwise approved by the City.
- k. Permittee shall monitor temporary patches on a daily basis and temporary patches exhibiting ruts, humps, or depressions shall be repaired or replaced immediately.
- l. A permanent hot patch of material meeting the City's standards shall be made within TEN (10) days after the area is open to traffic, weather permitting. The City will work with the permittee when this timeframe cannot be met due to weather conditions.
- m. If final patching is not completed within the specified time, non-emergency permits shall not be granted to the Permittee under any circumstances until all outstanding work is completed.
- n. Upon completion of the permanent patch, the surface shall be thoroughly compacted, smooth, and free from ruts, humps, depressions, or irregularities. When a straight-edge, ten feet (10') long is laid across the permanent patch parallel to the centerline of the street and in a direction transverse to the centerline, the surface shall not vary more than 3/16 inch (3/16") from the lower

Construction and Excavation Standards for Work in Public Rights-of-Way 2021

edge of the straight-edge. Patches exhibiting deviations greater than 3/16 inch (3/16") shall be replaced prior to acceptance of the patch. If the existing street exceeds the above tolerances, then the patch shall be equal or better than the condition of the surrounding pavement. Permittee will also be responsible for and shall restore any striping that is disturbed and shall bear all costs related thereto.

- o. Major installations will require the resurfacing of the entire lane(s) disturbed during construction. The City will determine the extent of the resurfacing as part of the permit process. The City will require full payment for the restoration and at its discretion delay the repaving until the newly disturbed work area has "settled" out (typically 1 or 2 years). The City, at its discretion, may have its paving contractor perform this work at the current contract price negotiated by the City. The City will add these costs to the initial cost of the permit.
- p. All major installations that are installed in roadways with chip seal will be required to reimburse these costs to the City in addition to the asphalt paving costs. This cost will be calculated on the current year's chip seals contract prices with the City and added to the initial cost of the permit.
- q. Any excavation or disturbance of pavement that comes within 24 inches of the edge of a paved surface at any point within the project area must be completely removed and replaced as determined by the City.
- r. All patches in asphalt regardless of size will be infrared heat patched after completion; Patches in chipseal will not be required to be infrared.

F. Restoration of Locate Potholes

- 1). Locate potholes shall not be located within the wheel tracks of a travel lane as defined by the City. Failure to comply with this provision shall result in the assessment of a restoration fee to cover asphalt resurfacing or the contractor meeting the required restorations.
- 2). All locate potholes in the pavement section shall be cored with a circular coring saw with a maximum diameter of ten inches (10"). The plug shall be carefully removed without causing damage.
- 3). Excavations for potholes shall be backfilled with squeegee or controlled low strength material (flowable flash fill or flow fill) only. Native material removed shall not be used to backfill the hole.
- 4). The pavement shall be patched with hot mix asphalt of similar aggregate size at a thickness equal to the thickness of surrounding asphalt plus 1-inch and compacted in maximum three-inch (3") lifts with a compactor capable of fitting into the core hole

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such that the surface is flush with the surrounding pavement. Localized treatment shall be required to blend the top mat of the asphalt together by infrared heating.

- 5). Where possible, locate potholes shall be located under existing pavement marking and such marking shall be replaced at the completion of the repair to camouflage the pavement disturbance.
 - 6). The City may allow changes to these restoration requirements if the contractor can provide evidence that an alternative restoration method meets the City's requirements.
 - 7.) All locate potholes in concrete surfaces will require the replacement of full panel sections from existing contraction joints. Partial section replacement shall not be permitted.
- G. Concrete Flatwork. All Concrete work will require a ROW / Street Cut Permit be obtained.
- 1) Concrete material and placement shall be CDOT Class B, with 4000 psi compressive strength with commercial fiber added.
 - 2). Weather protection shall be provided in compliance with CDOT Standard Specifications Section 601.
 - 3). Permittee shall schedule a form inspection and obtain approval prior to pouring.
 - 4). Damaged concrete pavement shall be removed and replaced as a full panel section with dowels set into adjacent panels in compliance with CDOT M&S Standards.
 - 5). Damaged flatwork and curb and gutter shall be replaced in full sections from existing contraction joints. Partial section replacement shall not be permitted.
 - 6). Concrete removed adjacent to asphalt pavements shall require the removal of 12-inches of asphalt to place the forms on the street side of the work area. On the landscaped side of the work area, forms used will have a 1-inch maximum width to protect the landscaping and irrigation systems. At sidewalks and driveways, the private improvements will be used as the form with the placement of an approved expansion joint material to separate the new concrete from existing improvement.
 - 7). Sub-grade elevation shall be brought up to +/- 0.1 foot of final grade per plans, with approved materials prior to placing forms.
 - 8). No water shall be placed on concrete surface to assist finishing.

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- 9). Variations of concrete surface shall not exceed 1/4 inch in ten feet (10'). Any ponding greater than ¼ inch depth may be rejected.
 - 10). Liquid membrane curing compound shall be placed in compliance with CDOT Standard Specifications Section 412 at a rate to completely coat all exposed concrete surfaces.
- H. Gravel Roads. All Gravel Road work will require a ROW/ Gravel Road Permit be obtained.
- 1). Prior to any major projects (as defined in these Standards) on gravel roads, the permittee must survey and record the existing road, ditch and right-of-way area within the project boundaries and provide the documentation to the City prior to starting any work. Photo documentation is also required. All disturbed areas will be returned to their pre-existing conditions including, but not limited to road and ditch width, depth and alignment within the right-of-way. Private landscaping must also be restored.
 - 2). All gravel roads will be repaired and rebuilt with 100% virgin, class 6 aggregate road base. Under no circumstances is recycled concrete or asphalt allowed.
 - 3). When there is disturbance greater than 100 linear feet or greater than 2,000 square feet the restoration of the road surface will be performed with a paving type lay down machine, new road surface material will be placed at a 4” minimum depth throughout the entire project area.
 - 4). Magnesium Chloride or City approved alternate, and an approved surfactant will be applied at a rate determined by the City at the time of installation. The amount needed will vary depending on weather conditions and the amount of moisture present in the road surface material.
- I. Landscape Areas (including all designated City Trails, Parks, storm water ditches and unimproved right-of-way-areas). All landscape work will require an ROW / Landscape or Trail Permit be obtained.
- 1) Excessive, unnecessary disturbance to landscaping and other existing improvements shall result in a stop work order until repairs are made to the satisfaction of the City.
 - 2) Landscape restoration shall be completed within TEN (10) days of completion of work at each site. The City will work with the permittee during seasonal periods where landscape restoration cannot be reasonably performed within this timeframe.
 - 3) Irrigation shall be maintained throughout construction to ensure no landscaping is affected during the construction phase.

Construction and Excavation Standards for Work in Public Rights-of-Way 2021

- 4) Permittee shall work with the adjacent property owners to coordinate any construction activity that disrupts such adjacent owner's landscaping.
- 5) Prior to probationary acceptance by the City, all Permittees shall provide a letter from each property owner adjacent to the work site stating that all landscaping has been adequately restored. It is the Permittee's responsibility to document pre-existing conditions to ensure proper restoration.
- 6) Any additional landscaping required for screening above-ground structures shall be coordinated with and approved by the adjacent property owner responsible for landscape maintenance. All installation must meet City requirements and be approved by City. For wireless communication facilities refer to Chapter 20 of the City Code.
- 7) All disturbed areas must be amended with the proper City of Cherry Hills Village approved topsoil, prior to reseeding and restoration. See Exhibit B.

J. Traffic Control

- 1) When it is necessary to obstruct roadways or pedestrian ways, the Permittee shall submit traffic control plans, in compliance with the Manual of Uniform Traffic Control Devices (MUTCD), showing all work. The traffic control plans shall include:
 - i. Each lane closure scenario, including work zones for locate pothole work.
 - ii. Lane configurations and access locations specific to the actual work zone.
 - iii. Any upstream intersections within five hundred feet (500') of the work zone, showing all impacted inbound lanes to the intersection.
 - iv. Pedestrian route detours showing the nearest crossing intersections at each end of the work area.
 - v. Proposed hours of operation of each traffic control setup.
- 2) All traffic control plans shall be prepared under the supervision of a certified Work Site Traffic Control Supervisor. Documentation of certification shall be submitted with the traffic control plans.
- 3) Lane closures on restricted rights-of-way as identified herein are permitted only between 9:00 a.m. and 3:00 p.m. on weekdays. See Exhibit E, Transportation System Map for location of restricted rights-of-way. No work is allowed on weekends or holidays unless otherwise noted on the permit. Emergency repairs are allowed and are covered under section 11-2-260 of the City code.

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- 4) When planning construction phasing and developing traffic control plans, the Permittee shall make every effort to minimize the impact to the motoring public and maintain the capacity of the roadway system. The City may require that the traffic control plan(s) be modified to comply with this requirement.
- 5) When the traffic control plan requires the modification of any traffic signals timing plans, the Permittee shall be responsible to notify the appropriate authority to coordinate the re-timing of the signal. All costs associated with work shall be borne by the Permittee.
- 6) All signs and devices shall conform to the Manual on Uniform Traffic Control Devices. The devices and signs shall be clean, legible, properly mounted and meet a quality standard rating of "acceptable" per the requirements of American Traffic Safety Services Association (ATSSA) Quality Standard for Work Zone Traffic Control Devices. All signs and devices used for night operation shall meet the retro reflective requirements of CDOT Standard Specifications Section 713.04.
- 7) The City may require that a Permittee place Variable Message Boards or custom job specific signs in advance of the work to notify the travelling public of the upcoming construction impacts. All costs for this work shall be borne by the Permittee.
- 8) If the closure of a street is required for the completion of the work, the Permittee shall provide all notifications to emergency agencies, government entities, school and transportation districts, newspapers, and adjacent businesses and homeowner's associations in a format approved by the City.
- 9) No Permittee shall block access to private property, fire hydrants, fire station, utility structure, or any other emergency response equipment unless the Permittee provides constructive notice to all parties, which provides for and supports informed consent methodology for citizen participation. Such notice would detail the project activities, dates, contacts, access provisions and restrictions with allowances for property owners to request other alternatives as applicable.
- 10) When necessary for public safety and when required by the City, the permittee shall employ qualified state certified flag persons whose duties shall be to control traffic around or through the work site. The City reserves the right to remove any flagger deemed to be unsafe or detrimental to the traveling public or require the permittee to provide more flaggers. Work may be stopped if City staff deems the work zone to be unsafe without the necessary flaggers.
- 11) The Permittee shall be responsible for maintaining all work area signing and barricading required throughout the duration of work. During non-work hours; all signs that are not appropriate shall be removed, covered, or turned around so that they do not face traffic.

Construction and Excavation Standards for Work in Public Rights-of-Way 2021

- 12) Any deficiencies noted by the City shall be corrected immediately by the Permittee. If the Permittee is not available or cannot be found, the City may make the required corrections and charge the cost thereof to the permittee pursuant to Section 11-2-270 of the Cherry Hills Village Code.
- 13) The phasing of construction and length of the active work zone shall be submitted by the Permittee to the City for review and approval. Permittees shall make every effort to minimize the impact to the use of the public right-of-way and adjacent properties. The City may require that the Permittee modify the proposed construction phasing in order to minimize the impact during construction.
- 14) Permittee shall be responsible for all damage to sidewalks unless such damage was pre-existing and documented with a pre-construction inspection. Pedestrian access shall be maintained throughout the period of work.
- 15) All traffic control devices shall be removed within 24 hours of the completion of the project. The City will remove all traffic control signs not removed in this time period. The City will not be responsible for storing or returning any traffic control devices removed by its employees or agents.

VI. Restricted Rights-of-Way

- A) To reduce the impact of work within the public right-of-way in and around certain heavily traveled collector streets within the City, identified as restricted rights-of-way herein, work will only be allowed between the hours of 9:00 AM to 3:00 PM, Monday through Friday. No work will be allowed on weekends or holidays or at any other time as directed by the City. See Exhibit E, Transportation System Map for location of restricted rights-of-way.
- B) Emergency repairs are allowed on any street and at any time to restore utility services to the community. Contractor must provide a traffic control plan that works to minimize disruptions to traffic. Utility providers and/or their contractors are still required to obtain a permit for all emergency work. The application must be applied for immediately (next business day) after the incident or a double permit fee and penalty will apply. Emergency repairs must be reported immediately to the City by calling 303-783-2744 and leaving a message; this number operates 24 hours per day, 7 days per week.

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VII. CDOT Rights-of-Way

Work in all Colorado Department of Transportation (CDOT) rights-of-way will be required to obtain a permit from the CDOT. Any work or occupation behind the curb or on the sidewalks will also require a City of Cherry Hills Village permit. These rights-of-way include University Blvd., Hampden Ave., and Belleview Ave. Please visit the CDOT website @ <http://www.coloradodot.info/> or call 303-365-7306.

Construction and Excavation Standards for Work in Public Rights-of-Way 2021

EXHIBIT A

City of Cherry Hills Village Public Works Department Minimum Testing Requirements

ALL TESTING TO BE PERFORMED PER CURRENT CDOT STANDARDS

ITEM	TYPE OF TEST	MINIMUM FREQUENCY
All excavation backfill - gas, elec., water, storm & san. sewer, cable TV, phone, etc.	Moisture/Density (Compaction Test)	1 per 200 lineal ft., per vertical foot of fill, and within 2 ft. of all structures; minimum 2 tests per lift not including tests around structures. 95% compaction under roadways and 85% to 90% under landscape areas.
Roadways Sub grade testing Base course Testing	Moisture/Density (Compaction) Proof-roll Moisture/Density (Compaction) Gradation/Atterberg limits Proof-roll	1 per 200 lane feet, min. 2 tests per lift all sub grade 1per 200 lane feet, min. 2 tests per lift 1 per 500 tons All base course
Concrete Testing – Full Time	Air and Slump Slump	1 st 3 loads, if pass, 1 per 100yds ₃ every load
Asphalt Testing – Full time	Density Extraction/Gradation, Marshall	1per 200 lane feet, min. 2 tests per lift 1 per 500 tons
Sidewalk, Curb & Gutter Soil testing	Moisture/Density (Compaction) Proof-roll	1 per 200 lineal ft., per 2 'vertical feet of fill Min. 2 tests per lift All sub grade All sub grade
Concrete Testing	Air and Slump	1 per day min. – Machine placed 2 per day min. – hand placed plus 1 per 500 square yards
Inlets/structures All inlet/structures must be pre-cast structures set in place meeting all specifications established by the City	No tests required unless hand placed structures approved by City, and testing will be determined by the City before work will begin.	To be established by the City.

**Construction and Excavation Standards for Work in
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EXHIBIT B

SOIL AMENDMENT FOR DISTURBED LANDSCAPE AREAS

Parameter	As Received Basis	Dry Matter Basis
Solids - total (%)	75.27	100.00
Moisture (%)	24.73	0.00
Organic Matter (%)	14.94	19.85
Ash Content (%)	60.33	80.15
Total Salts (MMHOS/CM @ 25c 1:5)	2.84	-----
pH (Units)	8.6	-----
Nitrogen - Total (%)	0.482	0.640
Nitrogen - Organic (%)	0.432	0.574
Nitrogen - Ammonia (PPM)	361.3	480.4
Nitrogen - Nitrate (PPM)	132.8	176.4
Total Phosphorus (%) as P	0.230	0.305
(%) as P ₂ O ₅	0.528	0.702
Total Potassium (%) as K	0.483	0.642
(%) as K ₂ O	0.580	0.770
Carbon / Nitrogen Ratio	12.3	16.3

Construction and Excavation Standards for Work in Public Rights-of-Way 2021

EXHIBIT C

RIGHT-OF-WAY PERMIT DESCRIPTIONS

1. Right of Way Permit / **Street Cut** / includes storm water ditches and unimproved right of ways.
 - \$500.00 permit fee, per cut / **\$5000.00 two (2) year bond per cut** / \$1,000,000.00 Certificate of Liability Insurance.
 - Additional Major Installation Fees may apply.

Right of Way Permit / Street Cut: all cuts, excavations, demolitions, removal, trenching, boring, utility locates potholing, utility installations, utility service cutoffs, utility service repairs, new improvements, removal or replacement of City concrete, removal or replacement of City asphalt, excavations and boring in storm water bar ditches, excavations and boring in improved and unimproved City right of ways, and any construction equipment operating on City streets and right of ways. Major Installation Fees may apply.

*Separate permits and fees will be required for each utility cut in the ROW. Typically, electric, gas, water sewer, etc. are not confined to a single cut or dig and take place at different times during a project. For this reason, each utility cut will require a separate permit, fee, bond and certificate of insurance

2. Right of Way Permit / **Street Occupancy**
 - \$150.00 permit fee / **\$5000.00 one (1) year bond** / \$1,000,000.00 Certificate of Liability Insurance.

Right of Way Permit / Street Occupancy: all crane placements, all concrete pump truck placements, and all overhead utility bucket truck placements. The City may, in its sole discretion, determine if potential damage is possible to the right of way, and request an Occupancy Permit be obtained.

3. Right of Way Permit / **Driveway**
 - \$150.00 permit fee / **\$5000.00 one (1) year bond** / \$1,000,000.00 Certificate of Liability Insurance.

Right of Way Permit / Driveway : removal, replacement, asphalt overlay, remodel in same location, new construction, and re-location, with NO street cut of existing asphalt, concrete curb and gutter, and concrete valley pan. NEW CONSTRUCTIONS and RE-LOCATIONS crossing a storm water bar ditch, unimproved right of way, or cutting concrete curb and gutter or concrete valley pans for tie in's will require obtaining a Right of Way, Street Cut Permit.

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4. Right of Way Permit / **Construction Access**

- \$500.00 permit fee, per access / **\$5000.00 two (2) year bond**, per access / \$1,000,000.00 Certificate of Liability Insurance.

Right of Way Permit / Construction Access: shall be required for permanent or temporary access, the crossing of improved or unimproved City infrastructure, including concrete curb and gutter, concrete valley pans, storm water drainage, ditches, unimproved or improved City right of ways, including asphalt road shoulders. All new construction, remodel, utility work, or landscape operations that require repeated crossing over, onto, or off (ingress and egress) of City right of way, with construction equipment or materials, will require obtaining a Right of Way, Construction Access Permit.

NOTE: Construction Access Permittees may be required to construct Vehicle Tracking Pads (see Construction and Excavation Standards, Section V.A.(7)), install temporary storm water culverts in drainage, ditches, install and maintain storm water BMPs, build ramping to protect curb and gutters, and place matting to protect roadway surfaces, per City of Cherry Hills Village, Construction and Excavation Standards. All demolition projects must obtain a Construction Access Permit prior to starting.

At the City's discretion a right-of-way access permit may be required for projects utilizing existing access to projects not adjacent to the right-of-way if it is determined that the project may have a negative impact on the City's infrastructure.

5. Right of Way Permit / **Landscape**, in the right of way

- \$150.00 permit fee / **\$5000.00 two (2) year bond** / \$1,000,000.00 Certificate of Liability Insurance.

Right of Way / Landscape: all projects in unimproved or improved City right of way, storm water drainage, ditches, or adjoining concrete curb and gutter, concrete valley pans, and asphalt roadway shoulders, will need City approval prior to a Landscape Permit being issued. Sod placement, irrigation installation, rock placements, wood chip placements, shrub plantings, and tree plantings will need to follow City of Cherry Hills Village, Construction and Excavation Standards. NOTE : NO STAGING OR STORAGE OF LANDSCAPE MATERIALS, SUPPLIES, OR EQUIPMENT IS ALLOWED ON CITY STREETS OR RIGHT OF WAYS. NO ZERO TURN (SKIDSTEERS) OR OTHER TRACKED EQUIPMENT IS ALLOWED ON PAVED STREETS WITHOUT PROPER PROTECTION TO ROADWAY SURFACES. Storm water BMP'S must be installed and maintained. Reasonable effort should be taken to perform landscape work from the private property.

6. Right of Way Permit / **Gravel Road** / including storm water bar ditches and unimproved right of ways

- \$500.00 permit fee, per cut / **\$5000.00 two (2) year bond** per cut / \$1,000,000.00 Certificate of Liability Insurance.
- Major Installation Fees may apply.

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Right of Way Permit / Gravel Road: all cuts, trenching, boring, utility locates potholing, utility installations, utility service cutoffs, utility service repairs, or excavations in the gravel road surface, adjoining storm water bar ditches, or in unimproved or improved right of ways.

7. Right of Way Permit / **Trail or Park Occupancy**

- \$150.00 permit fee / **\$10,000.00 two (2) year bond** / \$1,000,000.00 Certificate of Liability Insurance.

Right of Way Permit / Trail or Park Occupancy: all City trails and parks are CLOSED to all forms of MOTOR VEHICLE TRAVEL. Permission to use the City's parks or trails for vehicle travel may be obtained by requesting occupancy permit approval, through the Public Works Department, Parks Division. The Parks Division will determine, in its sole discretion, if other access routes are available and deny permit request. A trail or park occupancy permit does not allow the permittee to perform any form of excavation to the trail surface. All damage to the trail surface that may occur while occupying the parks or trails will require immediate restoration repairs, per the City of Cherry Hills Village, Construction and Excavation Standards. All restorations must be approved by the Parks Division.

8. Right of Way Permit / **Trail or Park Excavation**

- \$500.00 permit fee, per cut / **\$10,000.00 two (2) year bond** per cut / \$1,000,000.00 Certificate of Liability Insurance. Major Installation Fees may apply.

Right of Way Permit / Trail or Park Excavation: all cuts, excavations, demolitions, trenching, boring, utility removals, utility locates potholing, utility installations, utility service cut offs, utility service repairs, new installations, removal of trail or park vegetation, removal of trail or park fencing, and disturbing trail or park irrigation systems, will require obtaining a trail and park excavation permit. Permits may be obtained by requesting permit approval by the Public Works Department, Parks Division. Major Installation Fees may apply. Permit pullers may be required to construct Vehicle Tracking Pads, install temporary storm water culverts in stormwater ditches, and install and maintain all stormwater BMPs. All restorations must be approved by the Parks Division.

Excavation permits will only be issued to utilities that have legal easements within City parks, open spaces, trails, or trail easement.

- ### 9. Right of Way Permit / Other: The City may, in its sole discretion, determine if potential damage is possible to the right of way, determine the NAMING and WORK DESCRIPTION, and request appropriate bonding and liability insurance be provided.

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EXHIBIT D

Permit Fees for Work in Public Rights-of-Way

Fee Structure - Public right-of-way permit fees are divided into four separate categories: **Management** fees, **Inspection** fees, **Pavement Restoration** fees, and **Other** fees. All permits are subject to a management/inspection fee. Landscape work, driveway installations and occupation permits within the City's right-of-ways may be issued at a reduced rate. If the work approved by the permit consists of any pavement or surface disturbance within the right-of-way, the permit may also be subject to a restoration fee. Other fees shall be added to the cost of the permit as appropriate, in accordance with this fee schedule. Pursuant to Section 11-2-90, City of Cherry Hills Village Code, the applicable permit fees shall be as follows:

Management Fee

Management fees include all application processing related to the permit and the end of warranty inspection performed one month prior to the end of the 2-year warranty period. This fee is based on current year labor rates.

Current rate is \$50.00 per hour times 2 hours = **\$100.00**

Inspection Fee

Inspection fees are based on 3 site inspections during the permit period for minor installations and a daily fee for major installations. During the permitting process, the City will determine whether any additional inspections will be required.

Driveway/Occupation/Landscaping **\$50.00**

Minor Installation **\$100.00**

Major Installation **\$75.00** per working day

Pavement Restoration Fee

The pavement restoration fee shall include all construction costs associated with the restoration of the pavement to minimize the impact to the useful service life of the roadway. The fee shall be applied to all installations. Minor installations will be charged a fee of **\$300.00** for future restoration. Major installations include work in the public right-of-way involving an excavation exceeding 50 linear feet or 200 sq ft of total disturbance. This cost will include the cost to mill and overlay the disturbed area and if applicable re-chipseal the surface. *(See section V. Construction Standards Subsection E. Repairing Streets paragraphs o and p for assessment criteria.)* Cost will be based on current City paving/chipseal contracts plus 5%. The City will collect this fee with the initial application. If permittee disturbs more pavement than originally included in the permit, the City will collect any additional funds due prior to final approval and closeout. Permittee will remain responsible for all patching and repair work for the warranty period.

Minor Installations **\$300.00**

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Major Installations - actual cost to replace asphalt/chipseal as outlined in these Standards.

Work in Gravel Streets

All work performed within a right-of-way with a gravel surface will be charged a restoration fee. The fee will consist of charges for City staff to restore the street to its original condition before the work was performed. The fee is calculated at a cost that is 50% of the full cost to restore the gravel surface to account for the crew performing the restoration during regularly scheduled gravel road maintenance operations, which covers the extra time and materials to restore the work area. Depending on the size of the work area, this fee may increase as determined by the City. In most cases the City will perform this work during its regularly scheduled maintenance.

Minor Installation \$500.00

Major Installation fees are project specific.

Other Fees

Other fees shall include additional costs directly incurred by the City in providing services related to the granting and administration of a permit such as, but not limited to engineering review costs, additional oversight by City staff, materials testing, additional signage and or safety related barricades provided by the City. These costs will be based on the current year labor rate of the Director of Public Works or his designee's time as estimated by the City and all costs associated with services provided by the City's contract consultants. For major installations, material testing fees will be added to the permit. Current labor rate(s) for all consultants apply when utilized and will be added to the cost of the permit.

Fee Schedule**

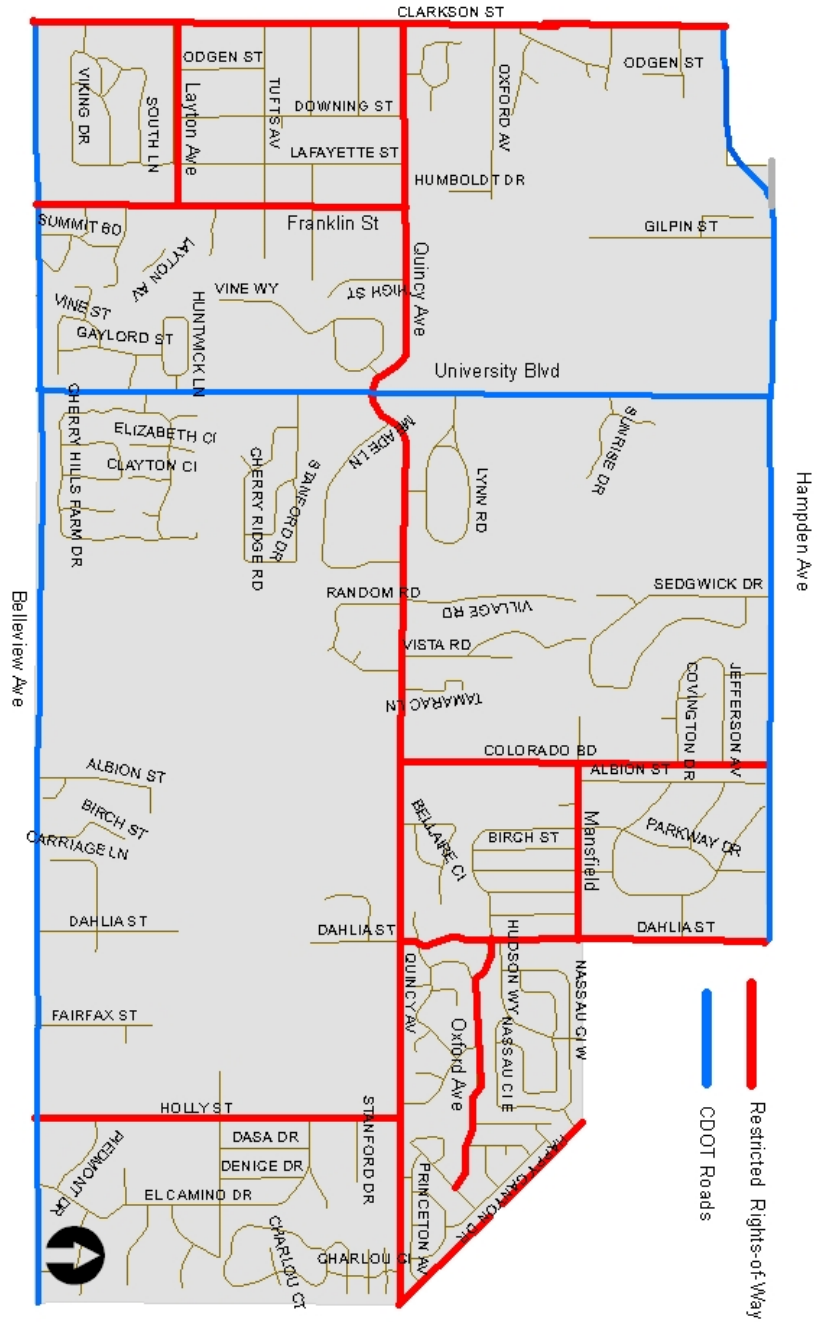
Minimum permit fee involving any disturbance within rights-of-way including trails. This includes disturbance of shoulders, ditches, landscaping etc. \$500.00

Driveway replacement with no street cut	\$150.00
Minimum permit fee for gravel roads	\$500.00
Right-of-way occupancy fee	\$150.00
Landscape permit for work in the right-of-way (non-utility)	\$150.00
Trail or Park Occupancy Permit	\$150.00

** Fees for major installations will be calculated based on the criteria outlined in the City's Construction and Excavation Standards

Construction and Excavation Standards for Work in Public Rights-of-Way 2021

EXHIBIT E



Cherry Hills Village Restricted Rights-of-Way