

CAPISTRANO BAY DISTRICT
AGENDA REPORT
March 25, 2014

Mgr. Reports & Old Business

ITEM J.2

Review of District Encroachment Permit Procedure (Ordinance No. 04-204)

This relates to regulating the procedures for cutting open and trenching in the road for running utilities, sewer, water and gas tie-ins, etc., for utility repairs and new home construction. Every new home built in the community has to cut open the road for one or several of these purposes.

At the last Board meeting it was discussed that the appearance of the finish of some of the pavement patching work did not come close to matching the surrounding areas of existing pavement, thus leaving a more noticeable scar on the road surface.

While it would be impossible to completely obscure a pavement patch, effort should be made to match the repair work to the surrounding areas as closely as possible. The following recommendations were made and have been written into the specifications of the Encroachment Permit application (***see attached 3 pages***):

- require the use of a vibratory steel drum roller (this compacts the asphalt surface to a higher density and leaves a much smoother and tighter finished surface) - ***see item 12.C***
- add requirement that all roadway repairs be sealcoated - ***see item 15***
- revise the asphalt specification to match the content and makeup of the existing road pavement material - ***see item 17***
- add specification for sealcoat material - ***see item 18***

STANDARD ENCROACHMENT PERMIT CONDITIONS

The following standard conditions to be part of Encroachment Permit No. _____

1. No access or work shall be performed within the District right-of-way without the full knowledge of the District Manager who shall be **given not less than 48 hours advance notice of the initiation of permitted use at (949) 496-6576.**

Permittee or the contractor shall provide or cause to be provided a certification of workers compensation coverage and general liability insurance in an amount no less than \$1,000,000 naming the Capistrano Bay District as *additional insured*. Permittee must also post a \$1000 security deposit in the form of a cashiers check, payable to the Capistrano Bay District (see items 21 & 25). This must be provided prior to issuance of a permit. *Security deposit may be held for up to 30 days after completion of work.*
2. **Underground Service Alert** (USA 1-800-227-2600) must be notified prior to any excavation or concrete removals. The Manager may revoke any permit started without a "Dig Alert" number.
3. All work within the street shall be flagged and barricaded to the satisfaction of the District Manager and no less than one-way traffic shall be maintained at all times.
4. **No work shall begin before 7:00 a.m.** or continue after 5:00 p.m. on Beach Road. Absolutely no work is permitted on Sunday or holidays. Any deviation from this work plan, detail or schedule must be approved by the District Manager.
5. Applicant agrees that it shall be his responsibility to provide the contractor, subcontractor, or any other agent responsible for construction of the permitted use within District right-of-way, with a copy of the Encroachment Permit and conditions.
6. Permitted use shall be constructed in accordance with the District specifications and shall be subject to inspection and approval by the District Manager. Certification for all materials and work, including compaction tests, shall be furnished by the applicant upon request by the District Manager. Any required compaction testing shall be paid for by the permittee.
7. **Sand bags** must be on site for storm drain protection prior to any work.
8. All excavations must be backfilled or properly protected at the end of each working day. Metal trench plates are acceptable cover for open excavation and shall not be allowed to remain in traffic lanes more than **5 consecutive working days**, temporary asphalt shall be used to eliminate vertical edges. All street excavations must be covered with asphalt or other type of smooth, non-erodible surface at the end of each working day and maintained in a clean and neat manner at all times. Pedestrian access must be maintained on a smooth, non-erodible surface at all times.
9. Applicant shall properly place warning signs or delineators on the right-of-way around opened areas.

10. If after backfilling of an excavation the permittee fails or refuses to resurface or repair that portion of the surface of the road damaged in conjunction with this permit in any manner whatsoever, the District Manager shall do such repairs and the permittee shall be charged with the cost thereof computed by the District Manager.
11. All native material backfill shall be compacted to a relative density of at least 90% of the maximum density. The top 6" shall be compacted to 95%.
12. All asphalt repairs shall be as follows; final pavement repair shall be complete within ten (10) working days from the initial excavation. Trenches within 18" of any concrete structure shall require removal and replacement of asphalt pavement up to the structure. Pavement and base repairs shall be 12" wider than the excavation and all dimensions.
 - A. Final pavement repair shall be 1" greater asphalt and 1" greater aggregate base than existing road construction but in no case less than 3" AC over 9" AB.
 - B. Trenches backfilled with two sack cement slurry may be surface cold planed and paved as per item A.
 - C. All repairs shall be finished using a vibratory steel drum roller.
13. Two sack cement sand slurry mix is required as backfill when tunneling under any concrete structure, or on all lateral excavations unless directed to do otherwise by the District Manager.
14. Concrete removal shall be made to the nearest score joint or saw cut, if said joint is less than 4 feet from work limits. In no case shall any curb removal/re-placement be less than 8 lineal feet. All final repairs shall be complete within five working days of initial removal. Safe pedestrian access must be maintained at all times.
15. All completed roadway repairs shall be finished with a single sealcoat, covering an area no greater than the entire roadway width (approx. 25 ft.) by the length of the residential properties affected, as directed by the District Manager.
16. All Portland Cement Concrete work shall be transit mixed, type V cement, and conforming to the SSPWC, latest edition, Section 201.
17. All Asphalt Concrete work shall be type III C3 (1/2"), Pg. 64-10, and conforming to the SSPWC, latest edition, Section 400, and finished with a vibratory steel drum roller.
18. All sealcoat material shall be a plant-blended product composed of mineral aggregates uniformly distributed in a petroleum base asphalt emulsion, conforming to the SSPWC, latest edition, Section 203.3. Spread rate of 25 gal. per 1000 sq. ft.
19. The roadway shall be free of all obstructions and completely open to traffic at the end of each working day. No equipment or materials may be left in the District right-of-way overnight without specific permission from the Capistrano Bay District.
20. When excavations are made in a parkway area, it shall be returned to its pre-existing condition.

21. This permit may be immediately revoked for reasons in the best interest of the District or of violation of permit conditions upon notice given by the District Manager. In the event of such revocation, applicant shall immediately cease all operations and restore District right-of-way as directed by the District Manager. After notification, District may take full possession of the area as appropriate. The District will recover from the security deposit all costs involved in the event restoration of District property or removal of any items installed by the applicant is necessary by the District.
22. The permit may become void in the event the use permitted is not started within thirty (30) calendar days from the date of issuance or in the event the permitted use is abandoned for a period exceeding thirty (30) calendar days after construction has begun. In such event, it will be necessary to obtain a new permit and pay additional fees. Upon commencement of work, all operations, including cleanup and restoration of District right-of-way, shall be completed within thirty (30) calendar days. No emergency permits will be issued unless it is a real emergency. Emergency work not started within 24 hours from verbal authorization shall become VOID.
23. All excavated material shall be cast away from the improved portion of the road. Excavated material cannot be stockpiled on the road and the right-of-way shall be left in neat and orderly condition.
24. All roadside drainage shall be restored to a true grade and the intake and outlet ends of all culverts shall be left free from all excess materials and debris.
25. If it becomes necessary to repair any excavation due to settlement or any cause due to the permitted work, the permittee shall make repairs upon request or pay to the Capistrano Bay District costs incurred for said repairs. These costs may be withheld from the posted security deposit.
26. All approaches to private driveways shall be kept open to access at all times, unless otherwise approved by the District Manager.
27. Permittee shall prevent dust or other materials from becoming a nuisance or annoyance.
28. Repairs to damaged District facilities shall be made functional immediately and complete and final repairs to be completed within 5 calendar days.

Permittee has read, fully understands and by their signature below agrees to the permit conditions listed above.

Signature

Date

Printed Name