

APPLICATION/AGREEMENT

For Trench/Disturbance Permit within the City of New Bedford

Permit # 351-17
Dig Safe # _____

Date 8-24-17

TO THE MAYOR AND CITY COUNCIL: DISTURBANCE PERMIT/TRENCH SAFETY PERMIT

Permission is hereby requested to excavate the surface of: _____ City Property and/or _____ Private Property

Provide Sketch

Location of Work: Herman Melville Blvd. @ MacArthur

FOR INSPECTION ONLY A 24 HOUR NOTICE IS REQUIRED AND THE CONTRACTOR/APPLICANT IS REQUIRED TO NOTIFY THE D.P.I. @ 508 979-1550 Press 3 Repair

Substantially as per plan annexed, for the purpose of: installing Comcast

cable

ROADWAY CLOSURES WILL REQUIRE AUTHORIZATION FROM THE COMMISSIONER OF PUBLIC INFRASTRUCTURE. TRAFFIC MANAGEMENT PLANS MAY BE REQUIRED.

Work will begin (weather permitting) on: 8/25/2017

Work will end (weather permitting) on: 10/25/2017

Applicant Name: Debra Moin Excavator(s) Name: _____

Company Name: Early Contractors, Inc. Hoisting Equipment License Number: _____

Grade: _____ Expiration Date: _____

Contact Number: _____ Name & Contact Number of Insurer: DeSanctis Insurance

781-395-8480

Competent Person on Work Site: Debra Moin APPROVED BY: Debra Moin DATE: 8/24/17

TITLE: Admin. Manager

This permit shall be posted at the work site, and shall remain until the work is completed. It is subject to inspection at all times.

For any work done on City Property the following additional regulations apply:

The applicant hereby specifically acknowledges and agrees to this permit, if granted, becomes a legally binding AGREEMENT, between said applicant and the City of New Bedford for permission to disturb/excavate the surface of City sidewalks and roadways, and as such is subject to all of the terms and conditions, including current bonding and surety deposit requirements, of the various sections of Chapter 22 of the Code of Ordinances of the City of New Bedford, all of which are incorporated herein and made a part of this APPLICATION/AGREEMENT. No permit shall be granted until said terms and conditions have been met.

In the event that this permit is granted, the following requirements shall also be met:

- a. That sufficient barriers, lights, and warning signs shall be erected and maintained by the Permittee in such a manner as to notify pedestrian and/or operators of motor vehicles properly approaching the work site of the hazard(s) occasioned by said work. One or more signs conveying the following message or its equivalent: "STREET CLOSED: PASS AT OWN RISK" OR "ROAD UNDER CONSTRUCTION, PASS AT OWN RISK" must be prominently displayed as directed by the Commissioner of the Department of Public Infrastructure.
- b. That the roadways and sidewalks shall not be unnecessarily obstructed and, so far as possible, safe and convenient ways for the use of foot travelers and vehicles shall be maintained.
- c. That the trenches or excavations shall be backfilled as directed by the Commissioner of the Department of Public Infrastructure, whose order shall be final and conclusive.
- d. All pavement surfaces of roadways and sidewalks disturbed shall be restored by the permittee in accordance with approved City specification of the Department of Public Infrastructure, and within such time limits set by the Commissioner.
- e. The applicant assumes full responsibility for maintenance of the pavement restoration for a period of three (3) years from the date the City considers the restoration to be completed.

The applicant shall hold the City of New Bedford harmless and indemnify it for any and all injury to loss, cost, damage, expense, (including reasonable attorney fees) and liability on account of the disturbance of said street surface and any work done in connection therewith.

Any permit for disturbance/excavation within the surface of the public right-of-ways, as herein provided, may be revoked by the Mayor and City Council under the provision of law.

Permits for disturbing/excavating the surface of public right-of-ways shall be issued by the City Clerk, subject to ratification by the Mayor and City Council; said permits to be provisional until ratified as aforesaid. Any owner who has been refused a provisional permit shall have the right to a hearing before the Mayor and City Council.

For any work done on City Property or Private Property, the following additional regulations apply:

Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration (OSHA) on excavations: 29 CFR 1926.650 et seq., entitled Subpart P "Excavations."

By applying for, accepting and signing this permit, the applicant attests to the following:

- a. that he has read and understood 520 CMR 14.00 promulgated by the Department of Public Safety with regard to trench safety;
- b. that he has read and understood the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et seq., entitled Subpart P "Excavations".