

SECTION 100**DIG ONCE, STREET OPENING AND PAVEMENT RESTORATION
REGULATIONS**

NOTE: THIS SECTION IS ADDED IN ITS ENTIRETY TO THE BLANK SECTION IN CALTRANS STANDARD SPECIFICATIONS.

100-1.01 Excavation – Refers to any process which breaks up or removes material from the ground through trenching, digging, drilling, boring, or other activity for the purpose of installing underground conduit, utilities, infrastructures, or any related facility.

100-1.011 Excavator – The applicant/permittee to whom an encroachment permit is issued for the purposes of excavation.

100-1.012 Excavation Permit – The Encroachment Permit that is issued for any work within the right-of-way that meets the definition of an excavation as described in Section 100-1.01, above.

100-1.02 Moratorium

1. Newly constructed or resurfaced streets shall be termed moratorium streets within this section. Permission to excavate in newly constructed or resurfaced streets will not be granted for five (5) years after the completion of street overlays. An overlay consists of a ½ inch or thicker layer of asphalt. For those streets with chip seal, slurry seal coatings, or micro paving with less than ½ inch of new pavement, the moratorium shall be for five (5) years. Utilities shall plan well enough in advance to determine alternate methods of making necessary repairs to avoid excavating in newly resurfaced streets. Exceptions to the above policy are as follows:
 - A. Emergencies which endanger life or property.
 - B. Interruption of essential utility service.
 - C. Work that is mandated by City, State or Federal legislation.

- D. Service for buildings where no other reasonable means of providing service exists.
 - E. Other situations deemed by the City Engineer to be in the best interest of the general public.
2. To excavate in a moratorium street a waiver must be obtained.
- A. To request a waiver, the applicant must submit a written request to the City Engineer or his designee. The request must include:
 - 1) The location of the excavation.
 - 2) Description of the work to be performed.
 - 3) Why the work was not performed before the street was paved.
 - 4) Why the work cannot be deferred until after the moratorium.
 - 5) Why the work cannot be performed at another location.
 - 6) Why is it justified to excavate a moratorium street.
 - B. Any excavation in the moratorium streets will be repaired with full lane paving on the street as follows: (See Drawing No. R-40, and refer to Section 100-1.06 paving).
 - 1) Overlaid or reconstructed streets: All lanes that are affected shall be ground down 1.5 inches and repaved with 1.5 inches of asphalt concrete.
 - 2) Slurry sealed, chip sealed, or micro-surfaced streets: All lanes that are affected shall be resurfaced per Section 100-1.07 paving.
 - 3) Exception – Full lane width restoration shall not be required if the work is not considered an excavation as defined in Section 100 – 1.01.

100-1.03 Dig Once

- 1. Notice Required.
 - A. To the extent feasible, the Director of Public Works, or his/her designee shall require an applicant for such work to notify all known telecommunications service providers of an impending excavation and afford all such service providers the opportunity to utilize the excavation to install, upgrade, co-locate, repair, or improve their telecommunication facilities during such an excavation project. Any such notice shall be

provided at least thirty (30) days prior to the commencement of excavation.

- B. All service providers utilizing the same excavation shall be responsible for their proportionate share of the excavation costs, including but not limited to the costs of permitting.
 - C. Notice is only required when the proposed excavation will be at least 300 linear feet, or such other distance as the Public Works Department may establish.
 - D. Such excavation shall not take place more than once on a particular City street within a 5-year period unless determined otherwise by the Director of Public Works.
 - E. A permit for excavation shall be required and will be charged based on staff time spent at the rate in effect as established by the duly adopted Council's fee resolution.
 - F. The Director of Public Works or his/her designee may exempt projects from these requirements where it is determined that it is not practical, feasible, or for any other consideration. Requests for an exemption must be made in writing with an explanation as to why the project should be exempted. Cost shall not be the determining factor whether a project may be exempted. A determination from the Director of Public Works is the final administrative determination of the matter and is not appealable.
 - G. The Director of Public Works or his/her designee shall have primary responsibility for enforcement of this policy. Pursuant to the Stockton Municipal Code, excavations not in accordance with this policy shall be considered noncompliant encroachments which have been declared a public nuisance and which are subject to abatement, removal, and enjoinder by the City of Stockton, as well as by any other remedies provided by law.
2. Response to Notice. Upon receipt of a notice issued pursuant to subsection (B) of this section, the Public Works Department shall review the notice to determine whether adding City communications infrastructure to the proposed excavation project would be both financially feasible and consistent with the City's goals.
 3. Approval of Application. The City may approve an application and issue a permit if the City finds that an applicant has complied with this chapter and all applicable provisions.
 4. Applicant's Incremental Costs. The City shall be responsible for paying the

applicant's incremental costs when the Public Works Department participates in an excavation project by installing City communication infrastructure.

100-1.04 Permits – Any and all construction work within the City right-of-way shall be done by obtaining an encroachment permit. Anyone doing excavation work within the City of Stockton street right-of-way shall obtain an encroachment permit for the purposes of excavation in addition to any other permits required. This also applies to all City departments.

- A. The permit application may be obtained at the City's Permit Center or by visiting the City Permit web page, <http://www.stocktonca.gov/government/departments/permitCenter/enginPerm.html>.
- B. Except in an emergency, excavation permits shall be taken out in advance of excavation work. An emergency is considered to exist only when life or property is endangered or when an essential utility service is or may be interrupted during weekends, holidays, or between 5 p.m. and 8 a.m. of normal working days.
- C. The excavator shall notify the Permit Center and apply for an excavation permit for "emergency work" within four (4) hours after the Permit Center opens.
- D. As a condition of the permit to excavate, the applicant shall have been provided an inquiry identification number by a regional notification center (Underground Service Alert, USA) pursuant to Section 4216, Chapter 1153, Assembly Bill #1606 of the California State Law.
- E. As required by 100-1.03, notice is required to all known telecommunications service providers of an impending excavation affording all such service providers the opportunity to utilize the excavation to install, upgrade, co-locate, repair, or improve their telecommunications facilities during such an excavation project.
- F. Prior to applying for an excavation permit, the excavator must register with the Public Works Department. The owner or the contractor performing the work may apply for the permit. The owner of the facility shall determine who applies for the excavation permit. However, if the applicant is not the owner of the facility to be excavated, the applicant must provide documentation that the applicant is authorized to act on behalf of the owner.

1) The following is required to register for an excavation permit:

- a) A Cash Deposit equal to 3% of the project cost with a minimum of \$1000 and a maximum of \$25,000. Companies working under a franchise agreement with the City are not required to post the cash deposit until they have violated the City standards or permit requirements.

- b) A current Business License.
- c) Current evidence of Insurance.
- d) 24-hour telephone number for emergencies.

e) The name, telephone number, email, and mailing address of the person who will receive all official correspondence from the Department.

2) If an account is past due or not in good standing, a permit cannot be issued until the account is brought into good standing. The account is past due if the fines are not paid and are deducted from the deposit. To bring the account to good standing, all fees and fines must be paid.

G. If an excavator damages other facilities during their excavation work:

- 1) They do not need another excavation permit if no additional excavation is required to repair the damaged facility. In this case, the original permittee shall maintain the site and restore the pavement.
- 2) They need an additional excavation permit if additional excavation and trenches are needed to repair the damaged facility.

H. All applications shall include a plan indicating the following:

- 1) Name of the street to be excavated and the nearest cross streets.
- 2) Distance from the face of the curb.
- 3) Distance from the intersection.
- 4) The size of the excavation (length and width).
- 5) The location of any above ground facilities to be installed, showing:
 - a) Distance from curb and any street facilities/furniture.
 - b) Purpose of the facility.
 - c) Size of the facility.
 - d) Location of doors and door swing.
- 6) The location of any underground facilities to be installed showing:

- a) Conduits vaults, maintenance holes, pipes, etc.
 - b) Structural detail and additional information for installation of the structures such as vaults and maintenance holes.
 - c) The construction method of the structure to be installed.
 - d) Construction detail, locations, size, design criteria and the purpose of the facility.
- 7) Cross section of a typical trench indicating:
- a) The approximate depth of the facility to be installed.
 - b) Trench backfill depth, compaction and layer depths.
 - c) Pavement section detail (type and depths).
 - d) Plans, structural details, and trench cross section must be signed and stamped by a licensed Civil Engineer, when legally required.
- 8) The plan may show the approximate location of the excavation provided that on an "as-built" plan, the exact location of the excavation is shown. This shall be submitted prior to the permit being finalized and filed.

I. Pre-Construction meeting:

- 1) A pre-construction meeting shall be held for all projects that are scheduled to take longer than 15 working days to complete.
- 2) The owner, contractor, any other agency that is involved and the Public Works Department shall attend this meeting.
- 3) There will be a fine for projects that are supposed to be completed within 15 days, and are not completed within the allowed time, if a pre-construction meeting was not held.
- 4) A traffic control plan shall be provided with the submittal of the application, and approved prior to the pre-construction meeting.

J. Permit duration shall be indicated on the permit:

- 1) All permits shall include estimated start and completion dates. A

permit is valid from the construction start date specified on the approved permit until the specified completion date.

2) Excavation permits are not valid if other required permits are not obtained or required notifications including those required by 100-1.03 are not given.

3) No disruption of traffic is allowed after 3:00 PM and before 9:00 AM unless specifically approved for these hours.

4) Some permits may be valid on specific dates. They may be approved with special conditions specifying the dates:

- a) When work shall not be done.
- b) When work must be completed.
- c) Before which work shall not start.

5) Permits expire and become void unless otherwise amended:

- a) Thirty days after the start date, if no work has begun.
- b) If the work is not diligently prosecuted and there are long delays after the work has started.
- c) When the excavation, including the trench restoration is not completed within the duration specified on the permit or on the date specified on the permit as the expiration date.

K. The work is determined to be proceeding diligently if:

1) Once a project begins, work continues on a daily basis, except for weekends, holidays, inclement weather, labor disputes or any other emergency.

2) Once a project begins, the work continues uninterrupted until such work no longer affects public convenience, health or safety. If the project is a multi agency project, a one-week time will be allowed for one agency to move out and another to move in to complete their work.

3) The permittee ensures that all necessary materials and supplies are on hand and ready for use so as not to delay the excavation and the prompt restoration of the public right-of-way.

- L. A valid permit may be extended by:
- 1) Requesting an extension prior to the expiration date by:
 - a) Specifying the dates that need to be changed.
 - b) Explaining why an extension is needed.
- M. All the excavation permit fees are due at the time the permit application is submitted.
- 1) Checks should be made out to the City of Stockton. The check shall include:
 - a) The permit number.
 - b) The type of fees being paid (Administration fee, Inspection, extension, reapplication, etc.).
 - c) All the fees, fines and penalties, not collected with the application will be billed by the City and shall be paid within thirty (30) days. If they are not paid within thirty (30) days, then these fees, fines and penalties will be deducted from the deposit. Utility companies working under a franchise agreement have ninety (90) days to pay. If a contractor working for a utility company does not pay, the owner/utility company will be responsible to pay these fees, fines, and/or penalties.
 - d) If a violation occurs and the fines are deducted from the deposit, no other application will be processed until the deposit has been put in place with the City and all conditions are met. For companies without a deposit, if the fines are not paid on time, no other permit will be issued.
- N. If an application has been withdrawn or an approved permit is cancelled prior to the start of work:
- 1) Inspection fee will be refunded.
 - 2) To request a refund a written request must be submitted to the City Engineer.
 - 3) The request shall include:
 - a) The reason for cancellation or withdrawal.
 - b) The application number.

- O. By accepting an excavation permit, the permittee and the owner of the facility(ies) for which the permit has been issued agree:
- 1) To follow all rules, regulations, special conditions, and code requirements.
 - 2) To assure that their employees, contractors, and subcontractors comply with all rules, regulations, permit conditions and code requirements.
 - 3) To defend and indemnify the City as required by the contract.
- P. The excavation permit must be available during work periods at the excavation site, until the project is completed and signed off by the City. Permit must be shown to the City employees on request.
- Q. To facilitate 100-1.03, the City and various utility companies must coordinate their Capital Improvement Programs. Respective utility companies and the City shall prepare an Annual Utility Work Plan that identifies project locations and impacted street areas. The Plan shall include the anticipated year of construction/excavation for each project. This information shall be shared through the quarterly utility coordination meetings. The information about any planned work in the street right-of-way shall be shared at the earliest possible time. Various utility owners are encouraged to coordinate their excavation of the streets so that all work is done simultaneously and that the street is not excavated frequently within the same year.
- R. The excavator shall provide public notifications when excavating in the public right-of-way.
- 1) Provide 11"x17" posters with 1-inch minimum letters at beginning and end of the project and every 300 feet in between. Notes must contain:
 - a) The names, address, and telephone number of the owner and the permittee.
 - b) The start and completion dates of the project.
 - 2) Major projects lasting 15 working days or longer, the excavator shall:
 - a) Mail notices to or notify, after the permit has been issued but no more than thirty (30) days before the anticipated start date of work:

1. Property owners, residents, or occupants of the affected blocks.
 2. Schools and churches in the area and the San Joaquin Regional Transit District.
 3. Provide the City with a copy of the notice.
- b) At least five (5) days but not more than 15 calendar days prior to starting construction, post and maintain 11" x 17" notices at beginning and end of the project and every 300 feet in between and deliver a copy of same notice to each dwelling unit on the block. The notices must contain:
1. The name, address, and telephone number of the owner and the permittee.
 2. A description of the project.
 3. The start and completion dates of the project.
 4. The name, address and 24-hour telephone number of a contact person.
- S. A project sign is required for all major projects to be installed at either end of the project. The location for the sign to be worked out by the excavator and the City.
- 1) The sign shall be a minimum of 24" x 36" with 2" minimum letters. It shall be hung on 4" x 4" wooden posts or a standard metal sign posts and include:
- a) Project name, description, and Permit number.
 - b) Permittee's name, address and 24-hour telephone number.
 - c) Owner's name.
 - d) Start date and completion date of the project.

100-1.05 Excavation Material

1. Pavement shall be cut to a straight, neat, vertical line prior to excavation.
2. All excavated material not suitable for backfilling shall be removed from the job site within twenty-four (24) hours. Excavated material suitable for backfilling may be stored on the job site for a maximum of five (5) working days, provided it does not occupy any more street space than the permit allows and provided this

material is completely prevented from blowing, washing, or being thrown about at all times. Material may be stored on the adjacent private property if a written approval from the property owner has been obtained.

3. No trench shall be opened on any street that is not backfilled or plated at the end of the same day. Fines will be charged if any trench is left open.

100-1.06 Backfill

1. Trenches shall be backfilled with sand or suitable site excavated material. Compaction of backfill shall be in accordance with Drawing No. R-36 or R-37.
2. When undermining occurs, remove existing pavement as required to compact the backfill and restore the pavement.
3. Each encroachment permit will specify the number of compaction tests required. Each compaction test shall be certified by an independent laboratory and submitted to the City Encroachment Permit Inspector. If the results of compaction test show generally poor or marginal compliance with City compaction requirements, the number of compaction tests may be increased by the Engineer to help ensure that proper compaction is being achieved.
4. A CONTROL NUMBER SHALL BE OBTAINED by calling (209) 937-8366 one (1) day in advance of the start of work on any encroachment permit. A copy of the permit and control number shall be on site during the construction.

100-1.07 Paving

1. Trenches shall be paved as shown on Drawing No. R-36 or R-37. After the trench has been backfilled and immediately prior to placing asphalt concrete, the existing asphalt concrete shall be saw cut, or milled according to City Standards, to a vertical face. New asphalt concrete paving shall be butt joined to the existing asphalt concrete vertical face. No feathering of new paving to existing paving is allowed. The vertical faces shall be tack coated. In moratorium streets, placement of the final one and one-half (1 ½) inches of asphalt concrete wearing surface shall be done by a paving machine or spreader box. Asphalt concrete shall be delivered and compacted in accordance with the Standard Specifications and Plans

To allow for proper placement of the new pavement section, damaged pavement outside of the original trench cut lines shall be removed by cutting in lines perpendicular to or parallel to the original trench lines. No diagonal cuts are to be made. Undamaged pavement of three (3) feet or less between two damaged areas shall also be removed. (See Drawing No. R-38).

2. Pavement will be restored using the "T Section" shown on Drawing No. R-36.

3. For trenches in moratorium streets parallel to the centerline of the street, the entire lane shall be key-cut one and one-half (1 ½) inches deep and repaved with asphalt concrete. For lateral cut trenches in moratorium streets, a minimum of two (2) feet on either side of the trench shall be repaved. For trenches in moratorium streets with chip seal or slurry seal coatings, the entire lane shall be resurfaced with these coatings.
4. Trenches in concrete streets shall be paved with concrete pavement. The thickness of the new pavement shall be equal to the thickness of the existing pavement with the minimum thickness to be six (6) inches in the roadway.
5. Trenches in arterial streets, with asphalt wearing surfaces, shall be paved with not less than eleven and one-half (11 ½) inches asphalt concrete topped with one and one-half (1 ½) inches of asphalt concrete wearing surface or match the existing pavement if it is more.
6. Trenches in local and collector streets shall be paved with not less than six and one-half (6 ½) inches asphalt concrete topped with one and one-half (1 ½) inches of asphalt concrete wearing surface or match the existing pavement if it is more.
7. Pavement shall be restored within fourteen (14) working days from the time the entire trench is backfilled. For minor excavations such as service installations, the pavement shall be restored within thirty (30) working days from the time the entire trench is backfilled. The asphalt concrete wearing surface shall be placed within five (5) working days after placement of asphalt concrete base, weather permitting.
8. Asphalt pavement shall be compacted to obtain a minimum of ninety-five percent (95%) of relative compaction. The asphalt concrete wearing surface shall have no vertical irregularity greater than five-sixteenths of an inch (5/16") in ten feet (10') in any direction.
9. On collector and arterial streets steel plates shall be used when ordered by the permit inspector to facilitate traffic flow and to protect the excavation until finished pavement is restored. Steel plates used to bridge a street opening shall be ramped to the elevation of the adjacent pavement and secured against movement in any direction. Temporary ramps shall be constructed of asphalt and shall have a gradual slope. On all other streets, temporary asphalt cutback is permitted.
10. After trench paving, utility trenches shall be color-coded with the 4" stenciled initials of the company doing the trench. These initials will be prescribed by the City of Stockton as stated below and the color shall be as prescribed by the Underground Service Alert (USA). The initials shall be stenciled on the existing asphalt adjacent to the new trench. When paving is complete, the initials shall

be painted, using Krylon (or an approved equal), at the beginning and end of each trench and at each intersection, if applicable. The use of colored identifying disks in place of painting is allowed.

<u>Company</u>	<u>Color</u>	<u>Initials</u>
PG&E - Electric	Red	PG&E
PG&E - Gas	Yellow	PG&E
Pacific Bell	Orange	PB
Cable TV	Orange	TV
Cal Water	Blue	CW
City of Stockton - Water	Blue	COS
City of Stockton - Electric	Red	COS
City of Stockton - Sewer	Green	COS

Any agency not listed above must contact Public Works to be assigned initials before performing any excavation or trenching activities in the City of Stockton.

USA Codes are:

Electric	Red
Gas-Oil	Yellow
Communication - CATV	Orange
Water	Blue
Sewer	Green
Temporary Survey Markings	Pink
Proposed Excavation	White

All painted USA markings shall be removed by the permittee after the work has been completed.

11. Wheelchair ramps shown on Drawing No. R-64 or R-65 shall be constructed where any portion of the curb, at a legal pedestrian crosswalk or any portion of the sidewalk in immediate contact with such curb is removed, except where there is an existing wheelchair ramp in the crosswalk or where there is a sub-sidewalk basement behind the crosswalk.
12. All damaged pavement markings and striping shall be replaced and restored by the excavator.

100-1.08 Defects

1. Depressed trench pavement shall be repaired as follows:
 - A. Wearing surface defects - remove and restore wearing surface.
 - B. Major defects - excavate, remove and restore surface and base.

- C. The Permit Inspector will determine the severity of the defect.
- 2. Work not complying with the above requirements shall be rejected, removed, and redone to the satisfaction of the City Engineer.
- 3. The owner of the facility/utility company is responsible for the roadway defects appearing after the permittee restores the trench (area adjacent to the trench). The owner is responsible for maintenance, repair or reconstruction of the excavation site's affected area until the City reconstructs, repaves, or resurfaces the street.
- 4. If there is a trench related failure after the work by the City, the owner of the facility/utility company is responsible for its repair.
- 5. The owner of the facility/utility company is responsible to maintain the trenches and repair any defects that may appear. The City Engineer will determine who is responsible for a defect when one is detected and will notify the responsible party and direct them to repair the facility.

When the City determines that an excavation or a defect is hazardous or constitutes a public nuisance or other imminent threat to public health, safety, or welfare, the City Engineer may order the responsible party to remedy the condition immediately.

- A. If the responsible party refuses or fails to make the needed repairs immediately, the City will make the repairs and:
 - 1) The responsible party will be charged all the actual costs including administration, construction, consultant fees, equipment, inspection, notification, remediation made necessary by the action of the permittee, repair, and restoration.
 - 2) The repair or restoration by the City does not relieve the responsible party from liability for future pavement failures.
 - 3) If the responsible party fails or refuses to pay the restoration cost, the cost of the repair or restoration will be deducted from the responsible party's deposit.
- 6. If the owner/person responsible for the roadway defect does not make the required repairs, the City will make the repairs and the responsible party will be charged for all the actual cost of repair, including but not limited to administration, construction, consultant fees, equipment, inspection, notification, remediation made necessary by the action of the permittee, and restoration. Repairs or restoration by the City does not relieve the responsible party(s) from liability for future pavement failures. If the responsible party fails

or refuses to pay the cost of the repair, the cost will be deducted from the responsible party's deposit.

100-1.09 Violations

100-1.09.1 Excavation Violations - Any violation of the above regulations may result in the revocation of the encroachment permit and/or be subject to a citation process and/or fine. The fines for various violations are as follows:

VIOLATIONS	PENALTY (Not to exceed amount shown)
1. Working without a Permit(s), control number not called in.	\$1,000 and Stop Work
2. Excavation without providing Public Notice.	\$1,000 and Stop Work
3. Beginning a "Major Project" without having a Pre-Construction Meeting.	\$500 per occurrence, per day
4. Violation of Permit Conditions.	\$500 per occurrence, per day
5. Improper Site Protection: Improper plating, path of travel, barricading, etc.	\$500 per occurrence, per day
6. No permit on site.	\$250 per occurrence, per day
7. Improper Trimming of Trench.	\$250 per Trench
8. Any trench left open after the allowed work hours that is not back filled and covered.	\$250 per day
9. Improper Public Notice: No Project Sign, wrong information on sign/notice.	\$100 per block, per day
10. Non-compliance with Trench Restoration Requirements.	\$250 per trench, per day
11. Improper Housekeeping: Failure to	\$100 per block, per day

VIOLATIONS	PENALTY (Not to exceed amount shown)
remove spoil, dirty site, no sweeping, etc.	
12. Other Excavation Code Violations.	\$100 per occurrence, per day
13. Call for Inspection but not ready to be inspected.	\$250 per occurrence, per day

The above fines, when assessed, shall be deducted from the cash deposit required by 100-1.04 of this section or will be paid by the applicant if there is not a cash deposit.

To appeal any citations, fines, or other requirements, the Stockton Municipal Code procedure for appeal shall be followed. If there are any fines they must be paid and will be reimbursed if the appeal is valid.

100-1.09.2 Other Violations - Any violation of the above regulations and/or Chapters 12 and 16 of the Stockton Municipal Code may result in the revocation of the encroachment permit and/or subject the violator to an administrative citation.

Violations include but are not limited to working without a permit, failure to obtain a control number before starting work, no permit on the work site, failure to comply with the permit's conditions, provisions and requirements, improper work area housekeeping, and work left open after allowed work hours that is not filled/covered.