



City of Palo Alto

Public Works Engineering

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www.CityofPaloAlto.org/depts/pwd/forms_permits

Street Work Permits

What's a Street Work Permit, and when is one needed?

Sometimes called a Street Opening Permit, this document is required whenever work will be done in a City right-of-way which will break the surface of the ground or will impact City improvements (such as sidewalks, pavement or utilities). The permit lets the City know what work is proposed to be done, and provides a way for the City to approve, monitor and inspect the work.

What's a City right-of-way?

The right-of-way is property controlled by the City for the use of the public as a way for traffic to travel. Traffic can mean vehicles, bicycles or pedestrians. The right-of-way is usually associated with a street, avenue, alley, or lane. *Note that the right-of-way is not just the paved portion, but the entire width from private property line to private property line.* Many residents are surprised to find that in most residential areas the right-of-way starts several feet behind the sidewalk in an area considered by them to be their private yard.

How much does the permit cost?

A Street Work Permit costs 5% of the value of the work to be performed in the right-of-way, with a \$240 minimum fee in 2008/09. Fees may be adjusted in succeeding years

Who applies?

Normally, the contractor performing the work takes out the permit. It is possible for a general contractor to take out a permit for work to be performed by subcontractors which can minimize the number of permits required for larger projects involving many subcontractors. In any case, the Permittee must have a State Contractor's License for the type of work to be performed.

What paperwork is required to apply?

An application/permit form may be obtained from a Public Works Engineering representative at the City of Palo Alto Development Center, 285 Hamilton Ave, or on our website. The filled out application must be submitted with a reasonably accurate drawing showing the location

and nature of the work to be done. The drawing must show any street trees within roughly 10 feet of the work. Simple replacement in-kind sidewalk or driveway approach work does not usually require a drawing unless there are trees nearby. If the work will include a change from the existing alignments or locations of the sidewalk, driveway approach, etc., a drawing must be submitted. Also, if the work will be on a sidewalk or in the street, a traffic control plan meeting City requirements must be supplied.

Any drawings submitted should be at least 8½ x 11, but no larger than 11x17. If the submission of larger plans is necessary, the applicant is required to submit eight copies.

What are the insurance requirements?

Evidence of insurance coverage is also required (see below for basic requirements). You may refer to the CPA-PW handout *Insurance Certificate Submission Requirements* for a more detailed description of these requirements. This required insurance must be maintained for the life of the permit.

A certificate of insurance must be issued to the City of Palo Alto, Public Works Engineering, as Certificate Holder, that:

1. Provides minimum liability coverage of \$1,000,000 each for personal injury and property damage. These minimums may be raised, based on evaluation by the City Risk Manager.
2. The explicit naming of the City of Palo Alto, its Officers, Officials, Employees, Agents and Volunteers as additional insured. This statement may be placed in a comments section on the face of the certificate or be on a standard insurance industry form for naming additional insured, such as CG 20 12 11 85 (*Additional Insured - State or Political Subdivision - Permits*). The form must state the policy numbers to which it applies and have the wet signature of an authorized insurance agent
3. The insured to be the same party as the applicant. If the application is made for a "d.b.a." name, that name must also appear on the certificate as an insured.
4. There must be a definite period of applicability.

"Open" or "Continuous" are not acceptable expiration dates.

5. Relevant policy numbers and a wet signature must be shown on the face of the certificate and all attachments.
6. An endorsement and statement on the certificate specifying that "this insurance is primary coverage and that any city insurance is excess coverage only".
7. The provision for thirty (30) days notice to the City of Palo Alto for cancellation or change of coverage.
8. The liability insurance policy shall include a contractual liability endorsement providing insurance coverage for the Permittee's agreement to indemnify the City.

These certificates may be mailed to the address at the top front of this document, brought to a Public Works representative in the Development Center, or faxed to the above fax number (a fax should include the fact that it is for Public Works Engineering). Any faxed certificate must have a wet-signed original mailed to the above address the same day.

Why is insuring the City necessary? Doesn't it have its own insurance?

Should someone suffer an injury because of the permitted work activities, and a lawsuit is filed, it is likely that the plaintiff will name the City as one of the defendants, because the work is on City-controlled property with City approval. Because the City is named as an additional insured, the applicant's insurance company will be required to defend the City, relieving the City of the burden and cost of defending itself, or of going to the expense of having itself removed from the suit.

How long does it take?

If there is already an approved insurance certificate on file and the work is very simple, it may be possible to issue the permit over the counter. In general, though, it is necessary for other City departments to review for possible impact in their areas of responsibility.

It could take as many as two weeks or more to get all departmental reviews done, although most permits get approved within five to ten working days.

There are two items that cause the greatest delays in permit approval:

- a. Insurance documents that do not conform to all of the requirements listed above, and
- b. Failure to provide an adequate traffic control plan when the permitted activity will impact pedestrian or vehicular traffic. Traffic Engineering and the Police Department require submittal of a detailed plan showing such things as cone placement and spacing, sign placement and wording, etc.

Once the above items are fulfilled and approved, the permit should be issued as soon as possible.

Once I have the permit, are there any other requirements?

The City's Public Works Inspectors must be called at 650/496-6929 a minimum of one work day before beginning any work. An inspector will come out to discuss the project and give tips and advice on how to be sure you meet City requirements. And, of course, you should contact Underground Service Alert (USA), at (800) 227-2600, if you plan to do any excavation work. At the conclusion of work, the Inspectors must again be called for a final inspection, sign-off and permit closure.

This publication is intended to be an informal means of informing the public about a City process. Although it is assumed the information provided is accurate, the sheet is not intended to create any sort of legal obligation on the City's part. The actual process is governed by City ordinances, regulations and procedures, and the reader should make specific inquiry to the City for specific cases.