PWDS Appendix G

Plan Review, Permit & Construction Requirements & Procedures

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PWDS APPENDIX G
PLAN REVIEW, PERMIT & CONSTRUCTION REQUIREMENTS & PROCEDURES

G.1 GENERAL

a. These Public Works Construction Requirements and Procedures will be cited routinely in the text as the "Standards."

b. Wherever specific supplementary standards are indicated (ie. AWWA C-150, ASTM C-857), it shall be understood to mean the latest revision thereof.

c. In interpreting these Standards, it is understood that: (1) if the context so requires: (a) the singular pronoun shall be taken to mean and include the plural pronoun; (b) the masculine pronoun shall be taken to mean the feminine and the neuter pronoun; and (2) all captions used therein are intended solely for the convenience of reference and shall in no way limit any of the provisions of these Standards.

d. These Standards shall apply to all improvements within existing and proposed public right-of-way and public utility easements, to all improvements to be maintained by the City, and to all improvements for which the Development Code requires approval by the City, or which must be designed to meet the provisions of the Public Works Design Standards (PWDS). The provisions of these Standards are binding on contractors and developers in the performance of any work covered under the categories outlined above. Where minimum values are stated, greater values should be used whenever practical; where maximum values are stated, lesser values should be used whenever practical.

e. Requests for variances to these Standards shall be based on the criteria and procedures outlined in Section 1.11 of the Public Works Design Standards (PWDS).

f. In the case of conflicts between the text of these construction standards and the standard details in the PWDS, or between the provisions of these construction standards and the PWDS, the more stringent as determined by the Superintendent of Public Works shall apply.

g. All other utility improvements, including telephone, electrical power, gas and cable TV shall meet the current standards of the appropriate agency as well as City standards.

h. Traffic Control Devices shall meet the standards of the current Manual on Uniform Traffic Control Devices, including Oregon amendments.

i. All other work not covered by the above standards shall conform to the Oregon Standard Specifications for Construction (OSSC/ODOT/APWA), most recent edition.

G.2 PURPOSE

a. The purpose of these Standards is to provide a consistent policy under which certain physical aspects of public utility construction will be implemented. Most of the elements contained in this document are Public Works oriented and most are related to the development or platting process. However, it is intended that they apply to both public and private work designated herein.

b. These Standards cannot provide for all situations. They are intended to assist but not to substitute for competent work by experienced contractors. The Standards are also not intended to limit unreasonably any innovative or creative effort which could result in better quality, better cost savings, or both. Any proposed departure from the Standards will be judged on the likelihood that such variance will produce a compensating or comparable result, in every way adequate for the user and City resident.

c. The objective is to develop Standards which will:

1) be consistent with current City Ordinances and the PWDS.

2) set forth uniform material and workmanship standards under which all public works facilities shall be constructed within the City.

3) supplement and complete the requirements of the City's development ordinances, PWDS, and other prevailing ordinances as they relate to the physical construction of public works facilities within the City.

4) clarify and streamline the administration and construction of public works facilities within the City.

5) provide public and private utility improvements constructed in a manner to allow economical future maintenance.

d. These Standards shall relate only to public works construction in the City and are not to be intended to replace building codes, development or zoning ordinances and other regulations for which procedures and standards have been established. Planning, zoning and related matters shall be satisfied prior to submitting an application for a public works construction permit.

G.3 CONTRACTING POLICY

1) The policy of the City for construction of public improvements covered under these standards requires that the contractor be registered with the Oregon Construction Contractors Board.

G.4 DEFINITIONS AND TERMS

a. Unless otherwise defined in these Standards, the following definitions, terms and abbreviations shall apply whenever used.

1) City: The City of Creswell, Oregon.

2) Construction drawings: Drawings prepared by a registered professional engineer, including site plans, plan and profile views of utilities, cross sections, detailed drawings, etc., or reproductions thereof, approved by the City Engineer, which show the location, character, dimensions and details for the work to be done.

3) Contractor: Any individual, firm, co-partnership, corporation or any combination thereof who has or have been named on a public works construction permit as the person responsible for the construction of the subject work, or who have entered into a Contract with the City for a particular project.

4) Cut Sheets: Construction submittals as required by Section G-01300 of these standards.

5) Definition of Words: Wherever, in these Standards, the words directed, required, permitted, ordered, designated or words of like importance are used, they shall be understood to mean the direction, requirement, permission, order or designation of the Superintendent. Similarly, the words approved, acceptable, satisfactory, shall mean approved by, acceptable to, or satisfaction to the Superintendent.

6) Design Engineer: The engineer licensed by the State of Oregon as a Civil Engineer under whose direction plans, profiles and details for work are prepared and submitted to the City for review and approval.

7) Developer. The individual, organization, business, partnership or joint venture who is responsible for submitting plans for review and obtaining a Type A or Type B site/street/utility construction permit as required by these standards, or the applicant for such plan review and construction permits.

8) Easement: Areas along the line of public utilities that are outside of dedicated right-of-way. Easements shall be prepared on City forms granting rights along the public utility line to the City.

9) Improvement: General term encompassing all phases of the work to be performed under the construction permit and is synonymous to the term project.

10) Inspector: The authorized representative of the City whose instructions and decisions shall be limited to the particular duties and responsibilities entrusted to him/her in making detailed inspections of any or all portions of the work or materials therefor.

11) Owner: The City of Creswell for projects initiated and contracted by, and paid for by the City. For any other project, the owner is the individual, firm, co-

partnership, corporation or any combination thereof who has hired a Contractor to complete any public works project subject to these standards.

12) Plans: See Construction Drawings.

13) PWDS: Creswell Public Works Design Standards.

14) Right-of-Way: All land or interest therein which by deed, conveyance, agreement, easement, dedication, usage, or process of law is reserved for or dedicated to the use of the general public free of all encumbrances, within which the City shall have the exclusive right to install and maintain streets and public utilities.

15) Standard Details: The drawings of structures or devices commonly used on City work and referred to on the construction drawings. Also called Standard Plans. The Standard Details in these standards and in the PWDS shall apply to all public works construction within the City.

16) Superintendent: The Superintendent/supervisor of the Public Works Department of the City of Creswell or his/her authorized representative (Public Works Superintendent).

17) Survey Cut Sheets: Sheets of tabulated survey data, indicating stationing, structures, fittings, angel points, beginning of curve, points on curve, end of curves, staking offset, various elevations and offset utility cuts.

18) Work: All material, labor, tools, equipment, and all appliances, machinery, transportation, and appurtenances necessary to perform and complete the Contract, and such additional items not specifically indicated or described which can be reasonably inferred as belonging to the item described or indicated and as required by good practice to provide a complete and satisfactory system or structure.

G.5 PERMITS REQUIRED, TYPES OF PERMITS

a. The following requirements and procedures apply to City Public Works construction permits. Any reviews and/or permits required by the County, ODOT or railroads (where applicable) are the sole responsibility of the design engineer and/or the development team, including payment for any associated permit fees, bonds or insurance. The City does not coordinate with (or submit plans to) the County, ODOT or the railroads on the developer's behalf (for public works related permits). The development team is responsible to comply with any requirements imposed by the County, ODOT or the railroads. Where County, ODOT or railroad requirements conflict with City requirements, the more stringent shall apply.

b. No developer, person or organization (other than the City of Creswell) shall begin to construct, reconstruct, cut, excavate, repair, modify, alter, or grade any sidewalks, curb, curb-cut, driveway, street, or begin to lay and install any sanitary sewer, water mainline, storm sewer, including appurtenances or service laterals, or other private or franchise utility within any public right-of-way or public utility easement within the jurisdiction of the City without first obtaining approvals from the Superintendent of Public Works and the City Engineer as required by these standards, paying any required plan review and

construction permit fees, depositing any required performance security, and obtaining a street/utility construction permit therefor as provided herein.

c. Work for which a street/utility construction permit is required shall include, but not be limited to, the following. This list is not all inclusive. The intent is that any work covered under the Public Works Design Standards (PWDS) will require either a Type A or Type B Site/Utility/Street Construction Permit prior to construction.

1) Streets. A permit shall be required for any work on a public street, dedicated fire lane, sidewalk, curb, curb-cut, driveways and driveway approaches within a public right-of-way, or within an existing or proposed public easement or fire lane, including signs, traffic markings and traffic control devices.

2) Storm Sewer. A permit shall be required for any work to lay and install any storm sewer and storm sewer appurtenances, detention systems, storm drainage improvements involving drywells or stormwater infiltration systems which require approval or permitting by DEQ, or storm drainage service lateral(s), or within any existing or proposed public utility easement.

3) Sanitary Sewer. A permit shall be required for any work to lay and install any sanitary sewer pipeline and appurtenances, including sanitary sewer service lateral(s), within any public right-of-way or within any existing or proposed public utility easement.

4) Water. A permit shall be required for any work to lay and install any water main and appurtenances, including water service lines and meter boxes, fire service lines or appurtenances, within any public right-of-way or within any existing or proposed public utility easement, or any other improvements attached to the City water system.

5) Parking Lots, Private Streets, Common Use Driveways, Fire Lanes: A permit shall be required for any work on a parking lot, private street or common use driveway that takes access from a public City street, that discharges storm drainage to a public storm drain system, or that overlies a public sanitary sewer or water line, or for fire lanes required by the Fire District. A City utility/street construction permit is not required for the portion of single family residential driveways (serving a single residence or duplex) that is outside the public right-of-way or public utility easements.

6) Site Grading and Filling. A permit shall be required for any site grading, filling or fill stockpiling operations as follows.

a) Projects that require site grading, filling or fill stockpiling operations associated with development of the property other than those operations directly associated with the construction of a structure for which a valid building permit has been issued by the City.

b) Site grading, filling or fill stockpiling operations over existing public sanitary sewer, storm drain or water distribution lines, or such operations within existing or proposed public utility easements.

7) Street Closure. In the event any of the above activities, or any activities related to the construction of a building, structure, or parking lot, which requires the temporary closure of a street, alley, lane of traffic, or sidewalk to vehicle or pedestrian flow, a permit shall be obtained from the City for said closure.

8) Franchise Utilities. A permit covering any work on underground franchise utilities within any improved area of any public street, including sidewalks, or within any existing or proposed public utility easements. Permits will not be required for work on overhead or above grade franchise utilities which do not involve excavation within the areas specified herein.

d. Type A Public Works Permit.

1) Work for which a Type A Site/Street/Utility Construction Permit is required shall include the following.

a) Any sidewalk, driveway approach or utility service improvements to serve a single residence, duplex or business for which public street or mainline utility improvements are not required, and that do not include construction or reconstruction of parking lots, private streets, fire lanes or common use driveways other than for duplexes.

b) Utility work by franchise utility companies that does not require pavement cuts longitudinally along a street shall require a Type A permit (including installation by boring along or across a public right-of-way or City utility easement, unless the Public Works Director determines that the scope of the proposed installation requires review by the City Engineer, in which case a Type B permit will be required). Such work shall be exempt from permit fees to the extent provided by Section G.9(e) herein.

2) An improvements agreement and performance security shall be executed as specified in Section G.10 herein.

e. Type B Public Works Permit.

1) Work for which a Type B Site/Street/Utility Construction Permit is required shall include the following.

a) Any street, sidewalk or utility improvement to serve more than a single residence, duplex or business, or for which public street or mainline utility improvements are required (including fire hydrants or dedicated fire sprinkler services), or that include parking lots, private streets, fire lanes or common use driveways other than for duplexes, or which includes storm drainage improvements involving drywells or stormwater infiltration systems which require approval or permitting by DEQ and which serve more than a single residence or which serve commercial / industrial / public developments.

b) Installation of service laterals for multiple properties within a common trench, or installation of service lateral(s) across property other than that

being served.

c) Site Grading & Fills.

(1) Projects that require site grading, filling or fill stockpiling operations associated with development of the property other than those operations directly associated with the construction of a structure for which a valid building permit has been issued by the City.

(2) Site grading, filling or fill stockpiling operations over existing public sanitary sewer, storm drain or water distribution lines, or such operations within existing or proposed public utility easements.

d) Utility work by franchise utility companies that requires pavement cuts longitudinally along a street shall require a Type B permit. Such work shall be exempt from permit fees to the extent provided by Section G.9(e) herein.

f. If there are classes of work not specifically covered herein but that are included under the scope of the Public Works Design Standards, the determination of the type of permit required shall be made by the City Manager after consultation with the Public Works Superintendent and the City Engineer.

g. Approval of Construction Drawings is required prior to obtaining a permit or beginning construction.

h. Approval of plans by the City Engineer or City Public Works for issuance of a City Public Works street/site/utility construction permit does not relieve the developer, contractor or engineer from obtaining any and all reviews and permits required under the building, plumbing or electrical codes that any portions of the work may be subject to, or from any requirements under County, ODOT or other agency permits or approvals required for the project.

G.6 APPROVAL OF CONSTRUCTION DRAWINGS REQUIRED

a. Construction drawings (plans) shall be submitted for review and approval prior to issuance of permits required by these Standards. Type A Permits shall have the written approval of the Public Works Superintendent or his designated representative prior to issuance of the permit. In addition to written approval by the Public Works Superintendent, Type B Permits shall have the written approval of the City Engineer. For subdivisions and other developments requiring improvements to public streets and/or multiple public utility systems, construction drawings for sewer, water, streets, and storm drains shall be submitted simultaneously to facilitate checking for conflicts.

b. Construction drawings submitted for approval shall be subject to the standards, specifications, policies and procedures, plan check, and permit fees of the Public Works Department in effect at the time of application or reapplication for plan check.

c. Except as provided in Subsection (d) of this section, such construction drawing approval shall be void upon expiration of six months from the date of said written approval in Subsection (a) of this section if a Type A or Type B permit is not obtained and work commenced on the project. Resubmittal of construction drawings will require that they be updated to reflect current City standards.

d. Upon a written verification that the facts upon which the plan approval was based have not changed to an extent sufficient to warrant a new review of construction drawings, the plan approval may be extended for a period not to exceed 6 additional months. Written verification for Type A permits shall be provided by the Public Works Superintendent, while verification for Type B permits shall be by both the Public Works Superintendent and the City Engineer. No more than two such six month extensions shall be granted for any one development or project, resulting in a maximum time extension of one year. Reapplication for plan check must be made with the Public Works Superintendent or his designated representative upon expiration of said six month period in Subsection (c) of this section, or extension periods provided herein, if the permit is not issued within said approval or extension period.

e. All plans, reports, or documents for public utility improvements required by these standards or the City development ordinances or other City ordinances shall be prepared by and certified by a registered professional civil engineer licensed by the State of Oregon.

G.7 PLAN REVIEW PROCESS AND REVIEW FEES

a. All construction drawings (plans) shall be reviewed in general conformance with the procedures outlined in Section 1.9 of the Public Works Design Standards (PWDS), including providing preliminary drawings and scheduling a pre-design meeting (per PWDS 1.9.a) between the developer's engineer and Public Works (& City Engineer as applicable) to receive input regarding design issues related to required improvements. The submittal for plan check shall be filed by the responsible party (the design engineer for any public improvements) with the Public Works Superintendent for any permit or permits required by these standards. In addition to requirements listed under PWDS 1.10.b, such submittal for plan check shall include the following as applicable.

1) Name and address of the owner or owners of the property;

2) Name and address of the developer of the property;

3) Name, address, and phone number of the designer (design engineer for public improvements);

4) Description of the work area location, including addresses as applicable;

5) Three sets of complete full size construction drawings for single family residential developments, and for commercial, industrial and multifamily developments, showing a vicinity map and details of the proposed project, including street widths and property lines, existing and proposed utility locations. In the case of public improvements, preliminary plans shall include all applicable information

outlined under PWDS 1.10.

6) Estimated construction cost of the proposed project, or estimates based on the construction cost estimate schedule established by the Public Works Superintendent or the City Engineer.

7) Plan review fees as prescribed by resolution of the City Council (for franchise utilities, see Section G.9e).

8) Review fees required in Subsection (7) of this section are nonrefundable, and are required to support permit plan review.

9) Evidence that all federal and state laws and regulations have been complied with, including a copy of any permits required by federal, state, or county agencies.

10) Such other information as the Superintendent of Public Works shall find reasonably necessary for the determination of whether plans should be approved for permit.

G.8 CONSTRUCTION PERMIT APPLICATION

a. Application Form. Following review and approval of the plans by the City, an application for a construction permit as required by these standards shall be filed with the Superintendent of Public Works. Such applications shall be in the form prescribed by the City and shall include the following information as a minimum:

1) Name and address of the owner or owners of the property.

2) Name and address of the developer of the property.

3) Name and address of the designer (design engineer for public improvements).

4) Name and address of the party doing the work, including subcontractors.

5) Location of the work area, including addresses as applicable.

b. Supplemental Information Required. Prior to issuance of the public utility construction permits, the Developer shall provide the City with the following (see also PWDS 1.9(h)):

1) Copies of the final revised (approved) plans for stamping by the City as follows:

- Type B permit, 10 sets
- Type A permit or franchise utility improvements, 4 sets

2) Recorded copies of all required off-site and on-site easements and right-of-way dedications, with the following exception. For subdivisions or partitions where all public utilities will be constructed prior to the recording of a final plat, the execution and recording of the on-site easement documents and on-site right-of-way dedications can be done in conjunction with the final plat.

3) All easement documents (as well as ROW dedications, easement quit-claim deeds,

or similar documents) shall use the City's standard form, and shall include an exhibit map in addition to any legal descriptions. Legal descriptions and exhibit maps shall be submitted for City review and approval prior to recording.

4) A detailed unit price construction cost estimate for the proposed project as required by PWDS 1.10(b)12, or a copy of detailed unit price bid results based on the final approved design (see also Section G.9c herein), along with any required permit fees.

5) Copy of a Developer-City Construction Agreement (approved as to form by the City Attorney) signed and notarized by the Developer and the Developer's engineer.

6) Executed and recorded copies of any Construction Deferral and/or Waiver of Remonstrance agreements required as a condition of the development, except for subdivisions or partitions where the agreements will be recorded in conjunction with the final plat.

7) Certificates of insurance, minimum limits as outlined in the Appendix. City of Creswell and the City Engineer shall be named as additional insured.

8) Evidence of Workman's Compensation coverage from contractor performing the work.

9) Proposed project construction schedule from the contractor.

10) Signed certification that the Contractor has copies of and will conform to requirements of the most current revision of the City's Public Works Construction Standards (PWCS).

11) Such other information specific to the project as the Public Works Superintendent or the City Engineer shall find necessary for the determination of whether a permit should be issued, including evidence that all applicable federal and state laws and regulations have been or will be complied with.

G.9 CONSTRUCTION PERMIT FEES

a. Accompanying the application required by these standards shall be a construction permit fee as prescribed by resolution of the City Council.

b. Permit fees required by these standards are nonrefundable, and are required to support permit issuance, testing, and inspection.

c. In computing the construction permit fees, the estimated value of proposed construction shall be comparable with current bid prices for City contract projects, and shall approved by the City prior to issuing the permit.

d. Work being done under contract with the City shall be exempt from permit fees.

e. Work being done by franchise utilities shall be exempt from permit fees to the extent

provided by the franchise agreements with the City.

f. Where work for which a permit is required by these standards is commenced or proceeded with prior to obtaining said permit (or after said permit has expired or been suspended), the construction permit fees specified in Subsection (a) of this section shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of these standards and other applicable City codes, standards and ordinances in the execution of the work nor from any other penalties prescribed herein, nor shall it obligate the City to accept any work so performed without a valid permit.

g. Permits required by these standards shall be non-transferable. Any change in applicant, such as a subdivision sale, will require re-application for permit. If six months has elapsed since plan approval, reapplication for plan review shall be made. If previous plan review deposit provided by the applicant is insufficient to cover the costs of the new review, the City may assess an additional review fee which will, in the opinion of the City Manager, cover the estimated cost for the new review.

G.10 CONSTRUCTION AGREEMENT & PERFORMANCE GUARANTEE

a. Except as otherwise provided below, a performance guarantee shall be provided for all work for which a Type A or Type B permit is required. Depending on the type of project, the performance guarantee may consist of a restriction on the issuance of a building permit(s), a restriction on the recording of a plat, or a financial security. Acceptable performance guarantees shall be as outlined below for the different classes of project listed.

b. Work being done by franchise utilities shall be exempt from performance guarantee requirements only to the extent provided by the franchise agreements with the City.

c. Type A permit. The performance guarantee may consist of one of the following, and shall be in a form as required by the City.

1) An agreement with the City whereby building permits will not be issued until all improvements within the public right-of-way or utility easements are completed and approved by the City.

2) If a building permit is requested before all improvements within the public right-of-way or utility easements are completed and approved by the City, the developer shall provide a financial security acceptable to the City to guarantee the completion of all work covered under the permit. The financial security shall be 110% of the estimated construction cost, or $500, whichever is greater, and may consist of cash, or it may be a bond or irrevocable letter of credit as outlined in Subsection d(4) below. Occupancy of structures and permanent connection to City water and sewer service will not be allowed until all permitted improvements have been completed and approved by the City.

d. Type B permit. Before the issuance of a Type B construction permit, the applicant shall execute the City's standard Developer-City Construction Agreement that certifies that all improvements will be constructed in conformance with all City standards and ordinances and all conditions of construction permit approval will be satisfied (ie. plan approval required prior to execution of the construction agreement). In addition to the construction agreement, the developer shall provide a performance guarantee consisting of one of the following in a form as required by the City.

1) Work Within Existing Improved Rights-of-Way, or Work on Existing Public Utilities. Except for work being performed under public contract for the City of Creswell or Lane County, a financial security shall be provided to the City as outlined under Subsection d(4) below for all work within existing developed rights-of-way, unless otherwise approved by the City. The financial security shall specify a timeframe, acceptable to the City, by which the work shall be completed and the existing streets, facilities and improvements are restored to pre-existing or better conditions.

2) Work Outside Existing Improved Rights-of-Way (except Work on Existing Public Utilities).

a) Subdivisions. An agreement with the City that the final plat for the subdivision will not be approved nor recorded until all improvements have been completed and accepted by the City, or all improvements have been substantially completed and a financial security has been provided as outlined in Subsection d(4) below.

b) Partitions. An agreement with the City that no building permits for any structures within the partition will be issued until all improvements have been completed and accepted by the City, or all improvements have been substantially completed and a financial security has been provided as outlined in Subsection d(4) below.

c) Other than Subdivisions and Partitions. An agreement with the City whereby occupancy of structures and permanent connection to City water and sewer service will not be allowed until all permitted improvements are completed and approved by the City.

3) Upon provision of a performance guarantee as outlined herein, building permits for on-site private work can be obtained for commercial, industrial & multi-family projects. Permanent connection to City water and sewer service will not be allowed until all public improvements are completed, and all on-site improvements are completed or bonded to guarantee all improvements will be completed in accordance with the approved drawings, City Standards and specifications.

4) Financial Security. The financial guarantee for a Type B permit may consist of one of the following, and shall be in a form as required by the City. The amount of the security guarantee shall not be less than $500 or the amounts specified below, whichever is greater.

a) A surety bond executed by a surety company authorized to transact business in the State of Oregon, in a form approved by the City Attorney. The amount of the performance surety bond shall be as established by the Superintendent of Public Works, but shall not be less than 125% of the estimated construction cost of required improvements, as verified by the City. The performance surety bond shall insure the full and faithful performance of all proposed work and shall guarantee that the applicant will conform to all provisions of the construction agreement, if any, and immediately upon the completion of work, remove all surplus earth, rubbish or other material, replace or restore all existing streets, utilities and landscaping to a condition as good as or better than existed prior to the work.

b) An irrevocable letter of credit assigned to the City of Creswell in an amount equal to 125% the estimated construction cost of required improvements, as verified by the City. The letter of credit shall be subject to the same conditions as set forth above in the case of surety bonds.

5) If the applicant fails to complete all improvements for which a performance surety bond or letter of credit were provided, the City shall estimate the cost of completing any required improvement, call on the bond or letter of credit for the funds necessary to complete the improvement, and complete the improvement to the extent of the funds obtained upon call of the bond or letter of credit. If the amount obtained is insufficient to complete the improvement, the City may either hold the collected funds until additional funds are authorized for the improvement or expend the collected funds on a revised improvement or on a portion of the improvement as determined reasonable by the Superintendent of Public Works.

G.11 CONDUCT AND PROGRESS OF THE WORK

a. All work under said permits shall be completed in conformity with the provisions of these standards, the terms of the applications and construction permits, and under the supervision and subject to the approval of the Public Works Superintendent. Immediately upon completion of work, all surplus earth, debris, rubbish or other materials shall be removed immediately and the street and utilities restored to a condition as good as or better than existed prior to the work.

b. Timeframe for Restoration of Existing Street Surfaces.

1) Unless authorized in writing by the City Manager prior to the start of the work, no work within any existing public roadway shall disrupt traffic flow for more than 14 consecutive days.

2) Unless authorized in writing by the City Manager prior to the start of the work,

trenching within existing paved streets shall be backfilled and repaved within 14 days of the start of excavation unless the trenches are plated or repaired with cold patch. In addition, trenching within existing major streets (arterial, collector or commercial-industrial streets) shall be plated or repaired with cold patch at the end of each work day. This requirement shall apply to work within existing paved streets that are will later be reconstructed as part of the project. Failure to maintain any temporary cold mix trench patching in a smooth condition will result in the City requiring the cold mix to be removed and replaced with hot mix AC for temporary patching. Such replacement shall occur within 4 working days of written notice by the City.

3) Unless authorized in writing by the City Manager prior to the start of the work, the timeframes specified herein shall apply independently and separately to each block or intersection where trenching work occurs. In all cases, trenches within each block or intersection shall be permanently repaved within 21 days of the start of excavation, except where the street will be reconstructed as part of the project.

c. The contractor is responsible for the coordination with the various utilities and agencies during construction.

G.12 ADHERENCE TO AND EXHIBITION OF PERMITS

a. No work shall be undertaken other than that specified in the application and permit for the particular cut or excavation. Upon demand of the Superintendent of Public Works or his designate or any city police officer, the permits shall be produced at the place where the work is in progress, or such work will be stopped until the permit is produced.

G.13 EXPIRATION OR SUSPENSION OF PERMIT; STOP WORK ORDER; APPEAL

a. Expiration of Permit

1) A Type A or Type B site/street/utility construction permit shall lapse if construction for which the permit was issued has not commenced within ninety (90) days of the date of issuance. All construction under a Type A or Type B site/street/utility construction permit shall be completed within 12 (twelve) months of issuance of the permit or execution of the Developer-City Construction Permit, whichever is earlier.

2) To reinstate the permit, the applicant shall submit a written request for reinstatement to the Public Works Superintendent giving the reasons for failure to begin construction, pay a reinstatement fee and provide a date when construction will be commenced.

3) In reinstating the permit, the Public Works Superintendent and/or the City Engineer may impose additional requirements or conditions deemed necessary for the project to conform to current City standards.

b. Suspension of Permit

1) At any time after the issuance of a construction permit required by these standards, the Public Works Superintendent may suspend the same upon a finding that any of the following grounds exist:

a) False, misleading, or erroneous data or information submitted by the applicant in connection with securing the permit.

b) Materials or workmanship do not meet specification for the construction or installation of the permitted improvement; or construction or installation varies from the approved plan or design of the improvements.

c) Violation of any of the provisions of the City development ordinances governing the work being done under the permit.

2) Upon suspension of a construction permit as provided in Subsection (a) of this section, the Superintendent shall cause to be issued a written "stop work order," one copy of which shall be sent by regular mail to the permittee at the address shown on the permit application, one copy of which shall be sent by regular mail to the permittee's engineer overseeing the work, if known, and one copy of which shall be personally delivered to the person in charge of any work in progress.

3) It shall be unlawful for any person to cause, suffer, or permit any work to be done for which a permit is required by these standards when a "stop work order" has been issued as provided in Subsection (b) of this section. The City will not accept any work performed after delivery of the "stop work order" to the person in charge of work in progress at the project site.

4) An applicant whose permit has been suspended may appeal such action to the City Manager through the City's established appeal process. Notwithstanding the provisions for appeal to the City Manager, the filing of an appeal shall not stay the effect of a "stop work order" issued under Subsection (b) of this section.

G.14 NOTICE OF COMPLETION OF WORK, FINAL INSPECTIONS

a. Within 72 hours of completion of the work for which a permit was required under these standards, all in accordance with the approved construction drawings and City standards, the person or organization to whom the permit to do such work was issued shall submit written notice to the Public Works Superintendent (Type A permits) or the City Engineer (Type B permits) stating that the work has been completed and give such other information as may be required by the City, and request a preliminary final inspection of the work.

b. As a minimum, the following must be submitted to the Public Works Superintendent or the City Engineer as applicable prior to the preliminary final inspection.

1) All exterior property pins and street monumentation set (partitions & subdivisions).

2) All set property pins exposed and all property corners marked with lath (partitions & subdivisions).

3) All easement limits (except PUEs parallel with r/w) marked with labeled lath.

4) Paper copy of as-built drawings submitted to City Engineer a minimum of 48 hours prior to final inspection, including distance ties to all utility stub ends.

5) Written copies of all required utility test reports (compaction, mandrel, pressure, vacuum, etc), as well as video tapes of any required pipeline TV inspections.

6) Completion report from design engineer including written copies of all utility test reports (compaction, mandrel, pressure, vacuum, etc), as well as inspection reports of any required TV inspections. Submitted compaction tests shall include certification of engineered fills, baserock and AC pavement tests for streets and trench patching, as well as soil compaction results for all lots with fills.

7) Certification that the areas within the building envelopes of all lots conform to compaction requirements of the Oregon International Building Code (IBC).

c. Any corrective work items identified during the preliminary final inspection (ie. punchlist items) shall be completed prior to the City's conditional acceptance of any of the public streets or utilities. Failure by the City to include items on the preliminary punchlist shall not, in any way, relieve the contractor from any obligation to perform the work in strict compliance with the approved plans and City standards. Additional items discovered during subsequent inspections must be corrected prior to provisional acceptance of the improvements by the City.

d. Upon completion of all corrective work to the satisfaction of the Public Works Superintendent and the City Engineer, including a final inspection by the City, the developer shall provide the following prior to provisional acceptance of the public improvements by the City.

1) Full-size mylar or vellum as-built drawings (based from an as-built survey) for Type B permitted improvements, full-size blackline paper as-built drawings for Type A permitted improvements.

2) Acceptable Maintenance Bond (or other security acceptable to the City) valued at a minimum of 40 percent of the estimated construction costs for the public portion of the improvements completed under the Public Works permit. The period of the maintenance bond shall be for the full period of the warranty period, which is not to be less than 1 year from provisional acceptance by the City of the applicable sanitary sewer, storm drainage and/or water improvements, and not less than 2 (two) years from provisional acceptance by the City of the applicable street/sidewalk/street light/fire lane improvements. The warranty period shall not commence prior to provisional acceptance of the public improvements by the City.

3) Photocopies of any recorded easements required in conjunction with the improvements, except for on-site easements that will be recorded after the plat is recorded.

4) Other items required as conditions of the land use planning approval, where applicable.

e. In no case shall the City issue written provisional acceptance of the work until as-built drawings (for public improvements) and maintenance bonds (if required) are submitted to and accepted by the City. Final acceptance by the City shall not occur until the end of the warranty period.

G.15 CITY POLICY FOR ACCEPTING NEW OR RECONSTRUCTED STREETS AND PUBLIC UTILITIES

a. The City will accept developer-built public street, sanitary sewer, storm sewer and water distribution improvements constructed in conformance with the City Public Works Construction Standards subject to the following procedures.

b. After construction of the total project has been completed, all final inspections have been completed, and all required maintenance bonds and as-builts have been submitted and accepted by the City and any outstanding plan review or permit fees have been paid, the Public Works Superintendent or the City Engineer will provide a memo to the City Manager recommending that the City provisionally accept the public street, sanitary sewer, storm drainage and/or water system improvements, with final acceptance to occur at the end of the warranty period.

c. The standard warranty period (and the period for the associated maintenance bond) for public sanitary sewer, storm drainage and/or water system improvements to the City systems (or located within the City right-of-way or within City easements) that are not listed as "special items" for design by the PWDS shall be a minimum of 1 year from the date of provisional acceptance of the improvements by the City.

d. The standard warranty period (and the period for the associated maintenance bond) for public streets and sidewalks, fire lanes, as well as sanitary sewer, storm drainage and/or water system improvements that are listed as "special items" for design by the PWDS shall be a minimum of 2 years from the date of provisional acceptance of the improvements by the City.

e. The warranty period may be extended at the discretion of the City Manager if the Public Works Superintendent or the City Engineer identify construction materials or methods that differ from City standards, but which the City does not require to be removed and replaced. This authority granted to the City Manager shall in no way obligate the City to accept any work that is not constructed in full conformance with the approved plans and these standards, nor shall it be construed as establishing a precedent.

f. Prior to the end of the warranty period, Public Works and/or the City Engineer will make warranty inspection(s) and investigations as deemed necessary by the City to identify any defective work that must be corrected prior to final acceptance of the improvements by the City. The developer will be notified in writing of any required corrective work. All required corrective work shall be completed by no later than 21 days from the date of such written notification. Any delay in correcting the identified deficiencies will result in a delay in final acceptance by the City.

G.16 PENALTY; CONTINUING VIOLATIONS

a. Failure to comply with any provision of these standards, or with any restrictions or conditions imposed hereunder, or failure to comply with the conditions of a construction permit issued by the City, shall subject the person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with any of the provisions of these standards to civil penalties as prescribed herein.

b. Offenses defined in these standards shall be punishable by a fine not to exceed $250 per violation. Each and every day a violation is permitted to exist shall constitute a separate offense.

c. A violation of the provisions of these standards is declared to be an offense, but not a crime. It is intended to be an offense which can be disposed of in all respects as a civil proceeding and not governed by procedural, evidentiary, substantive, and constitutional rules applicable to criminal charges and proceedings. A person adjudged responsible for an infraction shall not be deemed "guilty" of the infraction and a judgment of responsibility shall not be deemed a "conviction" for any purpose.

d. Notwithstanding anything in this section or any other ordinance to the contrary, no greater penalty shall be imposed for any violation of city ordinance than the maximum penalty prescribed under Oregon statute for the same act or omission.

G.17 PRECONSTRUCTION CONFERENCE

a. A preconstruction conference shall be scheduled with the City before issuance of the public utility construction permits. In addition to a City representative, the meeting is to include the developer's representative, developer's engineer and prime contractor, the street/site/utility subcontractor (if different than the prime contractor), and all affected utility companies. The purpose of the conference is to discuss the construction schedule and times of the work which require special coordination, as well as to provide the opportunity for parties from the construction team and various agencies/entities involved to meet and coordinate as may be necessary.

b. The Developer shall be responsible for notifying the private utility companies of the time and location of the preconstruction conference, and requesting that a representative of each utility be present. The Developer may be required to submit proof of notification to the City prior to the preconstruction conference. Copies of notification letters sent to the utility companies by the Developer are acceptable.

G.18 VARIANCES TO CONSTRUCTION STANDARDS

Requests for variances to these Standards shall be based on the criteria and procedures outlined in Section 1.11 of the Public Works Design Standards (PWDS).

G.19 CONSTRUCTION INSPECTION

Construction inspection shall generally conform to the procedures outlined in Section 1.13 of the Public Works Design Standards (PWDS).

G.20 CONSTRUCTION SUBMITTALS

Construction submittals for materials & equipment incorporated into the work shall generally conform to the requirements outlined in Section G-01300 attached hereto.

SECTION 01300
CONSTRUCTION SUBMITTALS

PART 1: GENERAL

1.1 SCOPE

a. This section includes requirements for construction submittals for public works projects which will be turned over to the City for operation and maintenance, including but not limited to streets, public utility pipelines, pump stations, treatment facilities (water, sewer or storm), storage reservoirs, bridges, etc.

1.2 COORDINATION OF SUBMITTALS

a. All submittals to the City, with the exception of the laboratory test certificates, shall be made only by the Design Engineer. Direct submittals from contractors, subcontractors or suppliers will not be accepted unless otherwise noted herein or approved in writing by the City Engineer.

b. All submittals shall reference the Specification item that it covers, the Design Engineer and Contractor's name, the project title and location, and the date of submission. Submittal shall also indicate whether the information is for the City's review and approval, for record purposes or for the fulfillment of the operation and maintenance requirements.

c. Prior to Submitting Information to the City Engineer:

1) The Design Engineer and Contractor shall carefully review the correctness and thoroughness of the material, verify all field measurements, and coordinate all aspects of each item being submitted.

2) The Design Engineer and Contractor shall carefully review and ensure that all submittals are tailored to the project by high lighting appropriate information and/or deleting or crossing out non-applicable information, and that all options and equipment furnished are indicated.

3) **The Design Engineer shall verify his review by affixing his stamp of approval and signature to the front page of each submittal.**

PART 2: PRODUCTS

2.1 GENERAL

a. All submittals shall be accompanied by a completed copy of the submittal report included under Part 4 of this section.

1) All submittal reports shall be numbered sequentially. Resubmittals shall be designated with the same number as the original submittal followed by a designation letter (ie. Submittal "5A" for the first resubmittal of submittal 5, Submittal "5B" for second, etc.).

2) A separate submittal report shall be prepared for each submittal. Generally, items under a single specification section can be included on the same submittal report. Each submittal report shall clearly designate the specification section(s) that apply to the material or equipment being submitted on.

3) Except in the case of operations and maintenance manuals or as otherwise approved by the Engineer, a single submittal report shall not be used for items under different specification sections or material categories.

b. Three Categories of Information Are Normally Required:

1) Information for record.
2) Information for the City's review and approval.
3) Operation and maintenance information.

c. All submittals shall be tailored to the project by highlighting appropriate information and/or deleting or crossing out non-applicable information. All options and equipment furnished shall be so indicated.

d. Manufacturers submitting proposals for equipment, which will require changes to the design shown on the drawings, or specified herein shall also include detailed information on structural, electrical, mechanical and other miscellaneous changes or modifications required to adapt their equipment to the design shown.

2.2 INFORMATION FOR RECORD

a. Laboratory Certificates: Certificates shall include the results of tests by an independent laboratory for comparison to Specification requirements, mix design data and approval, plan inspection reports and certification, and other required information from the laboratory. All information submitted shall be signed by an authorized agent of the laboratory.

b. Licenses and Permits: The Contractor shall obtain all licenses and permits required by Local, State and Federal laws and submit copies of them to the City.

c. Installation and Calibration Certificates: Certificates shall be submitted for equipment as indicated in the individual sections. These certificates shall indicate manufacturer's satisfaction with the installation, the accuracy of calibration and alignment, and the operation of the equipment. An authorized agent of the manufacturer must sign such certificates.

2.3 INFORMATION FOR THE CITY'S REVIEW AND APPROVAL

a. Construction Schedules: The Contractor shall submit construction schedules directly to the City and the City Engineer.

b. Material and Equipment Submittals:

1) The Design Engineer shall indicate on the submittals all variances from the requirements in the specifications or on the drawings. Failure to note variances from the specification requirements may result in the submittal being returned without review.

2) All submittals shall be tailored to the project by high lighting appropriate information and/or deleting or crossing out non-applicable information. All options furnished shall be indicated. Failure to follow these instructions will result in the submittal being returned without review.

3) If the proposed equipment includes modifications from standard features or options typically provided by the manufacturer for similar applications, these shall be clearly noted on the submittal.

4) Submittals for all materials and equipment used by the Contractor in the performance of the work shall include the following as applicable.

a) Manufacturers' Literature: Literature indicating the compliance of the product with the Specifications shall be included with all submittals. This shall include catalog sheets and other descriptive bulletins. Manufacturer's literature shall also include, but not be limited to the following:
   (1) Manufacturer's catalog data
   (2) Materials of construction
   (3) Manufacturer's name and model number
   (4) Installation instructions and drawings

b) Manufacturers' or Suppliers' Certificates: Certificates shall state that the products have been sampled and tested in accordance with the proper industrial and governmental standards and meet the requirements of the approved construction drawings and these standards. An authorized agent of the manufacturer shall sign certificates.

c) Design Data: Design data shall include the calculations, supporting theories, safety factors and assumptions used in designing the product.

d) Samples: Samples shall be provided as required in the individual sections. Samples shall be of the precise material proposed to be furnished. The number of samples and sample size shall be of the industry standard unless otherwise stated in the individual sections.

e) Shop Drawings: Shop drawings shall include the following as applicable to the equipment or system along with any special requirements listed in the individual Specification Sections:
   (1) Scaled details
   (2) Scaled dimensional drawings
   (3) Sectional assembly drawings
   (4) Fabrication information
   (5) Wiring schematics with termination point identification
   (6) Motor information
   (7) Piping schematics

5) Substitutions:

a) Submittals for substitute materials or equipment shall include but not be limited to manufacturer's literature, design criteria, dimensions and installation instruction.

b) The submittal shall include any certifications or test results required to demonstrate that the proposed materials or equipment meets the requirements of the specifications and is equivalent or better than the specified materials or equipment.

c) If the substitution requires a change in the design, the submittal shall include all pertinent design information and details for the required design change, with supporting documentation.

2.4 OPERATION AND MAINTENANCE INFORMATION

a. The Design Engineer shall furnish five (5) copies of O&M manuals with information on all equipment requiring maintenance. The work shall not be considered to be substantially complete until all associated O&M information is submitted and accepted by the City.

b. Review copies of the O&M manuals shall be complete volumes, organized and indexed for all associated items of equipment to be included in that volume, with colored pages inserted for items to be inserted. The O&M information for individual equipment items is not to be submitted piecemeal. Where O&M manuals have multiple volumes, the different volumes (mechanical, electrical, SCADA, etc) can be submitted separately for review, but the volumes must be numbered and accompanied by a draft overall index covering all volumes.

c. The final O&M manuals will be accepted only if complete, properly identified with Contract Section Numbers and only after revised, where necessary, to conform to the City's notes on previous submittals that have been marked "Furnish as Corrected." The Contractor shall be responsible for submitting the O&M manuals far enough prior to the end of the Contract Period to allow the City adequate time to review the manuals.

d. A Table of Contents and index tabs shall be furnished for all manuals containing data for three or more items of equipment. Index tabs shall separate and each system or major equipment item. Where an index tab section for a system includes three or more separate items of equipment, an index table of contents shall be provided at the front of the index tab section.

e. All manuals shall be tailored to the project by high lighting appropriate information and/or deleting or crossing out non-applicable information. All options furnished shall be indicated.

f. Manuals shall be printed on heavy, first quality paper, 8-1/2" x 11" size with standard three hole punching

g. A complete manual shall be provided for each site in 3-ring binder(s) with index tabs between all sections, as well as between each system or major equipment item. Binders shall be locking D-Ring, view style binders, with exterior view pockets on the front, back and spine of the binder. Multiple volumes are acceptable if required, although single volumes are preferred for each site if possible. If multiple volumes are provided, they need to be labeled as Volume 1, 2, etc. with labels that indicate generally what is included in the manual. The manuals should be labeled on the front cover, the spine, as well as a title page inside the front cover. For multiple volumes, copies of a table of contents showing the general content of all manuals shall be included at the front of each binder.

h. Drawings shall be reduced to 11" x 17". Where reduction is not possible, larger drawings shall be folded separately and placed in envelopes, which are bound into the manual.

i. Field modifications to equipment during installation shall be included in the manual so that the manual reflects as-built conditions. Revisions to the manual may be submitted for incorporation into the manual where appropriate. However, the City reserves the right to return all manuals to the Design Engineer for revision to reflect as-built conditions.

j. O&M manuals shall include but not be limited to the following:

1) Certificate of completion (in letter form) from the Contractor certifying that all materials, equipment and workmanship incorporated into the project are in accordance with the drawings and specifications, and that all work is free of defects and in proper operating condition at the time of project completion. Any exceptions (if any) must be listed and the justification for the exceptions given. The Certificate of Completion shall also include a written warranty against defect for the full of the warranty period from the date of substantial completion covering all workmanship and materials used in the project.

2) Summary sheet listing each supplier's name, address and telephone number along with manufacturers job number and/or purchase order number for all equipment supplied. This summary shall be included at the front of the manual. The supplier information shall also be included at the front of each individual section of the manual.

3) Photocopies of building, plumbing, mechanical and /or electrical permits, as well as photocopies of the final inspection certificates for each. Photocopies of laboratory and field test reports.

4) Copies of all required or provided warranties shall be included at the front of each applicable section. Provide photocopies of warranty registration cards filled out with the appropriate information.

5) Copies of any service contracts provided.

6) Copies of factory, startup and field test reports required by the individual specification sections.

7) Overview of topics covered during training provided as required by the individual specification sections.

8) Copies of all submittals for the project on equipment that may require maintenance or replacement, including a copy of the City's submittal review letter or comments. At the front of each section, provide a complete list of equipment and appurtenances included, complete with manufacturer and model number (ie. bill of materials). If there are any differences between the bill of materials included in the submittal information and that provided, provide a corrected bill of materials. Include written confirmation specifically indicating the manner in which each correction noted on shop drawings or submittals approved subject to conditions was addressed.

9) Descriptive literature, bulletins or other data covering the equipment or system shall include, but not be limited to the following, either in the included submittal data or in the O&M information.

   a) General arrangement drawing.
   b) Sectional assembly.
   c) Dimension print.
   d) Materials of construction.
   e) Parts list with assembly drawings.
   f) Recommended spare parts list with part and catalog number.
   g) Utility requirements.
   h) Lubrication recommendations and instructions.
   i) Drive dimensions and data.
   j) Pump seal data.

10) Performance guarantee, including certified performance curve(s) where applicable.

11) Description of equipment controls and associated instrumentation.

12) Assembly, installation, alignment, adjustment and checking instructions.

13) Operating instructions.

14) Maintenance instructions including trouble-shooting guidelines, lubrication and preventive maintenance instructions with task schedule.

15) Special tools and equipment required for operation and maintenance.

16) Schematic wiring diagrams.

17) Schematic piping diagrams, where applicable.

18) Programming instructions for any controllers or other programmable equipment. Copies of the any required software, including registration cards, shall be provided with the O&M manuals. Printout and electronic copy of any programming for controllers or other programmable equipment.

2.5 OTHER SUBMITTALS

a. Other submittals are required under various sections of the Specifications.

PART 3: EXECUTION

3.1 GENERAL

a. Delivery prior to approval of any material or equipment for which submittals are required will be at the Contractor's risk. Material or equipment for which submittals are required shall not be incorporated into the work until after the submittals have been reviewed and approved.

b. Any material or equipment on-site which is rejected by the City after review of submittals shall be removed from the job site by the Contractor within two (2) working days of notification of rejection.

3.2 DISTRIBUTION

a. Distribution of submittals shall be as follows unless otherwise directed in the individual Sections:

1) Information for Record - The Contractor or the laboratory shall submit one (1) copy of all test certificates, licenses, permits and installation and calibration certificates directly to the City.

2) Information for City's Review and Approval

a) The Design Engineer shall submit to the City four (4) copies of all documents requiring the City's review.

b) The City will review the submittals with reasonable promptness for their compliance with the design concept, the approved construction drawings and these standards.

c) If the submittals are found insufficient three copies will be returned to the Design Engineer for correction. The Design Engineer shall than resubmit four (4) copies of the corrected information.

d) Upon acceptance, the City Engineer will retain one copy and distribute marked copies as follows:

(1) One (1) copy - City
(2) Two (2) copies – Design Engineer and Contractor

PART 4: SPECIAL PROVISIONS

4.1 SUBMITTAL REPORT

a. See following page:

SUBMITTAL REPORT FOR PUBLIC WATER/SEWER/STORM/STREET PROJECTS

PROJECT:

FROM:

TO: Creswell City Engineer
COPIES: Four (4) *NOTE: City will keep 2 copies of submittals and all copies of final O&M information.*

SUBMITTAL NUMBER:

WITH RESPECT TO:

( ) SHOP DRAWINGS ( ) MANUFACTURER'S DATA
( ) REPORTS ( ) METHOD STATEMENT ( ) INFORMATION FOR RECORD
( ) SAMPLES ( ) OTHER ( ) OPERATIONS&MAINTENANCE MANUALS

DESCRIPTION:

I hereby certify that the material submitted has been checked for compliance with the City PWDS specifications and any exceptions have been clearly noted.

Dated:

Signed Title

****

RESPONSE TO SUBMITTAL:

( ) REVIEWED ( ) FURNISH AS CORRECTED ( ) REJECTED
( ) REVISE AND RESUBMIT ( ) SUBMIT SPECIFIC ITEM ( ) SEE ATTACHED LETTER

Checking is only for general conformance with the design concept of the project and general compliance with the information given on the approved construction drawings and City standards. Corrections or comments made on the submittals or shop drawings during this review do not relieve the contractor from compliance with the requirements of the plans and specifications. Approval of a specific item shall not include approval of an assembly of which the item is a component. Contractor is responsible for dimensions to be confirmed and correlated at the job site; information that pertains solely to the fabrication processes or to the means, methods, techniques, sequences and procedures of construction; coordination of his or her work with that of all other trades; and for performing all work in a safe and satisfactory manner.

Signed Title

Date