

INDIAN RIVER COUNTY RIGHT-OF-WAY PERMIT APPLICATION

1801 27TH ST Bldg. A VERO BEACH, FL 32960 (772)226-1283

THIS PERMIT IS ISSUED SUBJECT TO ALL CONDITIONS ON PAGE 3 & 4 OF THIS APPLICATION.

PLEASE FILL IN THE REQUIRED FIELDS AND RETURN TO IRCPWROW@IRCGOV.COM

Applicant / Landowner / Franchise Owner:	Permit # _____
Company Name: _____	Contact: _____
License #: _____	Address: _____ Apt. / Suite #: _____
City: _____	State: _____ Zip Code: _____
Phone Number: (____) _____	EMAIL: _____
Contractor / Applicant Information:	
Company Name: _____	Contact: _____
License #: _____	Address: _____ Apt. / Suite #: _____
City: _____	State: _____ Zip Code: _____
Phone Number: (____) _____	EMAIL: _____
Project Information:	
Site Address: _____	
LOT: _____	BLOCK: _____ SUBDIVISION _____ UNIT: _____
Description of work to be done:	

SCHEDULE OF FEES REQUIRED AT THE TIME OF SUBMITTAL

Make checks payable to: Indian River County Board of County Commissioners (IRC BOCC)

TYPE OF PERMIT	FEE
Utility Installation in IRC ROW Permit	\$ 800.00
LDP Right-of-Way Permit	\$ 800.00
Commercial R/W Permit (includes turn lanes, culverts & sidewalks, road cores 6 or more)	\$ 800.00
Commercial R/W Permit (no culvert, turn lanes or sidewalks, road cores under 5)	\$ 300.00
Maintenance of Traffic (MOT) Review Only	\$

ADDITIONAL FEES

3RD RE-INSPECTION FEE \$400.00 AND EVERYONE AFTER REVIEW AFTER 3RD RESUBMITTAL \$400.00

TYPE OF REVIEW / PERMIT: (CHECK ONE)

COMMERCIAL **SITE PLAN** **LAND DEVELOPMENT** **UTILITY**
BLOCK/PARADE **MOT (Review Only)** **ANNUAL USE**

CONSTRUCTION TYPE: (CHECK ALL THAT APPLY)

DRIVEWAY **ROADWAY CONSTRUCTION** **SIDEWALKS / CURBS** **ROW WATER & SEWER** **CABLETV**
ELECTRICITY **COMMUNICATIONS** **TELEPHONE** **DRAINAGE** **OTHER** _____

COMMERCIAL IMPROVEMENTS AND INCORPORATED SUBDIVISIONS

- Proposed Maintenance of Traffic (M.O.T.) attached to each set of plans (not required if a concurrent application).
- Three copies of detailed drawings depicting the location of the proposed improvements within the Right-of- Way or Easement drawn and dimensioned on a survey or plot plan by a Certified Surveyor or Registered Engineer (not required if a concurrent application).
- Owner's Authorization to Act as Applicant Form (if application is not signed by the Owner). A Signature by the contractor along with attached written proof of authorization to act on behalf of the applicant.

1 set of Stormwater Calculations.	OR	No drainage to Right of Way or impact to Right of Way.
Insurance Certificate	OR	To be provided by contractor prior to Pre-construction meeting.
Cost Estimate as required IRC 312.11	OR	Not required per IRC 312.11

Statement of Accuracy:

I hereby confirm that the above information is true and correct and I assume all responsibility of this application for the truth and validity of this application and associated exhibits submitted herewith. I hereby accept all the conditions on the attached pages along with any supplementary conditions associated with the issuance of the permit. I confirm that I am the property owner or an authorized agent of the owner.

Applicant's Signature

Authorized Representative (If applicable)

Date

To be completed by Land Development Division:

Send to: LD RB RP TE TR

Approved By: LD RB RP TE TR

- MOT APPROVED
- Insurance certificate provided
- Construction Security provided
- Road Cut Bond provided

- MOT REQUIRED
- Insurance certificate to be provided prior to construction
- Construction Security to be provided prior to construction
- Road Cut Bond required

Approved for Permitting _____ Permit Expires _____

Permit Amount \$ _____ Check # _____ Date Permitted _____

Additional Conditions:

TRAFFIC APPROVAL

TELECOMMUNICATION APPROVAL

INDIAN RIVER COUNTY RIGHT OF WAY CONSTRUCTION PERMIT CONDITIONS

1. Construction prior to issuance of a valid Indian River County (IRC) Right of Way (ROW) permit and an approved Maintenance of Traffic (MOT) by the IRC Engineering Department of Public Works will cause the project to be shut down, Code Enforcement activities commenced and the application to be expired. All application fees forfeited.
2. All construction shall be in accordance with the latest FDOT Standards, Specifications and Procedures except when deviations are requested and approved or as included in these conditions or Public Works Standards.
3. Indian River County (IRC) Engineering Inspections shall be contacted 48 hours before commencement of work to establish a timeline when field review(s) of the work are required. Construction shall be done Monday through Friday. Weekend work shall be approved by IRC Inspections by Wednesday at 4 pm. The approved permit and stamped plans shall be at the work site. When work is complete and the engineer's certification of completion has been submitted and approved by IRC Engineering, the permittee shall schedule a final inspection.
4. The permittee understands and agrees that the rights and privileges herein set out are granted only to the extent of the County's right, title and interest in the land to be entered upon and used by the permittee. THE PERMITTEE WILL AT ALL TIMES ASSUME ALL RISK AND FURTHER WILL INDEMNIFY, DEFEND, AND SAVE HARMLESS INDIAN RIVER COUNTY FROM AND AGAINST ALL LOSS, DAMAGE, COST OR EXPENSE ARISING IN ANY MANNER (INCLUDING ALL LITIGATION COSTS AND ATTORNEY FEES), ON ACCOUNT OF THE EXERCISE OR ATTEMPTED EXERCISE BY SAID PERMITTEE OF THE AFORESAID RIGHTS AND PRIVILEGES REGARDLESS OF THE APPORTIONMENT OF NEGLIGENCE OF THE PARTIES INVOLVED. THE PERMIT HOLDER, THEREFORE, AGREES TO INDEMNIFY THE COUNTY FOR THE COUNTY'S OWN NEGLIGENCE. It is specifically understood that the limits of this indemnification are the COUNTY'S statutory liability limits under Section 768.28, Florida Statute, or any successor legislation in effect at the issuance of said permit. The existing statutory limits under 768.28, Florida Statute are hereby recognized as the Statute ("Construction Contracts") should that statute be deemed to apply.
5. This permit is considered a license only, for the limited purpose of installation, placement, and maintenance of improvements specified on the face hereof, and does not convey any other right, title, or interest of the County in the subject ROW. In the event of widening, repair, or reconstruction of the subject road(s), the Permittee, any successors, legal heirs or assigns, shall upon request and within 30 days after notice by the County Engineer's Office, remove or relocate the item(s) permitted within the ROW of the subject road(s) at no expense to Indian River County.
6. Permittee assumes full responsibility to maintain all areas under construction safe for the public and to properly route and direct traffic through the construction area. All Traffic control operations shall be done in accordance with the current Manual on Uniform Traffic Control Devices (MUTCD). Supplements to this manual are the FDOT Road and Bridges Standard Plans (Index 102-100 through 102-600) and Standard Specifications to Road and Bridge Construction (latest edition). No obstruction to the travel lanes between 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 7:00 p.m. Monday through Friday, unless approved by the IRC Traffic Division. Working hours are subject to change due to proximity to schools, traffic signals, special events or the type of MOT required.
7. Florida Statute 336.048 – Temporary closing traveling lane of road: Whenever any road on the county road or city street system is repaired, reconstructed, or otherwise altered in a manner that necessitates the closing of one or more traveling lanes of the road for a period of time exceeding 2 hours, the party performing such work shall give notice to the appropriate local law enforcement agency within whose jurisdiction such road is located prior to commencing work on the project. However, when the closing of one or more lanes is required because of emergency conditions, such notices shall be waived.
8. The permittee/developer shall provide and install pavement markings (thermoplastic, unless approved otherwise by the IRC Traffic Engineer), and reflective pavement markers in accordance with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). Roadways or entrances with pavers shall use epoxy paint or waffle tape for pavement marking.
9. Any requested changes to the Maintenance of Traffic (MOT) shall be submitted and approved by IRC Traffic Division prior to implementation of construction.
10. Permittee hereby acknowledges the COUNTY'S right to inspect the ROW at any time prior to final acceptance by the COUNTY to assure compliance with all plans and specifications. All reviews, however, shall be performed at the COUNTY'S discretion and are strictly to assure compliance with project plans and specifications. PERMITTEE HEREBY ACKNOWLEDGES THAT THE COUNTY VIA SAID REVIEWS IS NOT THE EMPLOYER, SUPERVISOR, PRINCIPAL OR AGENT OF PERMITTEE. Permittee is at all times classified an independent contractor with full responsibility for all obligations and responsibilities imposed under this permit and imposed by law.
11. If any portion of a County maintained road is open cut or damaged, a full-lane width restoration (25 feet on each side of the cut), shall be provided. Flowable fill shall be used for trenches less than 10 feet wide.
12. All areas in the ROW shall be left in a condition equal to or better than that which existed prior to construction. Shoulders disturbed within 5 feet of the edge of pavement shall be stabilized a minimum 50 PSI Florida Bearing Value, 6 inches in depth. Existing drainage shall not be impeded. Sidewalk areas disturbed during construction shall be maintained until repaved. Prior to or concurrent with final review, the permittee shall submit to the IRC Engineering Inspections Division copies of density reports done by an independent testing laboratory. If the construction should fail within one year from the date of final review by IRC, the permittee is responsible for restoration.

13. If traffic signalization equipment is in the area of construction, notify IRC Traffic Operations at (772) 226-1318 48 hours prior to digging. Do not disturb any material within six feet of a traffic signal pole or a guy wire and anchor. If damage to the equipment occurs during construction, it shall be repaired by Traffic Operations at the permittee's expense.
14. If previously approved construction is underway in the same location as indicated on this permit, the permittee shall obtain permission to work from the contractor doing the underway construction. If not granted, the construction under this permit shall not be done until the underway construction is accepted by IRC.
15. All utilities shall refer to the FDOT Utilities Accommodations Manual ensuring the correct color for the utility is to be installed. No green or blue pipe or conduit shall be used except for sewer and potable water respectively.
16. All utility poles shall be a minimum of 6 feet from the Edge of Pavement (up to 14 feet may be required based on speed limit and road type). No guy wires shall be placed in or above the sidewalk area or in the clear zone. Utilities shall be a minimum of 18 feet above all roads, driveways, or alleys. All poles being replaced shall be removed as a part of this permit approval.
17. All utility structures installed below grade, in the IRC ROW are required to have traffic bearing tops. This includes all valve boxes, meter boxes, hand holes, splice boxes, storm grates, manhole tops, traffic boxes etc. Grassed areas shall be Tier 15, (15K design load/ 22.5K test load) traffic bearing in locations that are subject to occasional traffic. Pavement areas including shoulders shall have a minimum of AASHTO H 20 loading. No structures shall be placed in sidewalk areas.
18. All sidewalks shall be a minimum of 6-inch fiber mesh (3000psi compressive strength at 28 days) and meet the ADA and FDOT Design Standards. Replacement shall be at nearest joint or as required to meet applicable codes.
19. No trenches, holes or other ground openings shall be open without workers present.
20. Trenched areas shall be re-sodded within 3 days of the restoration of the trench. Utilities shall provide a minimum cover of 36 inches of cover under the roadways and a minimum of 30 inches in the swale areas. Maintain a minimum clearance of 12 inches over or under drainage facilities. Erosion control is the responsibility of the Permittee.
21. Issuance of this permit does not in any way create any rights on the part of the applicant to obtain a permit from a local, state, or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. The validity of this permit is contingent upon the Permittee obtaining necessary permits from any other agencies having jurisdiction. Issuance of this permit does not relieve Permittee of liability for trespass to private property.
22. The Permittee shall provide evidence of insurance to the Engineering Division prior to receiving a construction start date.

The Certificate Holder shall be: **Indian River County Engineering**
Department 1801 27th Street, Building A
Vero Beach, FL 32960

Under: DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (Acord 101, additional Remarks Schedule): The following must be added as Additional Insured for General Liability insurance:
Indian River County Board of County Commissioners, Its Employees, Agents and Contractors.

23. All pavement construction, additions, or modifications in the travel and turn lanes shall require the following be provided to IRC Engineering Division for review and approval prior to final inspection:
 - a.) Professional Engineer's certification of completion of the project;
 - b.) Signed and Sealed Record-As- Built drawings and specifications; and as required based on the design;
 - c.) Asphalt Tickets, Density Reports, Soil Borings, and/or Pipe Videos (Drainage pipe existing and proposed), etc.
 - d.) Asphalt Gradation reports, or add reports upon request.
24. Permittee is cautioned that electrical, water, and sewer or other installations or utilities may be located within the construction area, and applicant shall use diligent efforts to first detect and locate all such installations, and shall coordinate construction with all lawful users of said ROW. Applicant shall be liable in every manner for all damages proximately resulting from its interference with or interruption of services provided by other lawful ROW users. Contact Sunshine One Call, 811 prior to digging.
25. These permit conditions are not inclusive of all IRC codes and standards. Permit may be subject to additional requirements based on the design and scope.



INDIAN RIVER COUNTY TRAFFIC ENGINEERING DIVISION SPECIAL CONDITIONS FOR RIGHT-OF-WAY CONSTRUCTION

SPECIAL CONDITIONS:

1. All work performed under this permit shall be in accordance with the Florida Department of Transportation Design Standards (<https://www.fdot.gov/design/standardplans/current/default.shtm>), Indices 102-600 and the Manual on Uniform Traffic Control Devices.
2. All special conditions listed are in addition to the attached Indian River County Traffic Engineering Regulations for Maintenance of Traffic.
3. It shall be the contractor's responsibility to contact Sunshine State One Call System (1-800-432-4770) at least 72 hours in advance of commencing construction work to coordinate traffic control and obtain locations of underground traffic signal conduit for the County's Computerized Traffic Signal Coordination System.
4. The contractor shall be responsible for using the applicable Traffic Control Plan for the type of work being performed. All job supervisors shall have a copy of the control plan on site at all times and shall be familiar with the correct set-up of the plan.
5. At least one lane of traffic shall be maintained at all times. One-lane traffic shall be controlled with at least two (2) flagmen. Flagmen shall use STOP/SLOW paddles at all times. Flags shall not be used for one-lane traffic control.
6. **After proper notification to Traffic Engineering**, consideration will be given to the contractor to close roadways to through traffic on a daily basis during daylight hours on narrow roadways where maintaining one-lane traffic would be difficult. The roadway shall be open to traffic at the end of each work day and on weekends. It shall be the contractor's responsibility to provide all necessary construction signs and traffic control devices to close the road and provide a detour route in accordance with Indian River County standards. Signing shall be installed that clearly indicates the time periods the road is closed to traffic.
7. There shall be no construction work after dark.
8. All open excavations shall be back filled before the close of each work day.
9. A compacted roadway shall be provided at the end of each work day. Disrupted roadways shall be clearly marked as a construction area.
10. Refer to the attached Traffic Engineering Regulations for construction work on Indian River County roadways for maintenance of traffic inspection policy and procedure
11. All construction equipment, materials, etc. shall be stored outside of the clear zone. Equipment and construction materials that are stored within the clear zone shall be clearly marked with Type II barricades with flashing yellow lights.
12. All projects and work within Indian River County right-of-way shall have an approved Traffic Control Plan (TCP). All work shall be executed under the established TCP and Indian River County approved procedures. The TCP shall provide the proposed detour route, traffic control devices, and other pertinent information for the proposed project and shall be submitted for review and approval by the Public Works Department.
The TCP shall be prepared by personnel with a minimum of an Intermediate Maintenance of Traffic current certification in the State of Florida. (Denote on the TCP, certification number and name of the certified personnel that prepared the MOT plan.)
For full road closures, a TCP is required to be submitted by the contractor a minimum of two (2) weeks prior to the proposed road closure.
All traffic control devices shall be in accordance with the Florida Department of Transportation (FDOT) Design Standards, Indices 102-600, FY 2019-2020, and the Manual on Uniform Traffic Control Devices, 2009 Edition.
13. For full road closures, Portable Changeable Message Signs are required to pre-advertise the roadway closure, a minimum of seven (7) days in advance of the road closure and during the duration of the road closure. The use of Portable Changeable Message Signs for lane closures on thoroughfare plan roadways will be required. Messages are to be approved by the Public Works Department and shown on the TCP.

TRAFFIC ENGINEERING REGULATIONS

Maintenance and Protection of Traffic:

It shall be the responsibility of the contractor to provide for the maintenance and protection of traffic in accordance with the applicable indices in the most current edition of the Florida Department of Transportation Roadway and Traffic Design Standards and the Federal Highway Administration Manual on Uniform Traffic Control Devices. The indices shall be considered the minimum standards and a

Special Conditions for Right of Way Construction

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more extensive work zone set-up or modifications may be required by the County Public Work Director or his designee for the protection of personnel in the work area as well as the traveling public.

It shall be the responsibility of the contractor to ensure that all subcontractors are in full compliance with all traffic control regulations. It shall be the responsibility of the contractor working on County roadways or within Right-of-Ways to establish maintenance of traffic prior to any work being performed. The contractor shall frequently monitor the work zone set-up to ensure that all signing is properly placed and that warning signs remain at the proper advance posting distance from the work area. Any signs that do not apply to the work zone shall be removed or covered. The contractor shall remove the work zone set-up at the conclusion of the work.

Traffic Engineering shall be notified a minimum of seventy-two (72) hours in advance of any lane closings and ten (10) days in advance of any road closures.

Lane closures are restricted to outside the normal peak hours of traffic, lane closures shall occur during the hours of 9:00 AM to 4:00 PM unless otherwise approved by the Public Works Director or his designee.

Traffic Engineering staff shall inspect the Maintenance of Traffic prior to construction commencement to ensure compliance with the approved Traffic Control Plan.

It is the policy of the Traffic Engineering Division to randomly monitor the contractor's compliance with all regulations while working on County roadways and within right-of-ways. Matters of public safety shall be attended to immediately upon notification by the County Public Work Director or his designee.

If the contractor is found to be negligent in maintaining proper work zone set-up in accordance with the County's Right-of-Way ordinance (Chapter 312), the County Public Work Director or his designee shall impose penalties in the amount of \$250.00 for working without the proper traffic control.

Construction at or Near Signalized Intersections:

The contractor shall have full responsibility for any work performed at or near any traffic signals in Indian River County. The contractor shall request that the County locate buried interconnect conduit and cable, loop sensors, and pull boxes prior to commencing construction. Any damage to the interconnect conduit, loop sensors, and pull boxes or any other traffic signal equipment shall be repaired at the contractor's expense. It shall be the responsibility of the contractor to notify Traffic Engineering Division a minimum of 72 hours prior to any work being performed near a signalized intersection or flashing beacon.

Once the proper notification and locate procedures are satisfied, the contractor working in or near signalized intersections or around traffic signal poles, signal cabinets, or flashing beacons shall be advised of the following regulations:

1. No excavation shall be performed within a 15-foot radius of any traffic signal pole. If excavation is necessary within a 15-foot radius, it will be the contractors responsibility to provide the following:
 - a. In a manner approved by the County Public Works Director or his designee, the contractor shall provide constant support of the traffic signal pole to prevent movement during excavation and backfill operations.
 - b. Compaction around the excavation site to a 98% density, bringing the backfill up in 1 foot lifts.
 - c. Density reports from a licensed testing company provided to the County Public Works Director.
 - d. Restore the traffic signal and all support equipment to original condition or better.
2. There shall be no pavement cuts made within 500 feet of a signal or flashing beacon without contacting Indian River County Traffic Engineering Division at (772-226-1547), 72 hours prior to construction.
3. Any traffic signal, loop sensors, conduit, interconnect cable, or any support equipment damaged by a contractor shall be repaired/replaced at the contractor's expense.
4. Any contractor that works at or in the vicinity of a signalized intersection shall have full responsibility for any liability incurred by causing damage to signal equipment that results in the failure of the traffic signal functions. If such a failure occurs, the contractor shall notify the police and the Traffic Engineering Division immediately at (772-226-1547).