

**TOWN OF BELLINGHAM
STREET OPENING
SPECIFICATION
December 2004 - Revisions**

I. GENERAL

A. Definitions and Abbreviations:

“Town Street” shall mean a Town owned right of way or public travel way that the Town maintains to the limit of the property lines of abutting properties.

“Opening” shall mean any excavation, cutting, breaking, re-grading, filling, dumping, or moving in anyway any pavement, earth or curbing on a Town Street.

“Street Opening Permit” or “Permit” shall be a written approval granted to an applicant by the Town to allow a specific Opening of a Town Street.

“DPW” is an abbreviation of the Bellingham Department of Public Works.

“MHD” is an abbreviation of the Massachusetts Highway Department.

“PGB” is the abbreviation for the Permit Governing Board and is the elected board responsible for the issuing of a Street Opening Permit and any related security deposits.

B. Unauthorized Excavation: Any Opening of a Town Street without receipt of a Street Opening Permit will be construed as damage to public property and punishable under law.

C. Applicant Accepts & Understands Statues: A Street Opening Permit will be issued by the PGB on the condition that the applicant accepts and understand all regulations of the Town of Bellingham, in force and that may thereafter be in force, along with these Specifications and any special conditions noted in the Permit.

D. Application Forms: Street Opening Permit application forms will be available from the DPW and must be completed and signed by a authorized representative of the firm that will be performing the excavation work. The application must be accompanied by a plan drawn to a scale that is acceptable to the DPW Director.

E. Security:

1. Before a Street Opening Permit is issued, the applicant will be required to supply security to guarantee proper roadway construction repair and maintenance.
2. The DPW Director may determine the amount of the security based on the information supplied in the Street Opening Permit application.
3. The security must be a form acceptable to the PGB and allowable under state law. (*Preferred is a bankbook, opened at bank approved by the Town Treasurer/Collector. The bankbook is to establish a joint account in the name of the Town and the Applicant established by the Town Treasurer/Collector. The Town Treasurer/Collector is to hold the bankbook and a withdrawal slip signed from the applicant.*)
4. The Town may hold security until the completion of the warranty period.

5. The applicant must submit a written request to the DPW for any review, reduction, or release of the security.
6. An applicant working under contract with the Town will be exempt from the security requirement, if security bonds have been executed as part of the Town's contract with the applicant. No payment shall be released for any work performed while a defect in roadway maintenance exists.
7. All public utilities (i.e. Electric, Gas, Telephone, Cable, etc.) and contractors working for public utilities are exempted from security requirements.
8. The DPW shall use the latest values from MHD or other local public project bids received to determine unit prices for work proposed within a Town Street.
9. A Construction Management Contingency of twenty-five percent (25%) shall be added to the calculated value of work.
10. The estimated value will include all roadway work and infrastructure to be constructed within a Town Street.

E. **Proof of Insurance:** Before a Street Opening Permit is issued the applicant will be required to submit proof of insurance coverage as required by these Specifications.

F. **Permit Revocation:** Street Opening Permit may be revoked at any time by the PGB or its agent the DPW Director for failure on the part of the applicant to comply with any of the specifications or special conditions. Upon revocation all excavation work must stop immediately and the applicant must repair all disturbed areas in accordance with these specifications. No further Opening will be allowed until a new Permit is issued.

G. **Dig Safe Number Required:** Applicants are required to notify public utility companies as described in Mass. G.L., Chapter 82, Section 40 and to comply with Chapter 146, Section 53. A number issued by DIG-SAFE must be affixed to the Street Opening Permit application or it will not be approved. The Town will not verify the DIG-SAFE number for accuracy. The Town takes no responsibility for damage to any utility caused by any applicant.

H. **Winter Shut Down:** No Street Opening Permit will be issued for work between the dates of December 1 and April 1 annually, without the additional approval of the PGB.

I. **Work by Permit Holder:** the construction firm or individual performing the work must obtain the Permit. Property owners who hire contractors to perform work may not obtain a Street Opening Permit. Separate permit must be obtained if multiple contractors with specialized abilities are proposed to work in Town Streets.

J. **Insurance Requirements:**

1. The applicant shall procure and maintain at their sole expense and until completion of the warranty period, insurance as hereinafter enumerated in policies written by insurance companies admitted in the State of Massachusetts, and acceptable to the Town. All insurance policies shall be subject to the Town's final approval as to policy form. The applicant shall not be issued a permit until the insurance as required by this agreement has been obtained and until copies of the policies and/or original insurance certificates have been submitted to the Town. The Town shall be given at least 30 days written notice of cancellation, non-renewal

or material change of the required insurance coverage. Copies of policies, certificates and required written notice shall be sent to:

Bellingham DPW
26 Blackstone Street
Bellingham, MA 02019

2. Worker's Compensation and Employer's Liability Insurance. The applicant agrees to comply with Worker's Compensation laws of the State of Mass. And to maintain a Worker's Compensation and Employer's Liability Policy.

Workers' Compensation Limits:

Workers' Compensation	Statutory Mass. Benefits
Employer's Liability	\$500,000 each accident \$500,000 policy limit

3. Commercial General Liability Insurance and/or Comprehensive General Liability Insurance

The applicant shall provide either:

- a. Commercial General Liability Insurance that includes "product / completed operation insurance". "Blasting" operations coverage will also be provided if, the exposure exists or arises during the work, or
- b. Comprehensive General Liability Insurance endorsed to provide coverage for "broad form property damage", "broad form contractual liability", explosion, collapse, or structural injury to property of other including underground utility facilities, "contractor's protective liability", and "products / completed operations insurance".

General Liability Limits:

Bodily Injury and Property Damage (Combined Limit)	\$500,000 each to \$1,000,000 occurrence & aggregate
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4. Business Automobile Policy

The applicant shall provide a Business Automobile Policy providing liability insurance, which shall include coverage for all owned, non-owned, leased, and hired vehicles.

Business Automobile Liability limits:

Bodily Injury and Property Damage (Combined Limit)	\$500,000 each occurrence & aggregate
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5. Insurance Summary

All responsibility for payment of any sums from any policy deductible provisions, and/or policy premium provisions shall remain with the applicant. It is expressly understood that the Town does not in any way represent that the specified limits of liability of coverage or policy

forms are sufficient or adequate to protect the interest or liabilities of the applicant. Approval of any insurance by the PGB will not in any way relieve or decrease the liability of the applicant under these insurance requirements.

6. General Indemnity Summary

The applicant shall compensate the Town for all damages of any nature to the Town's property arising out the applicant's work. The applicant shall indemnify, defend and save harmless the Town (and its elected and appointed officials, employees, and agents) for any and all suits, actions, legal or administrative proceeding, claims, demands, damages, liabilities, interest, attorneys fee, costs, and expenses of whatsoever kind or nature, whether arising before or after the end of the warranty period and in any manner directly or indirectly caused, occasioned or contributed to in whole or in part by reason of any act, error or omission, fault or negligence whether active or passive by the applicant, or any one acting under the applicant's direction, control or on the applicant's behalf in connection with or incident to the applicant's work or performance thereof.

K. Permit and Security Management

1. The Board of Selectmen is the PGB.
2. The Board of Selectmen may defer PGB responsibilities to the Planning Board. (*IE. If the work in a Town Street is defined by a permit issued by Planning Board, the Selectmen may vote to defer management of the Street Opening Permit.*)
3. The DPW Director acting as an agent for the PGB may issue any Permit for which the calculated security is less than \$25,000.

L. Contractor Qualifications

1. For any work exceeding an estimated security value of \$25,000 the contractor must be prequalified with the MHD for construction equal to three (3) times the estimated security value.
2. The applicant must deliver a proof of MHD Prequalification to the DPW with the completed application.
3. The PGB can waive strict compliance with this requirement. (*It is suggested that such waiving should be accompanied by an agreement by the applicant that the Construction Management Contingency on security deposits noted in Subsection D above be increased from twenty-five percent (25%) to thirty-five percent (35%).*)

M. Construction Schedule

1. The applicant must submit a detailed written construction schedule with the permit application.
2. For any project with an estimated security value of greater than \$25,000, the PGB must approve the schedule.
3. If the work is behind schedule the permit holder must within ten business days of written notification from the DPW Director submit a revised written schedule. Failure to submit a

revised schedule is considered grounds to revoke the permit with no further notice to the permit holder.

4. If the approved construction schedule indicates that work will take over twelve months, inflation of no less than five percent (5%) per year will be added to the security deposit calculated under Subsection D above.

N. Fees

1. Application Fee - An Application Fee shall accompany all applications for a Street Opening Permit in be determined in accordance with the following table:

- **Application Fee for Road Construction, Waterwork, Storm Sewer, or Sanitary Sewer**

\$10 per 100 linear feet of Town Street to be disturbed, measured along the longest axis

- **Application Fee for adding a drive or access**

Residential Existing Building	\$25 per each new access drive
Residential New Building	\$50 per each access drive
Residential New Subdivision	\$100 per each access drive
Non-Residential Building Less than 25,000 Square Foot	\$500 per site obtaining access
Non-Residential Building From 25,000 to 300,000 Square Foot	\$1,000 per site obtaining access
Non-Residential Building From 300,000 to 750,000 Square Foot	\$2,000 per site obtaining access
Non-Residential Building Greater than 750,000 Square Foot	\$3,000 per site obtaining access

2. Inspection Charges – Prior to the commencement of street construction the DPW Director shall appoint an agent and instruct said agent to make continuing inspections of the work to insure compliance with the Town’s specifications and permit special conditions. The wages of said agent are to be determined by the DPW Director and paid to the Town by the Applicant. If the agent is an employee of the Town the wages will be the employees standard pay scale plus 50% for indirect payroll costs. If the agent is a consultant the wages will in accordance with the agreement for services.

II. MAINTENANCE OF EXCAVATIONS & GUARANTEE PERIOD

- A. The applicant is responsible for maintaining all excavations in a good and safe condition during the construction and guarantee period. This maintenance must include but is not limited to;

maintenance of grade to insure a smooth surface, continuous dust control, repair of settlement and potholes, etc.

B. The applicant will maintain the excavation area for a guarantee period of one year after the completion of the final trench pavement. Any failure of final pavement, which occurs during the one-year guaranty period, will be immediately repaired in a manner acceptable to the DPW. An additional one-year guaranty period will start on the date on which the repair is completed.

C. The applicant must submit a written request to the DPW for the final inspection of the finished pavement trench to start the guaranty period.

D. Repairs and Security

1. If a hazardous condition occurs while the applicant is working on the permitted site, the applicant shall mobilize to repair the hazard immediately. Failure to do so shall be grounds for revocation of the permit.
2. If after the applicant has left the site a hazardous condition occurs, the applicant must repair said hazardous condition within four (4) hours of telephone notification. Telephone notification is considered a call to the emergency number indicated on the Permit application.
3. If a minor defect, settlement, etc. occurs the applicant must repair said defect within three (3) days of telephone notification. Telephone notification shall be considered a call to the emergency number indicated on the Permit.
4. Failure to mobilize to correct a problem within the time noted above would grant the Town the right to hire a contractor to perform the work or perform the work with DPW Staff. The cost of said repair work is the responsibility of the Applicant and may be deducted from the security deposit.
 - If DPW Staff, Materials, Equipment are used:
 - Salaries will be calculated at sixty (60) percent to account for indirect payroll costs and reasonable markup,
 - Materials will be calculated at cost plus twenty (20) percent, and
 - Equipment use cost will be based on values received for local bids and rental agreements
5. Should a applicant fail to respond to a telephone notification more than once a year per permit, all of the applicant's standing street opening permits will be revoked, and no street opening permits will be issued to this contractor until he has appeared before the PGB.

III. TECHNICAL SPECIFICATIONS

A. ALL ROADS AND RIGHT-OF-WAY

1. All work and materials must be in compliance with the standards set down in the latest edition of the “ Massachusetts Highway Department Standard Specifications for Highways and Bridges”.
2. All pavement and curb excavations must be cut with an acceptable device before any excavation will be allowed.
3. Excavated pavement materials shall be separated and removed from the Town’s property and will become the property of the applicant, and disposed of properly.
4. Backfill material must be suitable and must not include material that is unsatisfactory, in the opinion of the DPW.
5. All excavations shall be thoroughly compacted to a density of 95% of the maximum density for the top three feet of fill and 92% for all fill below that point. Compaction may be done using either mechanical means or by using water jet pumping. The DPW must verify the acceptability of the compaction procedure.
6. The Town may hire a soils testing firm to confirm that soil compaction meets the density requirement. If compaction is not acceptable the applicant shall pay all costs for said testing firm and all costs to complete proper compaction.
7. The applicant is responsible for providing the water necessary to perform jetting. Hydrants are to be operated by DPW staff only. There is no guarantee that water from Town hydrants will be available for the Applicant’s use. The Applicant must pay in advance for all water charges related to water use or hydrant operation.

B. PRIMARY ROADS:

(Route 126, Pulaski Blvd, Hartford Ave, Paine St, Wrentham Rd, Center St.)

1. Temporary Pavement:

- a) Temporary pavement is required on all primary roads.
- b) Temporary pavement must be a minimum of 2 inches in depth of hot mix asphalt Type I-1.
- c) Temporary pavement must remain in place and be properly maintained for a period of one year or one winter season unless replaced by permanent pavement.
- d) All temporary pavements must be removed before the permanent trench pavement is installed. Temporary pavement installation must follow closely behind excavation on any project, which extends beyond a five-day working period.
- e) No roadway surface on a primary street shall be left unpaved over a weekend.

2. Permanent Pavement:

- a) Longitudinal Trenches

- i) The edge of the excavations shall be cut back a minimum of 12 inches on all sides to neat lines.
- ii) All temporary pavements will be removed.
- iii) A 12 inches gravel sub base shall be installed and compacted.
- iv) Cut edges will be coated with joint sealing materials.
- v) A minimum paving depth of 5 inches of hot mix asphalt pavement; however, actual pavement depth shall match the depth of pavement existing in the street prior to the construction.
- vi) The permanent pavement finished elevation must be flush with the surrounding pavement.
- vii) The bituminous concrete will be installed in at least two courses with no single course being greater than 2½ inches in depth after compaction.

b) Cross Trenches and Spot Excavations

- i) The edge of the excavations shall be cut back a minimum of 18 inches on all sides to neat lines.
- ii) All temporary pavement will be removed.
- iii) A 12 inch sub-base shall be installed and compacted.
- iv) Either a 6 inch thick slab of reinforced concrete, or an 18 inch thick layer of flowing fill concrete shall be installed.
- v) Cut edges will be coated with joint sealing materials.
- vi) A 12 inch layer of modified state top binder shall be installed to an elevation flush with the surrounding pavement surface.

3. Curb to Curb Overlay:

- a) A curb to curb overlay of 1½ inch depth shall be installed.
- b) The overlay shall extend from curb to curb laterally and a minimum of 5 feet beyond the limits of the disturbed area longitudinally.
- c) A leveling course will be installed if deemed necessary by the DPW.
- d) The roadway shall be swept and a tack coat applied prior to the installation of any new course of hot mix asphalt pavement.
- e) A keyway shall be cut at all limits of the overlay. The keyway must be a minimum of 12 inches wide and will be cut as directed by the DPW. Tack coat will be applied liberally to the keyway before pavement is installed.

C. SECONDARY ROADS:

(all others)

1. Temporary Pavement:

- a. Temporary pavement is required on secondary roads.
- b. Temporary pavement will be a minimum of 2 inches in depth of hot mix asphalt Type I-1, or cold patch.
- c. Temporary pavement must remain in place and be properly maintained for a period of one year, or one winter season unless replaced by permanent pavement.

- d. All temporary pavements must be removed before the permanent pavement is installed.
- e. If the permitted area is well maintained, swept, and treated to control dust, the PGB may waive the requirement for temporary pavement on secondary roads.

2. Permanent Pavement:

- a) After proper compaction has been completed, the edges of the excavation shall be cut back a minimum of 12 inches on all sides. All temporary pavement will be removed. A 12 inch gravel subbase shall be installed and compacted. Cut edges will be coated with joint sealing materials.
- b) A minimum paving depth shall be 4 inches of hot mix asphalt pavement; however, actual pavement depth shall match the depth of pavement existing in the street prior to the construction.
- c) The permanent pavement finished elevation must be flush with the surrounding pavement.
- d) The permanent trench pavement shall be installed in at least two courses with no single course being greater than 2½ inches in depth after compaction.

3. Curb to Curb Overlay:

- a) A curb to curb overlay of 1½ inch depth may be required. If required, the overlay shall be installed to the same standards noted above for primary roads.
- b) The overlay will not be installed until the permanent trench pavement has weathered one year, or one winter season.

D. SIDEWALKS AND CURBING:

1. Temporary Pavement:

- a) Temporary may be required on sidewalks. All temporary pavement must be removed before the permanent pavement is installed. If the sidewalk cut area is well maintained, compacted and graded to allow safe pedestrian traffic temporary pavement may not be required.
- b) Temporary curbing may be required to protect sidewalks and shoulders from erosion due to runoff.

2. Permanent Reconstruction:

- a) Sidewalks:
 - i. Handicap Access – All sidewalk reconstruction will be in conformance with the handicap access requirements set down by the Mass. Highway Department's latest policy or specifications.
 - ii. Bituminous Concrete – After proper compaction has been completed, the edges of the excavation will be cut back a minimum of 12 inches on all sides. All temporary pavement will be removed. An 8 inch gravel subbase shall be installed and compacted. Cut edges will be coated with sealing materials. A paving depth of 2 inch of bituminous concrete paving shall then be installed in the trench flush with the surrounding pavement. The

bituminous concrete will be installed in two courses using baby binder mix (1/2 inch max. aggregate) as the base and top mix as the wearing course.

- iii. Cement Concrete - After proper compaction has been completed, edges of the excavation will be cut back a minimum of 12 inches on each or to the next construction joint. All temporary pavement will be removed. An 8 inch gravel subbase shall be installed and compacted. The cement concrete walk be installed to a depth of 4 inches. Construction joint seams shall be scored into the concrete at a maximum spacing of 6 feet. Expansion joints material, such as performed filler, shall be placed around any solid structures in the walk and at every fourth construction joint. The surface of the walk will be troweled smooth and then given a swept finish to prevent slipping. Walks which act as driveway aprons will be installed either with a 6 inch depth of un-reinforced cement concrete or a 4 inches depth with reinforcing mesh installed.

b. Curbing:

- i. Granite and Cement Concrete – Granite and cement concrete curbing shall be replaced to make a smooth line with adjacent curbing.
- ii. Bituminous Concrete – Bituminous concrete curbing will be installed with a machine specifically designed to install hot mix bituminous berm. Damaged bituminous curb less than 8 feet in length (after the 12 inch cut back of the edge of the excavations) may be repaired by hand.

E. SHOULDERS

- 1. Shoulders shall be returned to pre-construction condition.
- 2. Grass or vegetated areas shall have a minimum 4 inches of loam installed as the top layer. All areas with new loam will be graded and seeded.
- 3. Gravel shoulders shall have 12 inches of gravel installed as the top layer.

IV. TRAFFIC CONTROL AND CREW SAFETY

All traffic control and crew safety, including use of detail police officers, signage and excavation protection is the responsibility of the applicant. The latest copy of the “Manual for Uniform Traffic Control Devices” should be used as the bases of all signage and work zone protection.

The approved on this the _____ day of _____, 2004.

By the Bellingham Board of Selectmen:
