

APPLICATION FOR UTILITY COMPANY EXCAVATION PERMIT

Please complete all information below. Current telephone and email are required to process application.

Location of work			
Description of Work:			
Related to Permit #			
Job Project #			
Company Name	Other:		
Contact Person	First:	Last:	
Telephone/Email	Phone:	Email:	
Contractor License/Class:		Oakland Business License:	
24-Hour Emergency Phone*			
USA ID** #			

*Permit cannot be issued without this phone number

**State law requires that contractor/owner call Underground Service Alert USA, two working days before excavating to have below ground utilities located. This permit is not valid unless applicant has secured a USA Inquiry Identification Number. Call 811 or visit www.usanorth811.org

Planned Start/End Dates:	
Start Date: ____/____/____	End Date: ____/____/____

APPLICANT HAS READ AND ACKNOWLEDGES THE FOLLOWING:

This permit is issued pursuant to all provisions of **Chapter 12.12** of the City of Oakland Municipal Code and is **valid ninety (90) days** from date issued. Extension may be granted.

This permit is granted upon the express condition that the permittee shall be responsible for all claims and liabilities arising out of work performed under the permit or arising out of the permittee's failure to perform the obligations with respect to street maintenance. The permittee shall, and by acceptance of the permit, agrees to defend, indemnify, save and hold harmless the City, its officers and employees, from and against any and all suits, claims or actions brought by an person for or on account of any bodily injuries, disease, or illness or damage to persons and/or property sustained or arising in the construction of the work performed under the permit or in consequence of permittee's failure to perform the obligations with respect to street maintenance.

I hereby affirm that I am licensed under provisions of **Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions code**, and my license is in full force and effect.

I also certify that the performance of the work for which this permit is issue, I shall adhere to requirements of **Workers' Compensations Laws of California**, with all federal, state and local regulations, and the conditions shown on the reverse side of this document.

Applicant's Signature _____ Date _____	<p>THIS BOX FOR OFFICE USE ONLY</p> <hr/> <p>X180 _____</p> <hr/> <p>* ENMI180 _____</p>
<p><small>* Applies to utility franchisees for above or below ground facilities such as vaults, cabinets, antennas.</small></p>	

Conditions for use of City of Oakland’s Right of Way

1. Installation of telephone lines and provision of telephone services shall be pursuant to Sec. 7901 of the California Public Utilities Code.
2. Permittee is not authorized to place any other facilities or provide any services over the facilities placed in the rights-of-way other than telephone lines as described above, without first obtaining authorizations from the City of Oakland, including any necessary franchises, except where state law preempts local authority to franchise. By way of example and not limitation, Permittee may not install cable system or open video system facilities without first obtaining a franchise.
3. Permittee is not authorized to install facilities on any other public property other than rights-of-way, and any use of other public property shall require separate agreement.
4. Permittee shall comply with any provision that the City of Oakland may adopt in the future requiring it to obtain a franchise or other authorization and may be required to do so as a condition to the continued effectiveness of the permit, provided that nothing in this agreement shall be construed to prevent Permittee from claiming that a particular requirement is prohibited by applicable law.
5. If state or federal law does not prohibit municipality from charging for use of rights-of-way by Permittee, it may do so, and payment of any lawful compensation established by City of Oakland shall be a condition of the continued effectiveness of the permit.
6. Permittee warrants that the services it will offer over the telephone lines consist solely of telephone service within the meaning of Section 7901.
7. Permittee shall abide by all City of Oakland requirements for indemnification and insurance.
8. Conditions do not create or vest in permittee any property interest.
9. Permittee warrants that it will promptly notify the City of Oakland of any company to which it is selling, leasing, or otherwise transferring facilities or capacity, and agrees not to sell, lease, or otherwise transfer facilities or capacity to any company that is required by state or federal law obtain franchise or other authorization from municipality without proof that such company has obtained the necessary authorization or franchise.
10. The City of Oakland retains police powers with respect to time, place and manner of placement and relocation of facilities within the public right-of-way.
11. Permittee agrees to comply with any future changes in State or Federal laws that pertain to the telephone/telecommunications industry and the City of Oakland reserves the right to impose any changes in the law at such future time.
12. Permittee will submit Quarterly Construction reports as required by the Public Utilities Commission.
13. Permittee warrants that in the event any telephone facilities approved by the City of Oakland pursuant to this permit are at an time during the usable life of the equipment or facilities utilized for purposes other than providing telephone service as defined by the California Public Utilities Code, including but not limited to the transmission of a cable system equivalent or open video or data transmission , Permittee agrees to first obtain the necessary authorization or franchise for providing such service over said existing facilities.
14. In addition to Permittee processing fees associated with the issuance of the herein permit, Permittee is subject to inspection fees for the cost of determining compliance with the herein permit requirements. Additional re-inspection fee charges may be assessed as necessary to assure ongoing compliance with permit requirements.
15. Permittee agrees to notify City of Oakland of any changes to the plans submitted with the excavation and all related permit applications prior to constructing such change(s).
16. Permittee shall be a member of USA and shall be responsible for notifying USA prior to excavations.
17. At least 48 hours prior to excavation, Permittee shall notify the City of Oakland's Electrical Division at (510) 615-5438 and Telecommunications Systems Engineer at (510) 238-6900.
18. Permittee is required to adhere to all herein conditions as a condition of the continued effectiveness of the permit. Failure or refusal to comply shall subject the Permittee to all civil penalty provisions.
19. Additional permit conditions may be required as a matter of policy at any time commencing from the issuance of the permit up until the permit is "finalized" by the City of Oakland.
20. For as long as Permittee maintains facilities within the public right-of-way, Permittee is subject to an further licensing and/or leasing requirements imposed by the City of Oakland for such use.

I as the authorized agent of (Company Name) _____ agree to the above Conditions

Signature		
Print Name		Title
Company Name		Date

UTILITY COMPANY EXCAVATION PERMIT

SUBMITTAL CHECK LIST

- 4 Sets of Plans; maximum size: 11"x17"
 - All underground utility lines; depth of trench; north arrow; vicinity map; project number
 - Distance from face of curb to trench, If no curb, dimension to a monument line or sanitary sewer main and stake for construction; total trench footage (conduit or cable)
 - Distances from improvement to underground utility line. Two (2) foot minimum separation; maintain five (5) feet from any sanitary and storm sewer structure; maintain five (4) foot radius from all survey monuments. Monument Information available at **Records Counter**, 250 Frank H. Ogawa Plaza, 2nd floor.
 - Distance from driveways on all new or replacement utility pole installations. Minimum distance: 30 inches
 - Above and below ground structures/cabinets provide a spreadsheet listing specifications (if needed)
- Completed Utility Excavation and Encroachment Permit Application
- Inspection Deposit Account
- Traffic Control Plan and Application **(if required)**
- Bond **(if required)**
- Current City of Oakland Business **(if required)**
- Contractor License **(if required)**
- Letter of Agency **(if required)**
- Liability Insurance

FREQUENTLY ASKED QUESTIONS (FAQ)

UTILITY EXCAVATION

1. When is a Utility excavation Permit Required?

Answer: This permit is for excavation in the right of way by utility companies or franchisees and contractors that work with utility companies with an approved utility plans.

2. When is an Encroachment Permit Required?

Answer: An encroachment permit is only required if the utility company is installing an above or below ground structures/cabinet or antenna. Applicant should provide a list of equipment and specifications (dimensions, location, reference to page of drawing, etc.) for City to consider and issue an encroachment permit. The application form covers Utility Excavation and Encroachment permits and there is no need to fill out two applications.

3. My permit had lapsed. How do I extend the permit?

Answer: Email (DotPermits@Oaklandnet.com) to request an extension (include permit number) or stop by the permit counter at, 250 Frank Ogawa Plaza, 4th Floor. An extension fee will be due.

4. When should I provide a bond?

Answer: A performance bond is required from contractors that work for the utility company or assigned to excavate on behalf of the utility company. The bond is equal to the total project cost (minimum of \$5,000.00) which may be added as cash to the permit. Alternatively, a security bond may be submitted to the City's cashier. Cash bond and securities will be released to the applicant when permit is finalized. A processing fee will be due.

5. If my company has an annual permit, do I still need to pay permit fees?

Answer: Annual permit is for utility companies with franchise agreements and cover minor excavations and service installations (work to be completed in 24 hours). There are no additional permits required. However; the utility company must inform the utility inspector prior to the start of the work for inspections. City's inspections costs are charged separately to the utility companies on monthly basis.

6. What is an Inspection Deposit? When is it needed? How do I set one up?

Answer: An Inspection Deposit (or drawdown) account is needed for contractors working for utility companies. Since we do not have a mechanism to charge a contractor on a monthly basis (contractors are not franchises), the drawdown account allows the contractor to deposit a sum of money to pay for inspections.

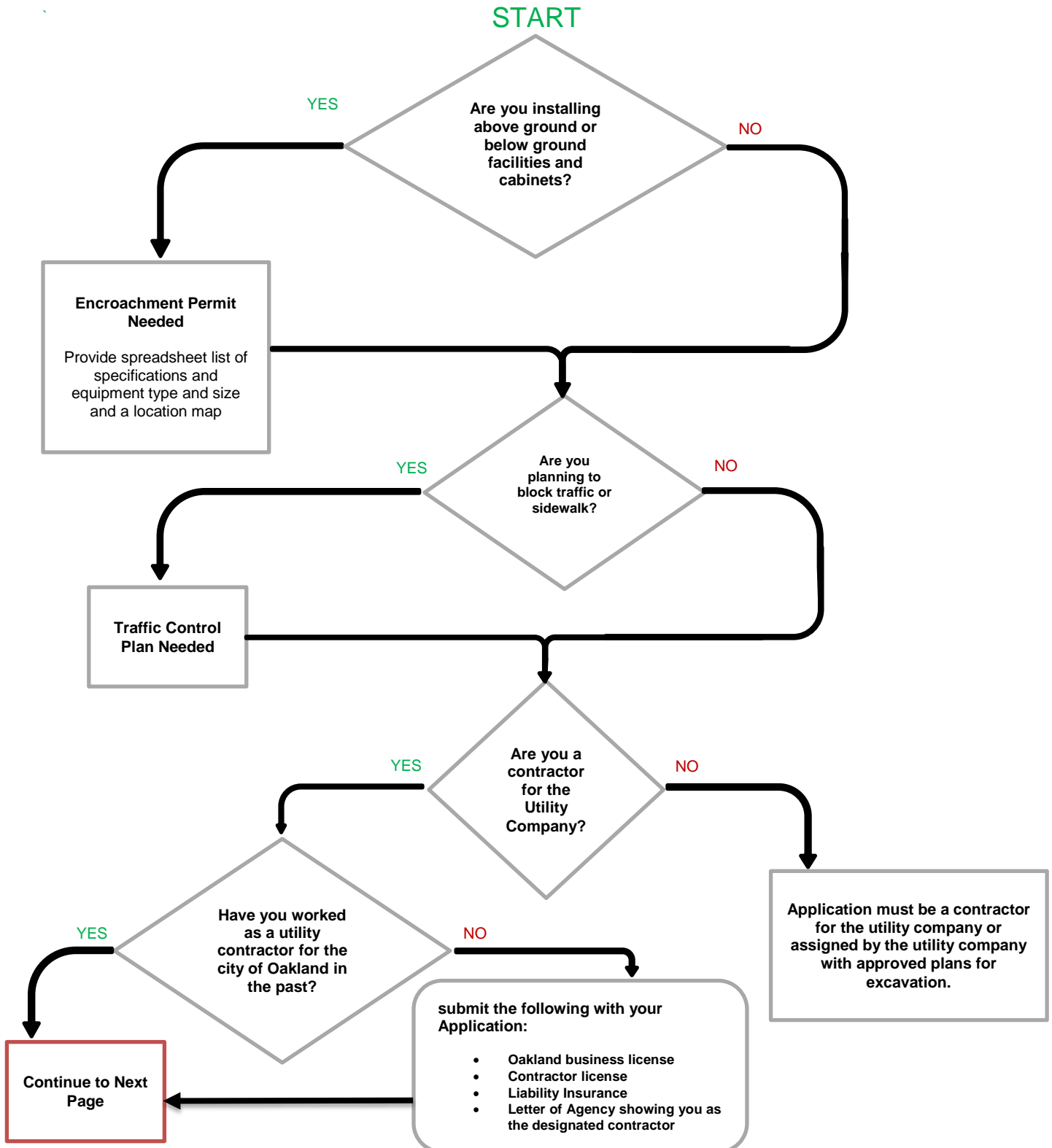
To set up an account, visit 250 Frank Ogawa Plaza, 2nd floor cashier's office.

7. How much money do I need to deposit in the Inspection Deposit account?

Answer: Depending on the duration of the project, the Senior Inspector will notify the applicant of the amount of money to be deposited. Unused funds are returned to the applicant and cost over runs must be paid by the applicant prior to finalizing the permit.

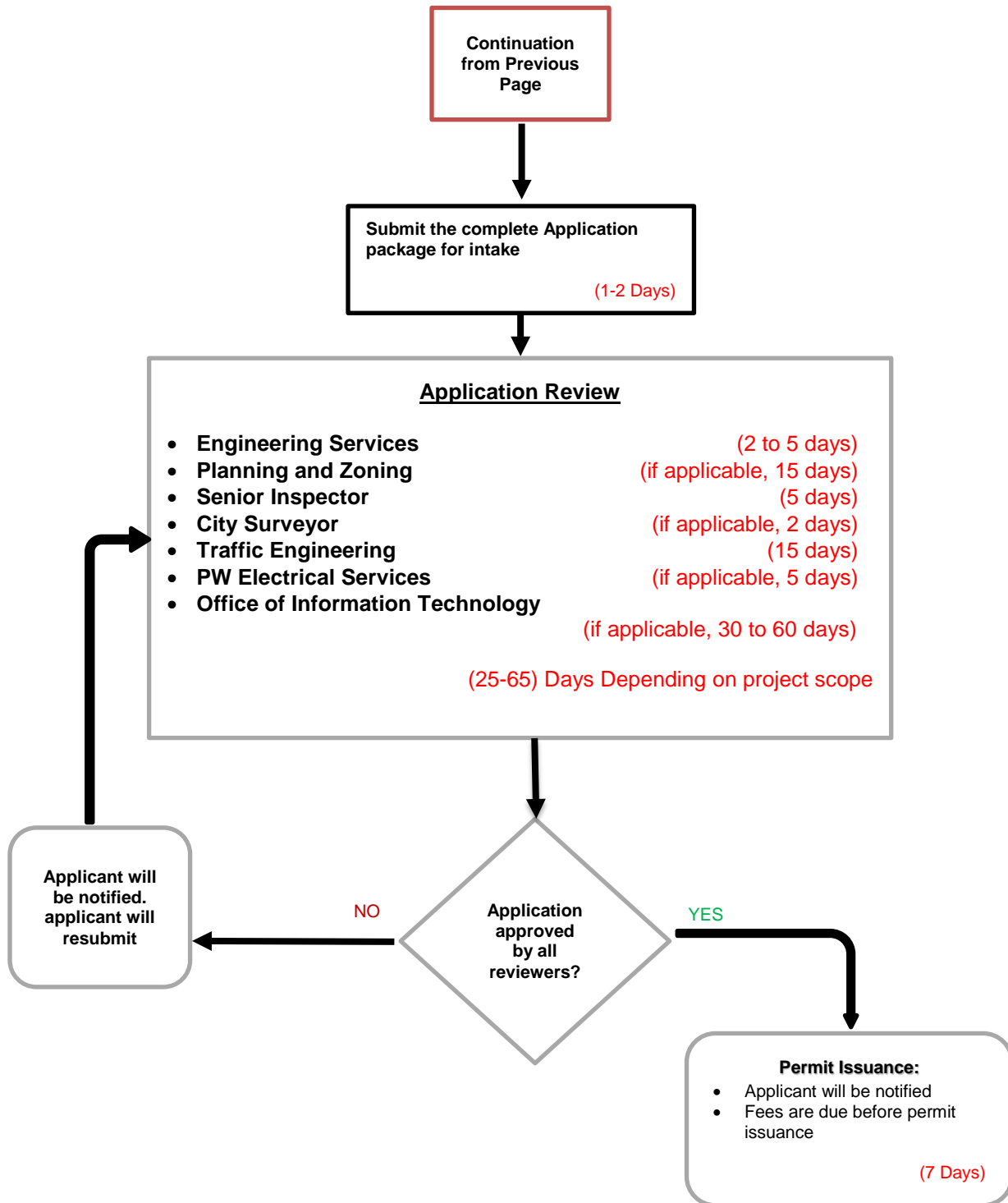
FLOW CHART FOR UTILITY EXCAVATION PERMIT

Minutes in Parenthesis Average City Working Time
 Average Time To Complete 45-90 Days



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Minutes in Parenthesis Average City Working Time
 Average Time To Complete 45-90 Days



END

HOW ARE UTILITY EXCAVATION PERMIT FEES CALCULATED?

The fees for a Utility Excavation Permit are calculated based upon the approved Oakland Master Fee Schedule. From Fiscal Year 2017 to 2018 Master Fee Schedule the tables below show.

UTILITY EXCAVATION (Review by Engineering Services)

No.	Description **	Amount **	
1	Permit Filing Fee	No Fee	-
2	Inspection - Normal Hours	\$158.00	Hour
3	Inspection - Outside Normal Operating Hours	\$236.00	Hour
4	Street Obstruction (parking spaces reserved for construction)	\$9.45	Per 25 ft., Per Day
5	Encroachment Permit (if applicable)	\$1,781.00	Each
6	Bond Processing Fee	\$344.00	Each
7	Permit Time Extension	\$156.00	Each
8	Permit Review - Projects Exceeding 300 ft.	\$1,024.00	Each Occurrence Exceeding 300 ft, or Actual Time Spent on Review & Approval
9	Permit Review - Projects Shorter than 300 ft.	\$350.43	Each Occurrence Shorter Than 300 ft, or Within One City Block

ADMINISTRATIVE ** Non-Refundable per Master Fee Schedule added to all permits

1	Application Fee	\$70.00	Each Permit
2	Record Management and Technology Fee	14.75%	Permit Total

FOR OFFICIAL USE (Routing- Attach to front of Packet)

X 1 8 0 E M N I	Permit Issuance	
	Holiday Restricted Street?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Limited Operations Area?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Street Last Resurfaced on: Date	_____
	Moratorium Street/ Special Paving Detail required?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Right-of-Way Questionnaire Required?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	R/W Questionnaire Submitted?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Routing- Approvals

Date:

Engineering Services		
Planning/Zoning (if applicable)		
Senior construction inspector		
Traffic Engineering		
Electrical Services (if applicable)		
Office of Information Technology (if applicable)		
Other required permits		
Others:		