

INDIVIDUAL APPLICATION AND PERMIT FOR USE OF STATE TRUNKLINE RIGHT OF WAY

*Information required by Act 368 of P.A. 1925, Act 200 of P.A. 1969
and Act 51 of P.A. 1951 to authorize permitted activities.*

This permit is incomplete without form 2205-1,
"General Conditions and Supplemental Specifications."

PRINT IN INK OR TYPE. SEE REVERSE FOR SPECIAL CONDITIONS AND ATTACHMENTS.

MDOT USE ONLY		
PERMIT NO.		
ISSUE DATE	EXPIRATION DATE	
FEE \$	<input type="checkbox"/> Cash <input type="checkbox"/> Exempt <input type="checkbox"/> Billable	BY
DEPT. BOND NO.	BOND AMOUNT \$	

APPLICANT NAME			CONTRACTOR NAME (individual, Company, etc.)		
MAILING ADDRESS			MAILING ADDRESS		
CITY	STATE	ZIP CODE	CITY	STATE	ZIP CODE
CONTACT'S NAME		PHONE NO. ()	CONTACT'S NAME		PHONE NO. ()

REQUEST: I do hereby make application for a permit to use the right of way of the following state trunkline highway.

STATE TRUNKLINE	CITY OR TOWNSHIP	SECTION	TOWN T	RANGE R	COUNTY
NEAREST CROSSROAD		SIDE OF ROAD	DISTANCE TO NEAREST CROSSROAD (in feet)	DIRECTION TO NEAREST CROSSROAD <input type="checkbox"/> NORTH <input type="checkbox"/> SOUTH <input type="checkbox"/> EAST <input type="checkbox"/> WEST	
PROPOSED START DATE	PROPOSED COMPLETION DATE		PLANS ATTACHED <input type="checkbox"/> YES <input type="checkbox"/> NO		
PURPOSE					

REQUISITION NO.	WORK ORDER NO.	JOB NO.
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I certify that I accept the following:

1. Commencement of work set forth in the permit application constitutes acceptance of the permit as issued.
2. Failure to object within ten (10) days to the permit as issued constitutes acceptance of the permit as issued.
3. If this permit is accepted by either of the above methods, I will comply with the provisions of the permit.
4. If this permit is for commercial or residential driveway work, I certify that I am the legal owner of the property for which this driveway will serve, or I am the owner's authorized representative.

APPLICANT/AUTHORIZED AGENT If Authorized Agent - I hereby certify that I am acting as an authorized agent on behalf of the named applicant. Certificate of agency attached.	NAME and TITLE (Please Print or Type)	DATE
	SIGNATURE	FEDERAL TAX I.D. or SOCIAL SECURITY NO.

MDOT USE ONLY - DO NOT WRITE BELOW THIS LINE

CONTROL SECTION	TRUNKLINE	WORK TYPE CODE	ECC *	WORK METHOD	MILEPOINT FROM	MILEPOINT TO	LOCATION
							<input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> R <input type="checkbox"/> T
							<input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> R <input type="checkbox"/> T

ENVIRONMENTAL ASSESSMENT

CATEGORICAL EXCLUSION OTHER - Describe (See form 2242): _____

INSPECTION TYPE <input type="checkbox"/> DEPARTMENT <input type="checkbox"/> MAINT. AGENCY <input type="checkbox"/> OTHER	INSPECTION BY:	PHONE NO.	INSPECTION STATUS <input type="checkbox"/> ROUTINE <input type="checkbox"/> BILLABLE
SURETY TYPE <input type="checkbox"/> EXEMPT <input type="checkbox"/> CASH <input type="checkbox"/> RESOLUTION	<input type="checkbox"/> BOND <input type="checkbox"/> SELF-INSURED	<input type="checkbox"/> CREDIT LETTER <input type="checkbox"/> RETAINER LETTER	LIABILITY INSURANCE <input type="checkbox"/> SELF-INSURED <input type="checkbox"/> REQUIRED <input type="checkbox"/> EXEMPT

REVIEWED BY:	INT.	DATE	RECOMMENDED FOR ISSUANCE		
Constr. & Techno.			NAME	TITLE	DATE
Maintenance					
Traffic & Safety			APPROVED FOR MICHIGAN DEPARTMENT OF TRANSPORTATION BY		
Resource Specialist			UTILITIES-PERMITS ENGINEER or REGION /TSC U-P ENGINEER		DATE
Design					
Maint. Agency			WORK ACCEPTED BY (Signature)		DATE
Permits					

* ENVIRONMENTAL CLASSIFICATION CODE

THE ATTACHMENTS AND SPECIAL CONDITIONS MARKED BELOW ARE A PART OF THIS PERMIT.
ATTACHMENTS

- Special Conditions for Underground Construction (Form 2205C).
- Special Conditions for Seismic Explorations (Form 2251).
- Special Conditions for Discharge of Treated Effluent (Form 2252).
- Special Conditions for Monitoring Wells (Form 2253).
- Special Conditions for Transverse Crossings (Form 2254).
- Special Conditions for Excavating in Contaminated Site Closure Areas (Form 2257).
- Special Conditions for Contaminated Site Closure (Form 2259).
- Special Conditions for Alternate Environmental Cleanup Methods (Form 2475).
- Bore and Jack Special Provision (GP-1, DP- _____ , JP- _____).
- Utility Cuts, Trenches and Pavement Replacement (PA - 01).
- Permit Plan for Rural and Urban Residential Driveways (PA-09).
- Commercial Driveway, (PA -) - _____
- Traffic Control Details: _____
- OTHER: _____
- OTHER: _____
- OTHER: _____

SPECIAL CONDITIONS

- The Department of Transportation does not, by issuance of this permit, assume any liability claims or maintenance costs resulting from the _____ facility placed by this permit. The Department reserves the right to require removal of all or any portion of this facility as needed for highway maintenance or construction purposes without replacement or reimbursement of any costs incurred by the permitted or other party. The permitted will defend, indemnify and hold harmless the Department for any claims whatsoever resulting from the construction or the removal of the _____ authorized by this permit.
- All disturbed areas within the right of way shall be top-soiled, seeded and mulched to match existing areas per current MDOT standards and specifications.
- Upon completion of the work, the permitted shall furnish the Department with a set of as-built construction plans covered by this permit.
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GENERAL CONDITIONS

This permit is issued subject to the following conditions:

1. This permit grants to the permittee only those rights specifically stated and no other. Maintenance work within the trunkline right of way may require a separate permit unless authorized within the scope of the annual permit. Individual permits must be secured for any work in limited access right of way.
2. Issuance of this permit does not relieve permittee from meeting any and all requirements of law, or of other public bodies or agencies. The permittee shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, or individuals for the activities hereby permitted.
3. The permittee agrees as a condition of this permit to:
 - a. Have in the permittee's or the permittee's representative's possession on the job site at all times the approved permit or a copy thereof, with necessary plans or sketches.
 - b. Give advance notice of permitted activity to the Department Region Utilities-Permits Engineer or designated representative at least five (5) days prior to commencement of any operations covered by this permit, or as specified (form 2204).
 - c. Perform no work except emergency work, unless authorized by the Department, on Saturdays, Sundays, or from 3:00 p.m. on the day preceding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 - d. Provide and maintain all necessary precautions to prevent injury or damage to persons and property from operations covered by this permit.
 - e. Furnish, install and maintain all necessary traffic controls and protection during permittee's operations in accordance with the Michigan Manual of Uniform Traffic Control Devices and any supplemental specifications set forth herein.
 - f. Advise the Region Utilities-Permits Engineer or designated representative within seven (7) days of completion of work authorized by this permit, so that final inspection may be made and surety deposit released (where applicable). Surety deposit will not be released until the work authorized by the permit has been completed and inspected, and all inspection charges billable to the permittee are paid.
4. Nothing in this permit shall be construed to grant any rights whatsoever to any public utilities, except as to the consent herein specifically given, nor to impair any existing rights granted in accordance with the constitution or laws of this state.
5. Any operations in the trunkline right of way not covered by permit and the appropriate Department specifications are in violation of the jurisdictional authority of the Department, with respect to the control of the trunkline right of way, unless approved by the Region Utilities-Permits Engineer. Any change or alteration in the permit activities requires prior approval of the Department and may require a new permit.
6. Performance of the requirements of this permit is the responsibility of the permittee. The permittee shall complete all operations for which this permit is issued in accordance with the conditions of this permit, by the specified completion date. The permittee shall meet all requirements of the current Department Standard Specifications for Construction, and the Supplemental Specifications set forth on/or incorporated as a part of this permit.
7. The construction, operation and maintenance of the facility covered by this permit shall be performed without cost to the Department unless specified herein. The permittee shall be responsible for the cost of restoration of the state trunkline and right of way determined by the Department to be damaged as a result of the activities of the permittee.
8. Facilities allowed on state trunkline right of way shall be placed and maintained in a manner which will not impair the state trunkline or interfere with the reasonable safe and free flow of traffic. Failure of the permittee to maintain the facilities located within the State trunkline right of way so as not to interfere with the operation, maintenance or use of the state trunkline by the traveling public may result in revocation of the permit.
9. The permittee is solely and fully responsible for all activities undertaken pursuant to the permit. Any and all actions by the Department and those governmental bodies performing permit activities for the Department pursuant to a maintenance contract, including but not limited to any approved reviews and inspections of any nature, permit issuing, and final acceptance or rejection of the work or activity authorized by the permit shall not be construed as a warranty or assumption of liability on the part of the Department or those governmental bodies. It is expressly understood and agreed that any such actions are for the sole and exclusive purposes of the Department and the governmental bodies acting in a governmental capacity. Any such actions by the Department and governmental bodies will not relieve the permittee of its obligations hereunder, nor are such actions by the Department and the governmental bodies to be construed as a warranty as to the propriety of the permittee's performance. The permittee shall save harmless the State of Michigan, Michigan Transportation Commission, the Department and all officers, agents and employees thereof, and those governmental bodies performing permit activities for the Department and all officers, agents and employees thereof, pursuant to a maintenance contract, against any and all claims for damages arising from operations covered by this permit and upon request shall furnish proof of insurance coverage for the term of this permit in an amount prespecified.
10. This permit is not assignable and not transferrable unless specifically agreed to by the Department.
11. The permittee, upon request of the Department, shall immediately remove, cease operations, and surrender this permit, or alter or relocate, at the permittee's own expense, the facility for which this permit is granted. Upon failure to do so, the Department may take any necessary action to protect the trunkline interest and the permittee shall reimburse the Department for its costs in doing same. The permittee expressly waives any right to claim damages or compensation in the event this permit is revoked.
12. The permittee shall, upon request by the Department, furnish a performance surety deposit in the form of a bond, cash, certified check, or (when authorized by the Department) an irrevocable letter of credit in such amount as deemed necessary by the Department to guarantee restoration of the trunkline highway or performance under the conditions of the permit.
13. The permittee hereby acknowledges and agrees that the Department has the right to demand completion by the permittee, or the performance surety, or to complete any uncompleted activity authorized by this permit which adversely affects the operation and/or maintenance of the state trunkline highway, or which is not completed by the expiration date of the permit, including:
 - a. Completion of construction of driveway and/or approach (not authorized by annual permit).
 - b. Removal of materials.
 - c. Restoration of the trunkline facilities and right of way as necessary for the reasonably safe and efficient operations of the trunkline highway.The permittee further agrees to immediately reimburse the Department in full for all such costs incurred by the Department upon receipt of billing, and that upon failure to pay, the Department may effect payment with the performance surety deposit. Should the surety deposit be insufficient to cover expenses incurred by the Department, the permittee shall pay such deficiency upon billing by the Department. If the surety deposit exceeds the expense incurred by the Department, any excess will be returned or released to the depositor upon completion of the work to the satisfaction of the Department.
14. The Department reserves the right during the time any or all of the work is being performed to assign an inspector to protect the trunkline interest, and to charge the permittee all such costs incurred. In addition, the permittee may be billed any engineering and review fees incurred by the Department or its agent in connection with the work covered by this permit.

15. **Emergency Operations:** In time of disaster or emergency, or when utility lines or facilities are so damaged as to constitute a danger to life and property of the public, access to the same may be had by the most expeditious route. Work is to be done in a manner which will provide the traveling public with maximum possible safety. Notice of such situations shall be given to the nearest police authority and the Department as soon as can reasonably be done under the circumstances. During normal Department working hours, the permittee shall advise the Region Utilities-Permits Engineer of any operations within right of way which affect traffic operations or the highway structure or facilities prior to performance of the work. After normal Department working hours, the permittee, at the beginning of the first working day after the emergency operation, shall advise the Region Utilities-Permits Engineer of any operations which affect traffic operations or the highway structures and facilities. If determined necessary by the Region Utilities-Permits Engineer, the permittee shall secure an individual permit for such work after notification.
16. Upon the Department's request, as built drawings of work performed will be furnished to the Department within 30 days after completion of the work.
17. The permittee shall give notice to public utilities in accordance with Act 53, P.A. of 1974, as amended, and comply with all applicable requirements of this act. The permittee shall also comply with requirements of Act 347, P.A. of 1972, as amended, controlling soil erosion and sedimentation.
18. The permittee acknowledges that the Department is without liability for the presence of the permittee's facility which is located within the trunkline right of way. Acceptance by the Department of work performed, and/or notice of termination of performance obligations for the surety and/or the permittee do not relieve the permittee of full responsibility for the permittee's work or for the presence of the permittee's facility in the trunkline right of way.
19. Where the Department has accepted an Indemnification Commitment in lieu of bond and/or insurance policies, such commitment is incorporated into this permit by reference.
20. It is illegal to discharge substances other than storm water into the Department's storm sewer system unless permission has been obtained in writing for other discharges.
21. The permittee shall be responsible for obtaining information on permitted environmental site closures within MDOT right of way. MDOT has implemented a program that allows environmental contamination to remain within the right of way by use of a permit. Issued permit information can be obtained from the Region/TSC in which the permit is issued. If the permittee will encounter a site area identified as a site closure permit area, the permittee shall follow instructions and conditions set forth in Supplemental Specification #3 and specifications found in form 2205-C, "Special Conditions for Underground Construction."

SUPPLEMENTAL SPECIFICATIONS

1. **Construction and Maintenance of Facilities** - To construct and maintain utility crossings of limited access highways, access for the utility's service vehicles may be from county roads, service roads, and openings authorized in limited access right of way fences. The construction of utilities across limited access highways should be for the purpose of serving a general area rather than providing individual services, unless extenuating circumstances necessitate such crossings.
Equipment, vehicles or personnel will not operate within a distance of 10 meters (30 feet) from the edge of the pavement of roadways or ramps on limited access highways. At locations where utilities have been constructed in medians having a width greater than 25 meters (80 feet), or have otherwise been allowed to remain or to be constructed in limited access right of way, ingress and egress shall be by such routes as specified by the Department, which may also specify additional safety provisions.
Unless authorized, no maintenance of facilities will be permitted with access from the main roadways or ramps of limited access highways.
2. **Restoration** - Restoration of the trunkline highway and right of way will be such that it will provide a condition equal to or better than the original condition, in accordance with Michigan Department of Transportation Standard Specifications.
3. **Excavation and Disposal of Excavated Material** - The permittee shall provide and place the necessary sheeting, shoring and bracing required to prevent caving, loss or settlement of foundation material supporting the pavement, or any other highway installation such as sewers, culverts, etc. The permittee shall assume the full responsibility for this protection and shall not proceed in these areas before approval of methods by the Department.
Construction equipment and excavating material shall not be stocked in such locations that it creates a traffic hazard or interferes with the flow of traffic; and on limited access highways, shall be a minimum of 10 meters (30 feet) from the traveled way. Sod and topsoil shall be stacked separately from other excavated material. The permittee shall dispose of all surplus and unsuitable material outside of the limits of the highway, unless the permit provides for disposal at approved locations within the right of way. In the latter case, the material shall be leveled and trimmed in an approved manner.
When the permittee is excavating within trunkline right of way and discovers existing contaminated soil and/or an abandoned underground storage tank, special permit specifications entitled "Special Conditions for Underground Construction" (Form 2205-C) shall apply.
4. **Utility Cuts, Trenches and Pavement Replacement** - Utility crossing by pavement cutting and removal are generally prohibited. If extenuating circumstances make boring and jacking impractical pavement cutting may be used with approval of the Utilities-Permits Engineer. All utility cuts, trenching and pavement replacement shall comply with the requirements of the Standard Specifications and the Standard Plan "Utility Cuts, Trenches and Pavement Replacement." Unless otherwise specified, cuts in concrete residential and commercial drives shall be as above, except that the patch width shall be a minimum of 1 meter (3 feet) and the remaining slab from patch to existing joint shall be a minimum of 1 meter (3 feet). Backfill shall be made with sand-gravel as specified in the Standard Specifications, unless otherwise directed. After the backfill has been placed and compacted by controlled density method, the pavement shall be replaced with new pavement of the original type and quality, unless at a season of the year when it is not feasible to replace pavement in kind. In this case, a temporary surface of bituminous material shall be placed with Department approval and later replaced with pavement of the original type at the applicant's expense. Other pavement types may be allowed with prior approval of the Department.
5. **Crossing Roadbed by Tunneling or Boring and Jacking** - All crossing of roadbed operations involving tunneling, boring and jacking shall comply with the Department's special provisions for such work.
6. **Backfilling and Compacting Backfill** - Unless otherwise specified, all trenches, holes and pits shall be filled with sound earth or with sand-gravel if so provided, placed in successive layers not more than 233 mm (9 inches) in depth, loose measure, and each layer shall be thoroughly compacted by tamping. All backfill compaction will be subject to check by the controlled density method.
7. **Depth of Cover Method** - Unless otherwise authorized, pipes shall be placed to a depth that will provide not less than 1.3 meters (4 feet) of cover between the top of roadway surface and the pipe, or 1 meter (3 feet) of cover below the ditch line and the pipe.
8. **Trees:**
 - a. The permittee is responsible for obtaining permission from abutting owners when trimming or removing trees on easement right of way.
 - b. Tree removal or trimming may be undertaken only after submission of an "Advance Notice of Permitted Activity" (form 2204), a field review by the Region Resource Specialist and a written approved copy of the advance notice returned to the permittee.
 - c. Limbs, logs, stumps and litter shall be disposed of in a manner acceptable to the Department.
 - d. Tree roots shall be bored a distance of 12 mm for each mm of trunk (one foot for each one inch of trunk) diameter for underground utility installations.
9. **Aerial Wire Crossings** - Vertical clearance of wires, conductors and cables over state trunkline shall not be less than required by section 232 of the National Electrical Safety Code, except in no case shall the under-clearance below any wire, conductor, or cable, under any temperature or loading condition, be less than eighteen feet (18').