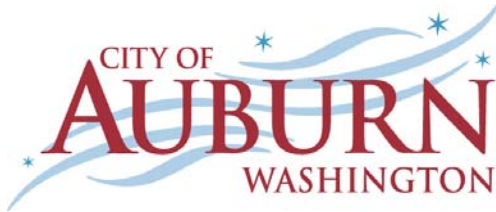


RIGHT-OF-WAY (ROW) USE PERMIT REQUESTS Haul Routes

INFORMATIONAL PACKET

Contents:

- 1. Right-of-Way (ROW) Use Haul Permit Process (Form FE147) 1 page**
- 2. Right-of-Way Use Haul Application (Form FE148) 1 page**
- 3. Right-of-Way Use Application Notice to Applicant (Form FE189) 1 page**
- 4. Indemnification and Hold Harmless Agreement (Form FE166) 1 page**
- 5. General Conditions for Issuance of Right-of-Way (ROW) Use Haul Permits (Form FE149) 2 pages**



RIGHT-OF-WAY (ROW) USE HAUL PERMIT Process

1. Submit a complete Right-of-Way (ROW) Use Haul Application and application fee a minimum of five business days prior to the date you would like to haul to:

Amber Mund, Engineering Aide
Public Works Department
City of Auburn
25 West Main
Auburn WA 98001

2. Once the City receives your complete ROW Use Haul Application, the Public Works Department staff will review the application and determine if additional information is needed. You will receive a phone call requesting any additional information.
3. Once the City receives all the additional information, staff will review the request once again to determine if there are any issues with the proposed route, date or time of the haul. If any issues are found you will be notified immediately.
4. ROW Use Haul Applications are approved contingent upon certain conditions being met. These conditions will be set forth in the ROW Use Haul Permit which will not be approved by the City Engineer if there are conditions that need to be met prior to issuance. These conditions may include, but are not limited to submitting required insurance documentation, notifying 9-1-1 and VRFA of impending haul and submitting any other documentation or information that City staff deems necessary to issue the ROW Use Haul Permit.
5. If you have questions as to the status of your ROW Use Haul Application or the permit process please feel free to contact Amber Mund, Engineering Aide, at 253.804.3120.

The ROW Use Haul Permit process takes approximately five business days, if no problems arise and if requests for additional information are received in a timely manner.



Right-of-Way Use Haul Application

City of Auburn Engineering Division

Permit #: _____

Date Received: _____

Name of Organization: _____

Officer/Agent/Person Requesting Permit & Title: _____

Address: _____ City/State/Zip: _____

Daytime Phone: _____ Email: _____

The Department requires the name and daytime telephone number of three (3) responsible persons, any of which can be contacted at any time during the life of the permit in the event the need arises.

Name: _____ Daytime Phone: () _____

Name: _____ Daytime Phone: () _____

Name: _____ Daytime Phone: () _____

Date: _____

Signature of Applicant _____

Documents Required:

Type D Haul Permit Application Fee: \$100.00 plus add't estimated staff time @ \$50.00/hour. _____

Initialed Notice to Applicant _____
Hold Harmless Agreement _____

Certificate of Insurance _____
Traffic Control Plan/Route Map _____

Description of Route: _____

Please list turn by turn directions of route while hauling in Auburn City Limits. If needed please attache additional description. **A detailed map of the desired haul route must be submitted with this application.**

Date Requested to Haul: _____ Time Requested to Haul: _____ # of Loads: _____

Description of Load: _____

Destination of Haul: _____

If other City of Auburn or WA State permits are required for haul and/or placement of load, please submit a copy of those permits with this application.

Height: _____ Length: _____ Width: _____ Total GVW: _____

Number of Truck Axles: _____ Number of Trailer Axles: _____ Weight per Axle: _____

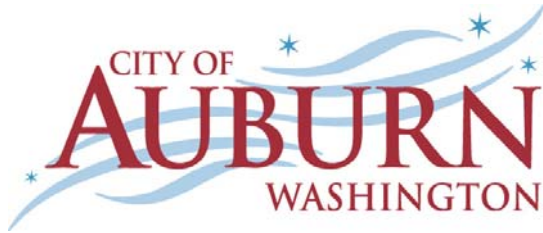
Number of Escort Vehicles: _____ Has route been driven with a pole car?: _____

NOTES AND/OR CONDITIONS

1) This permit does not constitute approval or compliance with the rules, regulations, or requirements of any other jurisdiction, which may relate to the above project.

2) This application must be submitted a minimum of five (5) business days prior to the desired haul date in order for staff to review and process your request.

For all questions, contact Amber Mund at 253.804.3120 or email amund@auburnwa.gov



Right-of-Way Use Application

Notice to applicant

Right-of-Way Use Permit # _____

1. Applicant acknowledges receipt of "General Conditions for issuance of Right-of-Way Use Permits"

Applicant's initials: _____

2. Applicant acknowledges that Right-of-Way Use Permit application fees are non-refundable.

Applicant's initials: _____

3. Applicant is responsible for planning in advance of the requested permit to allow sufficient time for City review and determination that the application is complete and adequate for providing a staff recommendation and forwarding to the Public Works Committee for consideration.

Applicant's initials: _____

4. Applicant understands that submittal of an application and payment of the application fee does not guarantee approval of the permit or limit in any way the conditions the City may place on the permit, if approved.

Applicant's initials: _____

5. Applicant is solely responsible for providing all elements of the application as the City determines is necessary to provide a complete and adequate application.

Applicant's initials: _____

6. Applicant acknowledges full responsibility for any liabilities arising from their use of the right-of-way.

Applicant's initials: _____

INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

Permit Holder releases and shall defend, indemnify and hold harmless Auburn, its heirs, successors, and assigns, and the respective directors, officers, employees, contractors, and agents of Auburn and its heirs, successors, and assigns (collectively referred to as the "Indemnitees") from any and all claims, losses, costs, liabilities, damages and expenses (including, but not limited to, reasonable attorneys' fees) arising (whether before or after termination of the Term) out of or in connection with performance of this right-of-way permit, the enforcement of this permit by Auburn, any default under or breach of this permit by the Permit Holder or the acts or omissions of the Permit Holder or any of its suppliers, contractors or subcontractors of any tier, the respective successors and assigns of the Permit Holder or any such suppliers, contractors or subcontractors, the directors, officers, employees and agents of each of the foregoing, or anyone acting on the Permit Holder's behalf in connection with this permit. To the fullest extent permitted by applicable law, the foregoing release, indemnity and hold harmless shall apply regardless of any act, omission, fault, negligence or strict liability of the Indemnitees; provided, however, that the Permit Holder shall not be required to so indemnify any Indemnitee(s) against any claim, loss, cost, liability, damage or expense to the extent the same is caused by or results from the negligence of any Indemnitee(s). In connection with any action to enforce this indemnification, the Permit Holder waives any immunity, defense, or protection under any workers' compensation, industrial insurance or similar laws (including, but not limited to, the Washington Industrial Insurance Act, Title 51, of the Revised Code of Washington). Auburn is willing to grant this permit only in consideration of and in reliance upon such release, indemnity and hold harmless. Consequently, such release, indemnity and hold harmless shall be construed broadly in favor of the Indemnitees.

DATED THIS _____ DAY OF _____, 20__.

SIGNATURE OF PERMIT HOLDER

COMPANY OR ORGANIZATION

STATE OF WASHINGTON)
) ss.
County of _____)

On this day personally appeared before me _____, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that _____ signed the same as a free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT _____

MY COMMISSION EXPIRES _____

GENERAL CONDITIONS FOR ISSUANCE OF RIGHT-OF-WAY (ROW) USE HAUL PERMITS

ALL APPLICANTS

1. Must abide by insurance requirements below.
2. Must provide an initialed Notice to Applicant
3. Must provide Hold Harmless Agreement for the City.
4. Must submit a traffic control plan, consisting of turn by turn direction of route and a map of the area and indicating the route of the haul.
5. Must comply with any special conditions/provisions.

FEE SCHEDULE

Right-of Way Use Haul Permit Fee: *(Per Ordinance No. 6125)*

Type D – Hauling: \$100.00 (to be paid upon submittal of complete application)
+ estimated staff time @ \$50.00 per hour (to be paid prior to permit issuance)

The application fee for a right-of-way use permit shall be paid at the time the application is filed, provided however, bona fide governmental agencies of the federal government or the State of Washington or subdivisions thereof shall be exempt from payment of said fee.

REFUNDS

Right-of-Way Use Permit application fees are non-refundable.

APPROVAL and EXPIRATION

1. All ROW Use Haul Permit Applications shall be reviewed by City staff and approved by the City Engineer.
2. The ROW Use Haul Permit shall expire upon the date and time indicated on the issued permit.

INSURANCE REQUIREMENTS FOR ROW USE HAUL PERMITS (unless otherwise noted in the special conditions for your permit)

The Applicant shall procure and maintain for the duration of the Permit, insurance against claims for injuries to persons or damage to property which may arise from or in connection with operations or activities performed by or on the Applicant's behalf with the issuance of this Permit.

No Limitation. Applicant's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Applicant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

Minimum Scope of Insurance

Applicant shall obtain insurance of the type described below:

1. Commercial General Liability insurance shall be written on Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover products liability. The City shall be named as an insured under the Applicant's Commercial General Liability insurance policy using ISO Additional Insured-State or Political Subdivisions-Permits CG 20 12 or a substitute endorsement providing equivalent coverage.
2. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute

form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

Minimum Amounts of Insurance

Applicant shall maintain the following insurance limits:

1. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate and a \$2,000,000 products- completed operations aggregate limit.
2. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions for Commercial General Liability insurance:

1. The Applicant's insurance coverage shall be primary insurance as respect the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Applicant's insurance and shall not contribute with it.
2. The Applicant's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

Verification of Coverage

Applicant shall furnish the City with original certificates and a copy of the amendatory endorsements, including the additional insured endorsement, evidencing the insurance requirements of the Applicant before issuance of the Permit.

CONTACT INFORMATION

For questions regarding the ROW Use Haul Permit Applications please contact Amber Mund, Engineering Aide, Auburn Public Works Department, at 253.804.3120 or send an email to: amund@auburnwa.gov .

Auburn Public Works Department (253) 931-3010

Office hours are Monday through Friday, except holidays, 8:00am-5:00 pm.

If you have an emergency while using the right-of-way, outside of the Public Works Department's normal business hours, please call 911.