



## TOWN OF GOFFSTOWN PUBLIC WORKS

### STREET EXCAVATION RULES

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#### GENERAL INSTRUCTIONS

1. In accordance with Goffstown's Street Opening Ordinance, a permit is required for every excavation done in the Goffstown Right of Way. Each permit application must be accompanied by the required permit application fee and bond as outlined in the Fees Section of these rules.
2. A set of plans showing the work to be performed must accompany each request for a permit.
3. If work for which a permit has been issued does not commence within five (5) days from the date of the permit the street excavation permit becomes "VOID". Once a permit has become void, it will be considered as if the permit was never issued. The fee will not be refunded, however, the bond will be refunded as soon as possible.
4. Plan Requirements:
  - A. Location of proposed construction.
  - B. All construction's Details-including but not limited to:
    - I. Note specifying limits of saw cut in existing pavement.
    - II. Disposal method for removed pavement.
    - III. Note specifying disposal of unsuitable material.
    - IV. Details for installation of utility. (Back-fill material; compaction; lifts; types & depths of finished pavement).
5. "As-builts" acceptable to the Town Engineer shall be provided on all underground installations (sepias or mylars).
6. No road shall be opened, except for emergencies, for the appropriate moratorium period after reconstruction, repaving, or acceptance by the Town as a new road, except in accordance with the Waiver Guidelines for Road Moratorium section of these rules.

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#### DETAILED INSTRUCTIONS

1. Street excavation permits shall be issued by the Department of Public Works.
2. To open or excavate any street one must obtain a permit on a form provided by the Department of Public Works. Each application for a permit must be accompanied by the required permit fee.
3. Work authorized by a permit shall be performed between the hours of 7:00 am and 5:00 pm weekdays; from April 1 through November 15 unless the permittee obtains written consent from the Department of Public Works to do the work during another time. Such permission shall be granted on a weather dependent basis or, in case of an emergency. The permittee shall, as specified by New Hampshire State Law, RSA 374:51 and 374:55,

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**Adopted April 22, 2013**

call Dig Safe (1-800-225-4977) at least 72 hours prior to any excavation.

4. The location of all utility facilities shall be determined sufficiently ahead of trench excavation work to avoid damage to those facilities and permit their relocation, if necessary.
5. No opening or excavation in any street shall extend beyond the center line of the street before being backfilled and the surface of the street made passable to traffic.
6. No more than three hundred (300') feet measured longitudinally shall be opened in any street at one time, except by special permission of the Public Works Department
7. Every permittee will be required to place around openings, excavations, encumbrances or obstructions, such barriers, barricades, lights, warning flags and danger signs as may be required by the Department of Public Works, to protect the safety of the general public. During the hours of darkness, adequate artificial lighting devices are required to call attention to and indicate the actual location of obstructions and hazards.
8. Traffic control shall be scheduled with the Goffstown Police Department prior to the start of construction or maintenance operations and shall remain in place only as long as needed, as required by the Department of Public Works or Police Department. At the discretion of the Chief of Police, the use of certified flag persons may be approved for traffic control. Advertisements, notices and signs, other than for traffic control, shall not be displayed on or attached to any barricade or fence on any highway.
9. A minimum of one lane traffic shall be provided on all streets at all times. The minimum width for temporary traffic lanes is eleven (11') feet. Access shall be provided to all property at night and on weekends, and shall be provided to all places of business at all times.
10. Complete street closures, when found necessary for construction purposes, will be permitted only with the approval of the Public Works Department, Police Department and Fire Department with concurrence from the Board of Selectmen. Whenever a complete street closure occurs every effort will be made to continue access for local residents and business traffic. Access shall always be maintained for emergency vehicles.
11. When the work area encroaches upon sidewalk, walkway or crosswalk area, protected barriers, together with appropriate warning and guidance devices and signs, must be utilized so that the passageway for pedestrians is safe and well defined.
12. After excavation is commenced, the work shall proceed in a continuous manner with diligence and expedition and shall be completed and the street restored, as nearly as possible to its original condition, so as not to obstruct the public places or travel thereon more than is reasonably necessary. The surface of the street shall be permanently restored within a period of time not to exceed five (5) days, unless approved by the Director of Public Works, from the date of completion of the project. In any event, the trench shall be maintained on a daily basis. Department of Public Works may require temporary "hot-patch" or "cold-patch" dependent upon the location of the opening.

**Adopted April 22, 2013**

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- 13. In the event the excavation continues longer than one week, any open trench will be paved with at least the base course of asphalt prior to the close of business on Friday.
- 14. As a condition of this permit, the permittee agrees that the excavation, after being properly backfilled, will have a permanent patch placed on the excavation under the guidelines set down. No permanent street restoration will be allowed between November 15 and April 1. (See Winter construction procedure).

15. Prior to the completion of the final pavement restoration, the Department of Public Works shall be given at least 24 hours notice as to the location and time of completion.

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16. Provisions shall be made to provide for proper drainage during construction and the permittee shall be responsible for all claims for damage or injury whatsoever, which may arise from the obstruction or use of any public sewer or drain in connection with the work under the permit.

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 <#>The location of all utility facilities shall be determined sufficiently ahead of trench excavation work to avoid damage to those facilities and permit their relocation, if necessary ¶

17. Dust control shall be provided as necessary to prevent a nuisance to abutters and surrounding areas. Dust control shall be by wetting or use of calcium chloride or other approved methods.

18. Shade trees shall not be cut down, trimmed or otherwise injured. Where it is necessary to cut and remove pavement, curb, sidewalk and/or other surface improvements, the material shall be cut and removed by means of equipment suitable to the type of material to be removed, and in a manner which results in a minimum amount of damage to adjacent improvements. All asphalt will be saw cut two (2') feet from the edge of the excavated trench prior to the placing of the asphalt.

19. Excavated material shall be replaced or backfilled in layers or courses not to exceed twelve (12") inches in compacted thickness; and shall be compacted at or near optimum moisture content using pneumatic tampers, vibratory compactors or other approved means. The material shall be compacted to not less than 95% maximum dry density as determined by the standard proctor method in accordance with standard specifications.

A. A compaction test must be performed prior to paving and the results submitted to the Department of Public Works. If a trench exceeds 100 feet in length, compaction tests may be required up to every 100 feet (depending on conditions in the judgement of the Town Engineer) prior to paving.

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20. If unsuitable for backfill, excavated material shall be replaced with granular backfill as specified in the "Standard Specifications for Road and Bridge Construction", State of New Hampshire, Department of Public Works, Hereinafter referred to as "The New Hampshire Standard Specifications".

21. Within the asphalt paved areas, crushed gravel (as described in New Hampshire Standard Specifications) equal to the existing gravel course shall be placed in layers not exceeding six (6") inches loose depth and thoroughly compacted. In no case shall the overall compacted depth of gravel be less than twelve (12") inches.

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22. In non-paved areas, the present surface type shall be restored by placing material on top of the trench to a depth equal to existing before excavation. Any existing grassland, additionally, shall be fertilized and reseeded. Any concrete sidewalk shall have surface of equal depth, kind and quality placed.
23. As work progresses, all streets shall be thoroughly cleaned of all rubbish, excess earth, rock or other debris resulting from such work.
24. The Public Works Director, as a condition of the permit, reserves the right to restore the highway or cause the same to be restored under his directions and the permittee shall reimburse the Town for any or all liability and expense suffered by reason or such work. If the final restoration is not completed in a prompt manner, department forces will after notice has been given to the permittee, make final restoration which may be done after their normal working hours (overtime rate). The permittee shall reimburse the Town for any liability and expense suffered by reason of such work.
- A. The permit shall be kept with the foreman at the place where the work is being performed and shall be produced for examination upon request or any member or officer of the Department of Public Works or any Police Officer of the Town of Goffstown.
25. Cuts shall be parallel or perpendicular to the line of the trench. In the case of transverse or diagonal trenching, the Town Engineer may require the pavement to be sawn to provide a flat diamond shaped patch with a two (2) foot minimum overlap on undisturbed material that will permit only one (1) wheel of a vehicle at a time to strike the patch area. Within the sawn limits of the final patch, the existing pavement and any temporary material shall be removed and replaced to an equal depth with a minimum of four (4) inches, two and a half (2 1/2) inches of base and one and a half (1 1/2) inches of top, of bituminous pavement, laid and compacted in a maximum of two (2) inch thick layers to meet the existing pavement edge exactly. The face of all joints shall be painted with tack coat. In cases where multiple excavations are made in a street which would result in the edge of patches being closer than twenty (20) feet, the Department of Public Work's inspectors may require a continuous patch.
26. The person, partnership, firm, corporation, etc. who obtains the permit to excavate a Town road/highway shall be responsible for said excavation for fifteen (15) months after all work conducted under the permit has been completed; and may be ordered by the Department of Public Works--at any time during the fifteen (15) month period--to improve or replace the work.
28. A road will be under moratorium if the Pavement Condition Index (PCI) as published in a DPW annual report on October 1<sup>st</sup> of each year, exceeds a 55.
29. THE PUBLIC WORKS DIRECTOR MAY REVOKE ANY PERMIT ISSUED UNDER THIS REGULATION AT ANY TIME.
30. Emergency excavations or closing of Town road/highway shall be done by contacting the Department of Public Works during normal working hours or the Goffstown Police

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 <#>On surface treated gravel highways, feathering the edges of patches shall be allowed. Within areas of cement concrete or stone base overlaid with asphalt, the Department of Public Works will require the replacement of the cement concrete or stone base with class "A" Portland Cement concrete, reinforced or non-reinforced, as specified in the New Hampshire Standard Specifications to a depth equal to that removed and then overlaid with hot bituminous pavement as specified above ¶

¶  
 <#>The permittee further agrees to indemnify and save harmless the Town of Goffstown, New Hampshire, for all claims for damage or injury whatsoever, that may arise from the encumbrance, obstruction, occupation, or use of said highway; and the applicant shall be accountable for all damage that may occur on account of said encumbrance, obstruction, occupation or use of the aforesaid highway, the Town of Goffstown in no case, assuming any responsibility or liability by reason of granting this permit ¶

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 <#>For roads which have been overlaid the moratorium period shall be 3 years. ¶  
 For roads which have been reclaimed, reconstructed, are newly constructed or are major arterial roads, the moratorium period shall be 5 years.

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Department after hours. The permittee or authorized agent shall obtain a Road Opening Permit at the DPW as soon as is practical after such notification.

31. Winter construction procedures are outlined below for pavement restoration effective from November 15 through April 1.

## INSURANCE

1. The permittee further agrees to indemnify and save harmless the Town of Goffstown, New Hampshire from all claims and damage or injury whatsoever, that may arise from the encumbrance, obstruction, occupation or use of said road/highway and the applicant shall be accountable for all damage that may occur on account of said encumbrance, obstruction, occupation or use of the aforesaid road/highway. The Town of Goffstown, New Hampshire in no case assumes any responsibility or liability by reason of granting this permit.
2. The permittee, as a condition of this permit, shall agree to indemnify and protect the Town of Goffstown, New Hampshire and its Department of Public Works and the Police Department against all liability, claims or demands for injuries or damage--including claims for loss or interruption of business in cases where the encumbrance or construction impedes the flow of traffic to any person or property arising out of activities of the permittee, its servants, employees, agents, representative or subcontractors.
3. The permittee as a condition of the permit, shall agree to the following insurance:

A) Comprehensive General Liability insurance with limits not less than \$1,000,000 per occurrence for bodily injury and ~~\$1,000,000~~ per occurrence for property damage and automobile liability insurance with not less than ~~\$1,000,000~~ per occurrence for property damage covering all activities of the permittee for the full period of the permit. Such insurance shall include the Town Of Goffstown and the Department Of Public Works, including all officials and employees thereof. Such insurance shall include:

- I. All activities including use of all vehicles;
- II. Contractual Liability covering this permit;
- III. Coverage for the so called "X,C,U" Hazard--i.e., collapse of buildings, blasting and damage to underground utilities;
- IV. Completed operations hazard for a period of at least two (2) months following the acceptance by the Department of Public Works of the completed permit;
- V. "Personal" injury coverage (in addition to bodily injury).

B) Workers compensation insurance whether or not required by the New Hampshire revised statutes annotated, 1995, as amended, with statutory coverage and including employer's liability insurance with limits of liability of at least \$100,000 for each accidental injury and, with respect to bodily injury by disease, \$100,000 each employee and \$500,000 per policy year.

C) Insurance similar to that required of the permittee shall be provided by--or on behalf of--all independent contractors used by the permittee during the period of this permit. The

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permittee shall be held responsible for any modifications in these insurance requirements as they apply to independent contractors.

- D) Insurance certificates evidencing the above coverage are to be furnished to the Department of Public Works prior to issuance of the permit; and, shall provide for not less than thirty (30) days prior notice to the Department of Public Works of any cancellation or major changes in policies. **Such certificates shall name the Town of Goffstown and Goffstown Public Works as additional insured** and shall state that in the event of cancellation or material change, written notice shall be given to the Town of Goffstown, Finance Office, 16 Main Street, Goffstown, New Hampshire 03045.
- E) The purchase of insurance requirement or the furnishing of the aforesaid certificates shall not be a satisfaction of the permittee's liability hereunder or in any way modify the permittee's indemnification responsibilities to the Town of Goffstown or the Department of Public Works.

## FEES

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1. The application fee is non-refundable and includes the cost of a mandatory inspection prior to final pavement.

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- A) If re-inspection is required, the applicant will be billed an additional re-inspection fee each time we have to revisit the excavation.
- B) If the permit was not obtained in advance of the excavation the application fee will be doubled (unless the excavation is deemed an emergency).

2. A road bond (cash, surety or similar instrument acceptable to the Town) will be required for all street excavations up to 4' wide and 20' long. Excavations wider and/or longer than the standard above shall require an additional amount calculated as follows: Road Opening Bond = excavation multiplier x (length x width). Contractors who regularly work in Town can opt for an annual bond with the approval of the Director of Public Works.

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3. The bond will be held for 15 months from the date of the completed excavation. If the excavation requires no further work during the 15 months, the bond will be returned. Any work required to be done to the excavation, if not done immediately upon notification, will be done by the Public Works Department and the bond used to reimburse the Department for time and material.

## WINTER CONSTRUCTION PROCEDURE

1. The procedure outlined in the Department Of Public Works Street excavation general instructions shall be followed except for the placing of asphalt pavement.
  - A) If hot bituminous concrete asphalt is available, three (3) inches of temporary hot bituminous pavement (1/2" aggregate) shall be used.
  - B) When hot bituminous pavement is not available and when deemed necessary by the Department Of Public Works, the following procedure is to be adhered to:

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- I. Compacted crushed gravel shall be brought to within 3" (inches) of the roadway surface.
  - II. "Cold patch," meeting the current requirements of the Department Of Public Works shall be correctly placed so that the patched area is level with the roadway surface.
2. The following spring, when hot bituminous pavement becomes available, the temporary pavement shall be removed and replaced with pavement as required in the Department Of Public Works street/highway excavation general instructions.
  3. The permittee must maintain the temporary patch until permanent restorations can be performed.

Adopted: April 22, 2013

Board of Selectmen:

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\_\_\_\_\_  
David Pierce, Chairman

Signed: \_\_\_\_\_

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Scott Gross, Vice-Chairman

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Philip A. D'Avanza

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Collis Adams

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Mark Lemay

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## GOFFSTOWN WAIVER GUIDELINES FOR ROAD MORATORIUM

### Purpose:

Though the Town strives to protect its infrastructure investments, it is understood that occasional, mainly for emergencies, a newly paved or constructed road must be cut for utility repair or installation.

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### Situations Constituting an Emergency:

The following is a list of situations that could lead to the Selectmen granting a waiver of the moratorium:

- The installation and/or repair cannot be made by horizontal boring or other non excavating technology;
- Emergency repairs of an existing service that has failed, or;
- When property owner is not advised by the town of the road moratorium policy prior to the road improvement and enforcement of the moratorium will create an undo hardship to the property owner, or;
- When the trenching is required by changes in state or federal laws.

### Conditions for Waivers:

1. The trench will be backfilled to within fourteen inches of final grade.
  - A. Backfill shall be thoroughly compacted by hand or mechanical means in layers not to exceed six (6) inches. Each backfill layer shall be at least 95% of its optimum density.
  - B. No stone or rock fragments larger than 15 pounds shall be deposited in the backfill.
  - C. Frozen material shall not be used for backfilling under any circumstance. Road surfaces shall be broom cleaned immediately after backfilling and appropriate measures taken for dust control.
2. The pavement foundation will then be placed to within two (2) inches of the final grade. The foundation shall consist of approved crushed gravel spread uniformly and compacted as directed in Item 1.A. above.
3. A temporary patch consisting of ¾ inch base course asphalt will then be placed in two lifts to a depth of two (2) inches. This temporary patch will be maintained as necessary by the contractor and allowed to remain in place for a minimum of one year. Use of cold patch material is specifically prohibited for temporary patch unless the excavation is completed during the Winter Construction Period.
4. At the end of the stabilization period (one year) the temporary patch will be cut out and the trench trimmed a minimum distance of twelve (12) inches beyond the limits of the temporary patch area or observed settlement, whichever is greater.
5. The contractor will add crushed gravel, if necessary, use a tack coat, and place a minimum of four (4) inches of Bituminous Concrete applied in two (2) courses. The first course being 2.5 inches of ¾ inch base course asphalt and the second course being 1.5 inches of ½ inch wearing course asphalt. Rolling shall be done with a self propelled roller weighing not less than 2.5 tons and shall continue until a firm even surface true to the lines and grade is obtained.
6. A non-refundable moratorium road excavation fee will be charged (in addition to surety bond) based on the following formula:

Calculated road bond fee (\$4,000 minimum) x Pavement PCI (expressed as %)

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¶ An additional performance guarantee of \$1.25 per square foot (\$4,000 minimum) will be charged and held for an additional year (total of 27 months) to ensure an adequate repair

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This fee will be deposited into a non-lapsing road restoration fund (once established at Town Meeting) to be used by the Town to restore degraded pavements.

The undersigned agrees to comply with the Conditions for Waivers and fully understands that any failure to comply within the timeframe will result in the calling of the performance guarantee.

Owner's name (printed): \_\_\_\_\_

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Contractor's name (printed): \_\_\_\_\_

Contractor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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