The City of Cambridge
Department of Public Works

Revised Requirements for Street Preservation

The Commissioner of Public Works ("the Commissioner"), City of Cambridge adopts these Revised Requirements for Street Preservation and Street Preservation Offset Fees ("SPOF") to be effective from and after March 31, 2003. This SPOF Program supersedes the Requirements adopted in May 1, 1990. The purpose of the SPOF Program is to assure that restoration work in or under municipal streets, sidewalks, public rights of way, and public easements meets City of Cambridge standards for safety, environmental protection, timeliness, engineering, and maintenance.

1. General Requirements

1.0 No municipal street, sidewalk, public right of way, or public easement shall be opened, cut, excavated, bored, tunneled under, drilled, or trenched without *a street opening permit* issued by the Department of Public Works. No municipal street restored or re-built within the past five years shall be cut, except in an emergency, or as approved by the Commissioner. The permit applicant shall be the person, entity, company, utility, or agency assuming responsibility for compliance with the SPOF Program, including compliance with all requirements set out or referenced here. Where such work involves a grant of location for telecommunications or electric services, or approval required by the Pole and Conduit Commission for location of other utility structures or facilities, the permit applicant shall be required also to obtain approvals from the Pole and Conduit Commission before a street opening permit will be effective. Further, the permit applicant shall obtain all necessary permits, including but not limited to those required from the Electrical Department, Water Department, Police Department, Fire Department, and Traffic Parking and Transportation Department before a street opening permit will be effective. Finally, the permit applicant shall obtain a "Dig Safe" number and shall arrange for disconnection of hazardous utilities prior to any work in or under a municipal street or sidewalk or public right of way.

1.1 In the event of an emergency requiring immediate work in or under a municipal street, sidewalk, public right of way, or public easement, the permit applicant shall notify the Department of Public Works Streets Division Superintendent or his or her designee immediately by 24-hour emergency telephone (1.617. 349.4860). As soon as practical but in no event later than the next business day after the emergency work commences, the permit applicant shall file for a street opening permit and all other permits required by City of Cambridge departments.

1.2 No permit applicant or contractor will be permitted to work in or under municipal streets, sidewalks, public rights of way, or public easements unless the Commissioner determines that the permit applicant or contractor has demonstrated

competence and experience to restore municipal streets, sidewalks, public rights of way, and public easements in accordance with Cambridge Department of Public Works standards and Massachusetts Department of Telecommunications and Energy Standards (to be employed by public utility operators when restoring streets, lanes, and highways), DTE 98-22 (August 1999), as amended and revised from time to time. Where the Department of Public Works determines that its standards are more substantive or specific, the Department of Public Works standards shall govern.

1.3 The Commissioner shall condition grant of a street opening permit on posting of a performance bond, provided that the Commissioner shall have discretion to waive or modify the performance bond.

1.4 At all times during the course of work in or under a municipal street, sidewalk, public right of way, or public easement, the permit holder shall meet all safety requirements of the Department of Public Works, Electrical Department, Water Department, Police Department, Fire Department, and the Traffic Parking, and Transportation Department.

1.5 Where work in or under a municipal street or sidewalk or public right of way or public easement is to be undertaken by more than one person, entity, company, utility, or agency, the Department of Public Works may require the parties to designate a single permit applicant who shall be responsible for compliance with the SPOF program and who shall act as agent for all of the parties.

1.6 The Commissioner may establish a reasonable time limit for completion of work in or under and restoration of a municipal street or sidewalk or public right of way or public easement.

1.7 Administrative Fees and SPOF Restoration fees paid to the Department of Public Works under the SPOF Program are intended solely to reimburse the City of Cambridge for costs incurred for permitting and restoring openings in municipal streets, sidewalks, public rights of way, and public easements. These fees are independent of fees charged by other departments and commissions.

2. Administrative Fees

2.0 Every permit applicant shall pay an <u>administrative fee</u> to the Department of Public Works at the time of application for a street opening permit.

2.1 The Commissioner shall determine the administrative fee. The administrative fee shall cover the reasonable cost to the Department of Public Works for processing the permit application, database entry and maintenance, record retrieval and maintenance, research of the street or sidewalk or public right of way or public easement and its condition, location of underground utilities and systems, identification of required permits and authorizations, and regulatory coordination

with other departments and the Pole and Conduit Commission. The administrative fee shall be paid at the time of permit application.

2.2 No work, other than emergency work under section 1.1, will be permitted prior to full payment of the administrative fee unless determined otherwise by the Commissioner.

3. Street Restoration

3.0 After opening and completing work in or under a municipal street, sidewalk, public right of way, or public easement, the permit holder shall be responsible for restoration.

3.1 Prior to restoration of the surface of a municipal street, sidewalk, public right of way, or public easement, the permit holder shall certify in writing that it has completed work in the opening and has backfilled, closed, and compacted the opening to a soil density value of 95% modified Proctor density as specified in the American Association of State Highway and Transportation Officials standard AASHTO T180.

3.2 In the event the Department of Public Works Streets Division Superintendent determines that the opening has not been backfilled, closed, and compacted to this standard, the Department will charge the permit applicant for all costs required to complete backfilling, closing, and compaction to the AASHTO T180 standard.

3.3 If the permit holder elects to participate in the SPOF Restoration program and has paid the SPOF Restoration fee calculated under section 4.2, the permit holder shall restore the opening and surface of the municipal street, sidewalk, public right of way, or public easement and maintain it in serviceable condition for 12 months.

3.4 If the permit holder has declined participation in the SPOF Restoration program, it shall restore the opening and surface of the municipal street, sidewalk, public right of way, or public easement to the stricter of the Massachusetts Department of Telecommunications and Energy Standards or the Department of Public Works five year standards referenced in section 1.2 and in accordance with a schedule approved by the Commissioner. Restoration shall be subject to the performance bond requirement of section 1.3.

4. SPOF Restoration Program and Fees

4.0 Election to participate in the SPOF Restoration program must be made at the time of application for a street opening permit under section 1.0. Where participation in the SPOF restoration program has been made and where the SPOF Restoration fee has been paid, the permit holder will not be obligated to maintain its restoration of a municipal street, sidewalk, public right of way, or public easement beyond 12 months from completion of the restoration.

4.1 The SPOF Restoration fee will defer part of the cost for permanent restoration of the municipal street, sidewalk, public right of way, or public easement. The fee shall be paid within 30 days after grant of a street opening permit.

4.2 The SPOF Restoration fee shall be calculated as follows:

a) For restoration of a municipal street opening of 100 square feet or less, the SPOF fee shall be determined by multiplying the most recent City of Cambridge contract price for street reconstruction times the total square footage to be restored.

b) For restoration of a municipal street opening of more than 100 square feet with a width of four feet or less, the SPOF Restoration fee shall be determined by multiplying the most recent City of Cambridge contract price for street reconstruction times the product of the length of the street to be restored and ½ of the paved width of the street measured from curb to curb and not to exceed 11 feet.

c) For restoration of a longitudinal, municipal street opening of more than 100 square feet with a width of more than four feet, the SPOF Restoration fee shall be determined by multiplying the most recent City of Cambridge contract price for street reconstruction times the product of the length of the street to be restored and the paved width of the street measured from curb to curb and not to exceed 30 feet.

d) For restoration of a public right of way or public easement, the SPOF fee shall be determined by multiplying the most recent City of Cambridge contract price for street reconstruction times the total square footage to be restored. In the event, the Department of Public Works Streets Division Superintendent determines that proper restoration of the right of way requires restoration of more than the work area, the SPOF fee shall be calculated to include the entire area to be restored.

e) For restoration of a municipal sidewalk, the SPOF Restoration fee shall be determined by multiplying the most recent City of Cambridge contract price for sidewalk reconstruction for the specific material required times the total square footage to be restored.

Adopted:

Effective: March 31, 2003

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Lisa Peterson
Commissioner