

Buckeye Water Conservation and Drainage District

205 Roosevelt Ave.
P.O. Box 1726
Buckeye, AZ 85326
Telephone: 623-386-2196
Fax: 623-386-7789

Right-of-Way Permit Application Process

(Plans that affect District owned or maintained right-of-way)

1. Complete the Permit Application Form, which is Page 3 and 4 of this application.
2. Submit the completed Permit Application form, the Application Fee of \$500 (See attached Permit Use and Fee Schedule) and the required two sets of full-size plans (24" x 36") and/or drainage reports to the attention of Ed Gerak.
3. Once the District has determined the location on District owned or maintained property, a review will occur. The fee for review will be determined by hours spent reviewing according to the fee schedule provided below. For large projects, the review will stop if the fee for review exceeds the initial \$500 application fee without additional funds deposited to cover the expected review costs. Allow 2 to 4 weeks for District review. Upon completion of the review, the District will transmit the results of the review to the Applicant. Revisions to the plans may be necessary.
4. If the Applicant for the permit is a Consultant or other agent representing a private developer or a Municipality proposing a new facility, a final plan approval letter will be transmitted to the Applicant after receipt of revised plans and/or drainage reports that have addressed and incorporated all District comments to the satisfaction of the District. **Please note that written correspondence does not constitute authorization to begin construction activities within the District's right-of-way.**
5. After the District issues the final plan approval letter, the right-of-way permit will be issued only after the Contractor who will be doing the actual work within the District's right-of-way submits the following items:
 - a. Application form completed by the Contractor who will be doing the actual work within the District's right-of-way. Upon receipt of the Permit Application, the District will notify the Contractor of the amount of the remaining fees due on the right-of-way permit.
 - b. Copy of plan approval letter from the District, if applicable. (See Item 4 above.)
 - c. Copy of the Certificate of Insurance that names the District as additional insured and in the appropriate insurance amounts. (See attached Insurance/Bonding Requirements.)
 - d. Performance Bond, if required. (Bond amount is determined during the review process, with a minimum amount of \$10,000.)
 - e. Payment of the remaining fees due on the right-of-way permit. The fees may include, but are not limited to, additional permanent installation review fees, inspection fees, and rental fees, if applicable.

Buckeye Water Conservation and Drainage District

Plan(s) Requirements

1. Indicate District Rights-of-way, City limits, and County limits. Also include existing easement information and its recording number. If no easement exists, indicate the proposed location.
2. All existing utilities within the District Rights-of-way shall be located and shown dashed with the size, construction materials, type of utility line, location, and depth below grade.
3. Include the Blue Stake sticker.
4. Drawings must include existing topographic features adjacent or in conflict with new construction.
5. All new construction should be delineated, via leader notes or construction notes.
6. Indicate the street names on plan (s), including distance to nearest intersection.
7. A plan and profile drawing of any proposed boring pits or excavations must be included on the drawings for work within District Rights-of-way or that may affect District structures.

Construction Requirements

1. Contractor must obtain necessary District Permit prior to commencement of construction within District right-of-way and maintain a copy of the permit on the project site at all times.
2. Notify the District's Permits Inspector at 623-386-2196 (Office), 602-722-7252 (Larry Owens) or 623-238-1374 (Ed Gerak) at least 48 hrs prior to any work being performed in the District's rights-of-way.
3. Traffic control for any work performed on rights-of-way shall conform to the Manual on Uniform Traffic Control Devices.
4. All Construction within Buckeye Water Conservation and Drainage District Rights-of-way jurisdiction shall conform to the latest Maricopa Association of Governments' (MAG) Specifications.
5. All compaction and backfill within District's right-of-way shall conform to the latest MAG Specifications unless stipulated otherwise in the District's Permit.
6. Contractor performing excavation operations is responsible for locating and protecting all underground utilities. If as-builts are unavailable, potholing is recommended when crossing any District facilities.
7. All excavations shall be properly barricaded. Applicant shall barricade and maintain all traffic control at his own expense.
8. Proper Drainage/erosion control shall be maintained at all times.
9. Proper dust suppression will be maintained at all times. Asphalt millings are the preferred track out of the District and track out must be utilized/maintained wherever necessary.
10. All proposed construction and related activities must avoid impacts to the water delivery and drainage functions of the District's facilities.
11. The District claims prior right to location of pipes, laterals, ditches and the canal. Any utility conflict will need to be remediated by permit applicant to the satisfaction of the District.
12. Any damage to District's structures, equipment, materials and/or property shall be replaced and/or repaired in-kind to the satisfaction of the District.

Permit Exclusions

- A. At no time will District facilities receive or be constructed to receive stormwater runoff without express written permission in the approval letter.
- B. A permit does not entitle the permit holder or their agent(s) to use irrigation water for dust suppression from any District facility. Construction water may be obtained from the District under a separate contract.
- C. A permit does not entitle the permit holder or their agent(s) the right to store materials or equipment within the district right-of-way. District O&M roads are to be maintained free of encumbrances.

PERMIT APPLICATION

to work within Rights of Way (Real Property) of the
Buckeye Water Conservation and Drainage District
205 Roosevelt Ave., Buckeye, AZ 85326

Contractor Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Arizona Contractors License Number:

(If a consultant or other agent is submitting plans on behalf of a client, they may enter "Review" in the above line.)

Contact Name: _____

Phone Number: _____ FAX Number: _____

Project Name: _____

Project Location: _____

Section: _____ Township: _____ Range: _____

Purpose of Project: _____

Proposed Construction Start Date: _____

Proposed Construction End Date: _____

Permanent easement required: Yes No

Contact Ed Gerak or Larry Owens at 623-386-2196 or at
egerak@bw added.com with any questions.

PERMIT APPLICATION

to work within Rights of Way (Real Property) of the
Buckeye Water Conservation and Drainage District
205 Roosevelt Ave., Buckeye, AZ 85326

INSURANCE/INDEMNITY REQUIREMENTS

Commercial General Liability Insurance Coverage:

The Certificate of Insurance covering public liability and property damage must be submitted in the following amounts:

Two million dollars (\$2,000,000) General Aggregate.

Two million dollars (\$2,000,000) Products/Completed Operation Aggregate.

One million dollars (\$1,000,000) Each Occurrence.

BWCDD is to be named as additional insured.

Indemnity Agreement

The undersigned hereby agrees to indemnify and hold harmless the District, its employees and agents, from any and all claims, liabilities, expenses or lawsuits as a result of the undersigned's work in or sue of the right-of-way as allowed in this permit, whether said claims, liabilities, expenses or lawsuits arise by the acts or omissions of the undersigned, his/her agents, whether by acts or omissions of the District, its agents or employees, or whether by act or omissions of third persons. The undersigned further releases and discharges the District, its agents and employees, and any and all persons legally responsible for the acts or omissions of the District, from any and all claims which the undersigned has or may have against the District, its agents, or employees, arising out of or in any way connected with the undersigned's activities as set forth on this permit.

Permit Applicant

Signature: _____ **Title:** _____ **Date:** _____

Additional Requirements: _____

District Approval Box

Signature: _____ **Title:** _____ **Date:** _____

Contact Ed Gerak or Larry Owens at 623-386-2196 or at egerak@bwccd.com with any questions.

PERMIT USE AND FEE SCHEDULE
As Authorized by BWCDD – October 2008

1. Permit Filing Fees (in all cases) \$500.00 /application
2. Plans review by in-house District Engineer - \$100 per hour.
3. Construction Observation / Inspection Fees (including travel time)
 - A. District Engineer - \$100 per Hour
 - B. District Superintendent - \$75 per Hour
 - C. Zanjero - \$50 per Hour
4. District Engineering Consultant – Determined on a case-by-case basis.
4. Easement (if applicable) ** \$500.00 minimum or appraised value (whichever is greater)
5. Appraisal Fee (if applicable) Actual cost if District appraisal consultants must be utilized
6. Extensions \$50.00 Filing Fee + Rent and Inspection (if applicable)
7. After-the-Fact Permit \$1,500.00 (assessed in addition to the above fees)

Permit Filing Fees are non-refundable.

Initial Permanent Installation Review Fee covers the first submittal only.

Inspection Fees are per trip. The number of inspection trips required is determined by the District on a case-by-case basis.

Commercial General Liability Insurance Coverage - as follows or other limits determined by the General Manager and adopted by the Board of Directors:

\$2,000,000 General Aggregate
\$2,000,000 Products/Completed Operation Aggregate
\$1,000,000 Each Occurrence

Note: No evidence of liability insurance shall be required as a condition precedent to the issuance of a permit to federal, state, county or municipal agency, political subdivision, or any public service corporation with a net worth of more than \$1,000,000 as reflected by its most current balance sheet.