DEAR SIR OR MADAM:

ALL WORK AUTHORIZED BY THE ABOVE NUMBERED PERMIT WAS COMPLETED ON:

DATE

SIGNED:
In compliance with (Check one):

☒ Your application of May 31, 2012
☐ Utility Notice No. of
☐ Agreement No. of
☐ RAW Contract No. of

TO: City of Pomona

c/o VA Consulting, Inc.
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Attn: Mohammad Heiat
Phone: (949) 474-1401 ext. 223

and subject to the following, PERMISSION IS HEREBY GRANTED to:

encroach within the State's right of way for the purpose of installing an 18-in reinforced concrete pipe (RCP), storm drain lateral, to the existing 57-in Los Angeles County Public Works Storm Drain Main 266, temporarily relocate boundary fence, and performing associated peripheral work along Route 10 (San Bernardino Fwy.) at La Verne Ave due to a City sponsored project, in the city of Pomona; all in accordance with current State specifications and standards, the attached special provisions, and permit plans dated June 19, 2012.

**Boundary fence shall not be open for access, temporary fencing shall be placed for an intact barrier to freeway**

Permittee shall contact State permit inspector, Mr. Samir "Sam" Bakar at (213) 897-0095, between the hours of 0700 and 0900, a minimum of 10 working days prior to the initial start of work to arrange a pre-construction meeting to ensure a complete understanding of the work and permit requirements. A confirmation notification should occur three days prior to closure or other potential traffic impacts.

THIS PERMIT IS NOT A PROPERTY RIGHT AND DOES NOT TRANSFER WITH THE PROPERTY TO A NEW OWNER.

The following attachments are also included as part of this permit (Check applicable):

☒ Yes ☐ No General Provisions
☒ Yes ☐ No Utility Maintenance Provisions
☒ Yes ☐ No Storm Water Special Provisions
☒ Yes ☐ No Special Provisions A, C, and M
☐ Yes ☐ No A Cal-OSHA Permit, if required: Permit No.
☐ Yes ☐ No As-Built Plans Submittal Route Slip for Locally Advertised Projects
☒ Yes ☐ No Storm Water Pollution Prevention Plan
☐ Yes ☐ No The information in the environmental documentation has been reviewed and considered prior to approval of this permit.

In addition to fee, the permittee will be billed actual cost for:

☐ Yes ☐ No Review
☐ Yes ☐ No Inspection
☒ Yes ☐ No Field Work

If any Caltrans effort expended

This permit is void unless work is completed before October 31, 2012

This permit is to be strictly construed and no other work than specifically mentioned is hereby authorized.

No project work shall be commenced until all other necessary permits and environmental clearances have been obtained.

cc: East Region
S. Bakar, Insp.
File

APPROVED:

By: Paul Shin, P.E., Permit Engineer
SPECIAL PROVISIONS

The attached District’s Standard Special Provisions are generalizations of the Department’s Standard Specifications and are included only as a convenience to the Permittee; it shall not be construed as the only provisions pertaining to this permit. Permittee shall reference the current Department’s Standard Specifications for complete and unabridged specification requirements.

1. By acceptance of this permit, the permittee understands and agrees to reimburse the State for all costs incurred for performing corrective work in the event that the permittee or permittee’s representatives fail to install, replace, repair, restore, or remove facilities to state specifications for the immediate safe operation of the highway and satisfactory completion of all permit work. State forces may perform corrective work or it may be contracted out. Understood is that the above charges are in addition to permit fees, and an invoice will be sent to permittee for said charges after satisfactory completion of all work.

2. Permittee shall fully conform to the requirements of the Department of Transportation Statewide National Pollution Discharge Elimination System (NPDES) Storm Water Permit No. 2009-0009-DWQ, and NPDES No. CAS000002, adopted by the State Water Resources Control Board (Board) on July 1, 2009. The permittee shall also conform to the requirements of the General NPDES Permit of Construction Activities and any subsequent General Permit in effect at the time of issuance of this Encroachment Permit. These permits regulate storm water and no-storm water discharges associated with year-round construction or special event encroachment activities.

3. If contractor forces perform the work authorized by this permit, permittee’s contractor shall furnish the State with a signed application requesting a separate Caltrans permit (Double Permit) authorizing the contractor to perform the work within the State’s right of way on behalf of the permittee, a "Performance Bond" and a "Payment Bond" maybe required. Contractor’s bonds may be waived if the contractor has bonds for 100 percent of the project with the permittee. Contractor shall not begin work until the Double permit is approved.

Permittee’s contractor will be required to reimburse the State for the cost incurred for engineering inspection of the work within the State highway right of way and all other permit related field work performed by Caltrans maintenance forces when, as determined by Caltrans, it becomes necessary. Estimated engineering inspection fees are $984.

Permittee’s contractor is required to have the signed permit and the double permit with all Special Provisions and plans stamped "CALTRANS PERMIT PLANS" dated June 19, 2012 at the work site at all times while work is being conducted.

Permittee shall remain solely responsible for compliance with all requirements of this permit.

4. All work performed pursuant to this permit shall be performed in accordance with the current Department of Transportation’s Standard Specifications, Standard Plans, Encroachment Permit Utility Provisions, and shall comply with all provisions of this permit and the instructions of the State permit inspector. Any violation of this permit shall constitute grounds for revocation of the permit.

5. It is the responsibility of the permittee, permittee’s agents, or contractors to comply with all provisions of this permit and instructions from the State permit inspector. Permittee shall keep the permit package or copies thereof, at the work site at all times and show it upon request to any Department representative or law enforcement officer. When the permit package is not available, then immediate suspension of permit will occur.

6. Permittee shall furnish the necessary inspection to provide for public safety and to insure that all work within or affecting the State’s right of way pursuant to this permit is in accordance with State Standards and requirements. The State permit inspectors will monitor the work authorized under this permit and the work is subject to the approval of the State permit inspectors.

7. Prior to performing any work pursuant to this permit, the permittee shall obtain all necessary permits and authorizations required of other governmental agencies and by law. The permittee shall make the necessary arrangements with the appropriate agencies to monitor and test performed work to ensure accordance with requirements of those agencies.

8. Permittee is responsible for restoration and repair of the State’s right of way resulting from permitted work (State Streets and Highways Code, Sections 670 et. seq.). Upon completion of work, permittee shall remove and dispose of all scraps, brush, timber, materials, etc. off the State's right of way.

9. All striping, pavement markings, and markers obliterated by the work authorized by this permit shall be replaced in kind or better, as directed by the State permit inspector at no cost to the State.

10. Existing traffic signal, lighting, electrical systems, and underground installations (shown on the permit plans or not) damaged by the work authorized by this permit shall be replaced in kind, restored in kind, or better as directed by the State permit inspectors at no cost to the State.
11. Potentially hazardous waste material, if encountered during implementation of permitted work, then all work within the affected area shall cease immediately. The permittee shall contact the State permit inspector to arrange a site assessment by a Caltrans hazardous material coordinator.

12. Do not store materials within the State's right of way and remove materials at the end of the day or properly store it as directed by the State permit inspector.

13. Adequately shore trench to conform to requirements of the California Department of Safety and Health. Provide approved Cal OSHA Permit to State permit inspector when required.

14. American National Standards Institute (ANSI) compliant Class II vests and hard hats shall be worn while working within State's right of way. Workers working at night will be required to wear ANSI Class III warning garments. Class III compliance can be achieved by combining ANSI Class E pants worn with an ANSI Class II vest.

15. "The California Public Resources Code Chapter 1.7, Section 5097.5 makes it a misdemeanor for anyone to knowingly disturb an archaeological or historical feature. California Public Resources Code Sections 5097.98 and 5097.99 require protection of Native American remains that may be found and outlines procedures for handling any burials found.

The California Administrative Code, Title 14, Section 4308, requires that no person disfigure any object of historical interest or value. The California Penal Code, Title 14, Part 1, Section 622-1/2 makes it a misdemeanor to destroy anything of historical value within any public place.

Should human skeletal material or archaeological material be found during construction activities, all work must be halted within 30 feet of the find. The Encroachment Permit Applicant shall notify the Caltrans Senior Archaeologist (Gary Iverson at 213-897-3818) immediately. Construction activities within 30 feet of the find shall remain halted until the Caltrans Senior Archaeologist (Gary Iverson) or his representative have determined that all legal compliance conditions have been met before any work may resume in the area of the find.

The Department reserves the right to use other forces for exploratory work to identify the extent of areas requiring archaeological evaluation or recovery. Contractor labor, equipment and materials required to assist the archaeologist to ensure legal compliance shall be paid by the Encroachment Permit Applicant. All archaeological materials found during project activity shall become the property of the State."

16. Permittee shall arrange a pre-job meeting as required; if a pre-job does not take place, cancellation of the permit may occur. Permittee's contractor shall submit a written schedule to the State permit inspector for review and approval prior to the commencement of work. The State permit inspector must ascertain and agree to all work details and all aspects of traffic control or no work shall begin on this permit.

17. Any deviation from these procedures or conditions will cause suspension of all work until satisfactory compliance by permittee or permittee's contractor.

18. If a time extension for this permit is required, request one 30 days in advance of the expiration date. Permit closure occurs after the expiration date, once this occurs reactivation will not occur. It will be the responsibility of the permittee to reapply by submitting an application and plans, if the need for a permit is still present.

19. Typically, working hours and traffic control are authorized only between 0900 and 1500, Monday through Friday, holidays excluded.

20. Any traffic control that requires lane/ramp closure shall be in compliance with the appropriate traffic control plan, current California Manual on Uniform Traffic Control Devices (CA MUTCD), current Caltrans Standard Plans, and Special Provision Q. Where required, the use of a flashing arrow-board is MANDATORY.

21. There is a need of a full time Civil Inspector; the permittee is required to provide a full time inspector who has a minimum of five (5) years field experience to oversee the entire works under this permit. A minimum of two (2) weeks prior the start of work, permittee's civil inspector shall submit his/her resume for review and arrange an interview with State permit inspector. Please note that Caltrans reserves the right to reject or disqualify the appointed inspector if he/she shows low performance on the job or fail to comply with State requirements.

22. Personal vehicles shall not be parked within the limits of the construction/work zone, parking restrictions extends to roadway areas closed to public traffic.

23. A qualified third party testing agency shall be identified to perform all the tests such as compaction, AC, & base material during the construction. All reports shall be promptly submitted to the State permit inspector for review and approval.
24. All open trenches within the traveled way shall be back-filled, compacted, and temporary pavement (minimum 3" thick) placed before the end of each working day.

25. Sand cement slurry for backfill material shall be 1-1/2 sacks (min.) per cubic yard. If Permittee chooses to backfill with native or imported material, a compaction test is required to verify 95% compaction.

26. A minimum clearance of 42" shall be provided between the top of the pipe/conduit and the surface of the pavement.

27. A properly licensed Land Surveyor shall survey and stake the right of way line prior to removal of the State right of way fence and immediately upon completion of work, return the State right of way fence to its proper location.

28. Damage to the State right of way fence is the sole responsibility of the permittee, replacement or repair to the damaged portion shall take place immediately upon the request of State permit inspector. If there is no action within a reasonable time (7-business days), the State permit inspector will order repairs and the permittee shall be billed for said charges after satisfactory completion of all work.

29. The permittee shall assume responsibility for the design, installation, and maintenance of its equipment and facilities. They shall also assume responsibility for any damages that may result from this installation.

30. The permittee shall indemnify and defend the Department against all actions resulting from the design, installation, or maintenance of its equipment and facilities.
Permission is requested to encroach on the State Highway right-of-way as follows: (Complete all BOXES [write N/A if not applicable])
This application is not complete until all requirements have been approved.

<table>
<thead>
<tr>
<th>1. COUNTY</th>
<th>Los Angeles</th>
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<tbody>
<tr>
<td>2. ROUTE</td>
<td>10</td>
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<tr>
<td>3. POSTMILE</td>
<td>46.40</td>
</tr>
<tr>
<td>4. ADDRESS OR STREET NAME</td>
<td>La Verne</td>
</tr>
<tr>
<td>5. CITY</td>
<td>Pomona</td>
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<tr>
<td>6. CROSS STREET (Distance and direction from site)</td>
<td>Ramsey Way 0.1 mile</td>
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<tr>
<td>7. PORTION OF RIGHT-OF-WAY</td>
<td>Adjacent to r/w fence</td>
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<td>8. WORK TO BE PERFORMED BY</td>
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<tr>
<td>□ OWN FORCES</td>
<td>□ CONTRACTOR</td>
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<tr>
<td>9. EST. START DATE</td>
<td>July 2012</td>
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<td>10. EST. COMPLETION DATE</td>
<td>August 2012</td>
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<td>11. EXCAVATION</td>
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<td>MAX. DEPTH</td>
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<td>12. EST. COST IN STATE HIGHWAY RIGHT-OF-WAY</td>
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<td>13. PIPES</td>
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<td>VOLTAGE / PSIG</td>
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<td>14. CALTRANS PROJECT E.A. NUMBER</td>
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<td>15. □ Double Permit</td>
<td>Parent Permit Number</td>
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<tr>
<td>16. Have your plans been reviewed by another Caltrans branch?</td>
<td>□ NO □ YES (If “YES”) Who?</td>
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<tr>
<td>17. Completely describe work to be done within STATE highway right-of-way: Attach 6 complete sets of FOLDED plans (folded 8.5&quot; x 11&quot;), and any applicable specifications, calculations, maps, etc. All dimensions shall be in U.S. Customary (English) Units.</td>
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</table>

The City of Pomona is reconstructing the alley in the vicinity of the 10 freeway. The alley will drain to a catch basin which will have an 18 inch diameter reinforced concrete pipe (RCP) which will connect to L.A. County Public Works Drain 266. In order to connect to the drain, approximately 10 feet of Caltrans Right of Way chain link fence will be removed, a trench will be excavated, a junction structure will be connected to the existing 57" diameter storm drain, the 18 inch diameter storm drain lateral will be placed, backfilled and the chain link fence will be replaced.

18. Is a city, county, or other agency involved in the approval of this project?
   □ YES (If “YES”, check type of project and attach environmental documentation and conditions of approval.)
   □ COMMERCIAL DEVELOPMENT □ BUILDING □ GRADING □ OTHER
   □ CATEGORICALLY EXEMPT □ NEGATIVE DECLARATION □ ENVIRONMENTAL IMPACT REPORT □ OTHER
   □ NO (If “NO”, please check the category below which best describes the project, and complete page 4 of this application.)
   □ DRIVEWAY OR ROAD APPROACH, RECONSTRUCTION, MAINTENANCE, OR RESURFACING □ FENCE
   □ PUBLIC UTILITY MODIFICATIONS, EXTENSIONS, HOOKUPS □ MAILBOX
   □ FLAGS, SIGNS, BANNERS, DECORATIONS, PARADES AND CELEBRATIONS □ EROSION CONTROL
   □ OTHER

19. Will this project cause a substantial change in the significance of a historical resource (45 years or older), or cultural resource? (If “YES”, provide a description)
   □ YES □ NO

20. Is this project on an existing highway or street where the activity involves removal of a scenic resource including a significant tree or stand of trees, a rock outcropping or a historic building? □ YES □ NO (If “YES”, provide a description)

21. Is work being done on applicant’s property? □ YES □ NO (If “YES”, attach site and grading plans.)

ADA NOTICE: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write to Records and Forms Management, 1120 N St, MS-89, Sacramento, CA 95814
22. Will this proposed project require the disturbance of soil? [ ] YES [ ] NO

If "YES", estimate the area within State Highway right-of-way in square feet AND acres: 60 (ft²) AND 0.0001 (acres)

estimate the area outside of State Highway right-of-way in square feet AND acres: 6,096 (ft²) AND 0.14 (acres)

23. Will this proposed project require dewatering? [ ] YES [ ] NO

If "YES", estimate total gallons AND gallons/month: ___________________________ (gallons) AND ___________________________ (gallons/month)

SOURCE: [ ] STORMWATER [ ] NON-STORMWATER


24. How will any storm water or ground water be disposed of from within or near the limits of this proposed project?

[ ] Storm Drain System [ ] Combined Sewer / Storm System [ ] Storm Water Retention Basin

[ ] Other (explain): ___________________________

PLEASE READ THE FOLLOWING CLAUSES PRIOR TO SIGNING THIS ENCROACHMENT PERMIT APPLICATION.

The applicant, understands and herein agrees to that an encroachment permit can be denied, and/or a bond required for non-payment of prior or present encroachment permit fees. Encroachment Permit fees may still be due when an application is withdrawn or denied, and that a denial may be appealed, in accordance with the California Streets and Highways Code, Section 671.5. All work shall be done in accordance with Caltrans rules and regulations subject to inspection and approval.

The applicant, understands and herein agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the State, its officers, directors, agents, employees and each of them (Indemnities) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit and the placement and subsequent operation and maintenance of said encroachment for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the State and its officers, directors, agents and employees, the Indemnities, and the public; and 2) damage to property of anyone. Except as provided by law, the indemnification provisions stated above shall apply regardless of the existence or degree of fault of Indemnities. The Applicant, however, shall not be obligated to indemnify Indemnities for Claims arising from the sole negligence and willful misconduct of State, its officers, directors, agents or employees.

DISCHARGES OF STORM WATER AND NON-STORM WATER: Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with the Department's Encroachment Permits Manual and encroachment permit. Compliance with the Department's NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or an Water Pollution Control Program (WPCC), and the approval of same by the appropriate reviewing authority prior to the start of any work. Information on the requirements may also be reviewed on the Department's Construction Website at:


25. NAME OF APPLICANT or ORGANIZATION (Print or Type)

City of Pomona

ADDRESS OF APPLICANT or ORGANIZATION WHERE PERMIT IS TO BE MAILED (Include City and Zip Code)

505 South Garey Avenue, Pomona CA 91769

PHONE NUMBER 909-620-3792 FAX NUMBER 909-620-2269

26. NAME OF AUTHORIZED AGENT / ENGINEER (Print or Type)

Mohammad Heiat

[ ] YES [ ] NO LETTER OF AUTHORIZATION ATTACHED

E-MAIL ADDRESS mheiat@vaconsultinginc.com

ADDRESS OF AUTHORIZED AGENT / ENGINEER (Include City and Zip Code)

6400 Oak Canyon, Suite 150, Irvine, CA 92618

PHONE NUMBER 949-474-1401, ext. 223 FAX NUMBER 949-261-8482

27. SIGNATURE of APPLICANT or AUTHORIZED AGENT

[Signature]

28. PRINT OR TYPE NAME

Mohammad Heiat

29. TITLE

PM

30. DATE 5/24/12
### Fee Calculation -- For Caltrans Use

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<th>Category</th>
<th>Hours</th>
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*The current hourly rate is set annually by Headquarters Accounting. District Office staff do not have authority to modify this rate.*

<table>
<thead>
<tr>
<th>Performance Bond</th>
<th>Date</th>
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<table>
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<tr>
<th>Payment Bond</th>
<th>Date</th>
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**Liability Insurance Required?**

- [ ] Yes
- [ ] No

**Amount**

- $
1. Should there be any discrepancy between the terms of this permit and the plans attached hereto, the State permit inspector will determine which shall prevail.

2. Except for installing, maintaining and removing traffic control devices, whenever work is performed or equipment is operated in the following work areas, the permittee shall close the adjacent traffic lane unless otherwise provided in the permit:

<table>
<thead>
<tr>
<th>Approach speed of public traffic (posted limit) km/h</th>
<th>Work Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 45mph (70km/h)</td>
<td>Within 6' (1.8m) of a traffic lane</td>
</tr>
<tr>
<td>45mph (70km/h) and Under</td>
<td>Within 3' (0.9m) of a traffic lane</td>
</tr>
</tbody>
</table>

3. Any work authorized by this permit which requires traffic diversion and/or traffic interruption, including sidewalks and bike paths, shall be approved by the State permit inspector.

4. Unless noted in the permit or otherwise authorized by the State permit inspector, the normal working hours of permitted traffic control shall be limited to the hours of 0900 to 1500 Monday through Friday. Traveled way needs to be open for public traffic at all other times, including designated legal holidays and when construction is not actively in progress.

Designated legal holidays: January 1, the third Monday in January, the third Monday in February, the last Monday in May, July 4, the first Monday in September, November 11, the fourth Thursday in November and December 25.

5. The permittee shall provide adequate protection of traffic in accordance with the current traffic control requirements of the Caltrans Standard Specifications Section 7-1.08 (Public Convenience), Section 7-1.09 (Public Safety) and Section 12 (Construction Area Traffic Control Devices).

6. Permittee shall be responsible for notifying their contractor and all subcontractors of the provisions of this permit. The permittee's contractors/subcontractors are required to have the signed original permit (and double permit when required) or a copy with all special provisions and permit plans, at the job-site, at all times while work is being conducted.

7. Caltrans is not a member or subscriber of USA (Underground Service Alert); Caltrans underground facilities are not located by USA. The permittee and/or permittee's contractor assumes the responsibility for the payment of all costs incurred by the State in repairing facilities damaged during construction. Requests for relocation of facilities for the permittee's convenience must be made in writing with the permittee assuming all costs.

8. All conflicting lane lines and pavement markings shall be removed by sandblasting, pellet blasting, grinding or air blasting as approved by the State permit inspector. Traffic tape may be used for the temporary delineation and covering of lane lines/pavement markings as approved by the State permit inspector.

9. A survey of the permittee's property may be required to verify compliance with approved plans at no cost to the State.
10. Should work take place between October 15 and April 15, permittee shall obtain a long-range clear weather forecast before breaking into a main line storm drain. Constructions of facilities connecting into the mainline will be permitted only during a clear weather forecast that is acceptable to the State permit inspector. Once operations are initiated, the work shall be conducted in a continuous manner until completed.

11. Abandoned pipes shall be sealed at both ends with 8” (200mm) brick and mortar or 6” (150mm) thick concrete plug. When facilities are allowed to be abandoned in place, backfilling with sand or other measures may be required. This is mandatory for all conduits 12” (300mm) in diameter or larger.

12. In the event that all work is within the working area of a State highway construction project, no work shall be started until all arrangements have been made with the State contractor and State resident engineer, to avoid any and all conflict or delay to the State contractor.

13. Permittee shall fully conform to the requirements of the Caltrans statewide NPDES Storm Water Permit, Order No. 99-06-DWQ. NPDES No. CAS000003 was adopted by the State Water Resources Control Board on July 15, 1999. The permittee shall also conform to the requirements of the General NPDES Permit for Construction Activities and any subsequent General Permit in effect at the time of issuance of this encroachment permit. These permits regulate storm water and non-storm water discharges associated with year round construction or special event encroachment activities.

14. The permittee shall utilize best management practices (BMP’s) that conform to the requirements of the most current edition of “Caltrans Storm Water Quality Handbooks, Construction Site Best Management Practices to prevent the transport of pollutants and/or erosive soils to storm drains or to a body of water. The permittee shall be solely responsible to prepare, in accord with good management practices, a Storm Water Pollution Prevention Plan or Water Pollution Control Plan which will satisfy the Regional Water Quality Control Board if applicable. Permittee shall be responsible for reimbursement of fines levied against Caltrans due to permittee’s failure to comply with the Regional Water Quality Control Board rules and regulations within the State’s right of way.

Permittee shall provide and install erosion control measures as directed by the State permit inspector or Caltrans storm water coordinator. Permittee shall be responsible to mitigate for storm water siltation within or entering the State right of way as a result of the proposed construction. Erosion control measures may consist of (but not limited to) gravel bags, straw bales and silt fencing.
1. GENERAL: The purpose of these Special Provisions is to provide the Permittee with specifications for water pollution control to minimize, prevent, or control the discharge of material into the air, surface waters, groundwater, and storm sewers owned by the State or local agencies. These provisions are not intended to take the place of the Caltrans Water Pollution Control Program (WPCP) for projects where soil disturbance from work activities less than one acre, or work activities of one acre or more subject to the preparation of the Caltrans Storm Water Pollution Prevention Plan (SWPPP) that would require a waste discharge identification number or coverage under the California Construction General Permit (Order No. 2009-0009-DWQ, NPDES No CAS000002). The Permittee shall comply with the following Special Provisions and the direction of the State Representative.

2. NPDES REQUIREMENTS: The Permittee shall be responsible for full compliance with the Caltrans Storm Water Program and the Caltrans National Pollutant Discharge Elimination System (NPDES) Permit requirements. It is the Permittee's responsibility to install, inspect, and repair or maintain facilities and devices used for water pollution control practices before performing daily work activities. Installation and maintenance responsibilities on the job site include: 1) soil stabilization materials in work areas that are inactive or prior to storm events, 2) water pollution control devices to control sediment and erosion, 3) implementation of spill and leak prevention procedures for chemical and hazardous substances stored on the job site, 4) material storage, 5) stockpile management, 6) waste management, 7) non-stormwater management, 8) water conservation, and 9) illicit connection, illegal discharge detection and reporting. The Permittee shall report to the state representative when discharges enter into receiving waters or drainage systems or when discharges could be a cause or a threat for water pollution. The Permittee shall also control illicit discharges or illegal dumping prior to start of daily work schedule. Copies of written notices or orders from the Regional Water Quality Control Board or other regulatory agency shall be provided to the State representative within 48 hours of reported activity. For additional information on storm water compliance, visit the State Water Resources Control Boards storm water Website at http://www.waterboards.ca.gov/water_issues/programs/stormwater.

3. RESPONSIBILITY FOR DEBRIS REMOVAL: The Permittee shall be responsible for preventing all dirt, trash, debris, and other construction waste from entering storm drains, local creeks, or any other bodies of water.

4. SPOILS AND RESIDUE: The Permittee shall vacuum or sweep any saw-cut spoils, debris, residue, etc. No spoils, debris, residue, etc. shall be washed into a drainage system.

5. SWEEPING: Sweep paved roads at construction entrance and exit locations and surrounding paved areas daily within the job site during: 1) clearing and grubbing, 2) earthwork, 3) trenching, 4) soil disturbance, 5) pavement grinding and/or cutting, and 6) after observing tracking of material into the State property. Keep dust to a minimum during sweeping activities. Use vacuum whenever dust generation is excessive or sediment pickup is ineffective. Roadways or work areas shall not be washed down with water. Street sweeping operations must conform to Section 13 Water Pollution Control of the State of California standard specifications for construction (most current version) http://www.dot.ca.gov/hq/esc/oe/specifications/SSPs/2010-SSPs/.

6. VEHICLES AND EQUIPMENT: Permittee shall prevent all vehicles, equipment, etc. from leakage or mud tracking onto roadways.

7. MAINTENANCE AND FUELING OF VEHICLES AND EQUIPMENT: Maintenance and fueling of equipment shall not result in any pollution at the job site. The Permittee shall immediately clean up spills and properly dispose of contaminated soil and materials.

8. CLEANING VEHICLES AND EQUIPMENT: The Permittee shall clean all equipment within a bermed area or over a drip pan large enough to prevent run-off. No soaps, solvents, degreasers, etc. shall be used in State right of way. Any water from this operation shall be collected and disposed of at an appropriate site. Fueling, washing, maintaining and washing vehicles or equipment in outside areas must be performed at least 100 feet from concentrated flows of storm water, drainage courses, and storm drain inlets if within a flood plain, otherwise at least 50 feet outside the flood plain.

9. DIESEL FUELS: The use of diesel fuel as a form-oil or solvent is not allowed.

10. WEATHER CONDITIONS AT WORKSITE: Any activity that would generate fine particles or dust that could be transported off site by stormwater shall be performed during dry weather.

11. HOT MIX ASPHALT: Runoff from washing hot mix asphalt shall not enter into any drainage conveyances.

12. PROTECTION OF DRAINAGE FACILITIES: The Permittee shall protect/cover gutters, ditches, drainage courses, and inlets with gravel bags, fiber rolls, State approved fabric filters, etc., to the satisfaction of the State representative during grading, paving, saw-cutting, etc. and materials must conform to Section 13-6.02 Materials for Water Pollution Control of the State of California standard specifications for construction (most current version). No such protection measures shall cause an obstruction to the traveling public. The Permittee shall implement spill and leak prevention procedures for chemicals and hazardous substances stored on the job site in accordance to section 13-4.03B(1-3) Spill Prevention and Control, Water Pollution Control, of the State of California standard specifications for construction (2010 version).

13. PAINT: Rinsing of painting equipment and materials is not permitted in state right-of-way. When thoroughly dry, dispose of the following as solid waste: dry latex paint, paint cans, used brushes, rags, gloves, absorbent materials, and drop cloths. Oil based paint sludge and unusable thinner shall be disposed of at an approved hazardous waste site.

14. CONSTRUCTION MATERIALS: Stockpile of all construction materials, including, but not limited to; pressure treated wood, asphalt concrete, cold mix asphalt concrete, concrete, grout, cement containing premixes, and mortar, shall conform to section 13-4.03C Stockpile Management, Water Pollution Control, of the State of California standard specifications for construction (2010 version). Stored materials shall not reach a storm drain.

15. CONCRETE EQUIPMENT: Concrete equipment shall be washed in a designated washing area that prevents effluent from discharging to drainage conveyances.
16. EXISTING VEGETATION: Established existing vegetation is the best form of erosion control. Minimize disturbance to existing vegetation. Damaged or removed vegetation shall be replaced as directed by the State Representative.

17. SOIL DISTURBANCE: Soil disturbing activities shall be avoided during the wet weather season. If construction activities during wet weather are allowed in your permit, all necessary erosion control and soil stabilization measures shall be implemented.

18. SLOPE STABILIZATION AND SEDIMENT CONTROL: In cases where slopes are disturbed during construction, soil shall be secured with soil stabilization and sediment control measures. Fiber rolls or silt fences may be required downslope until permanent soil stabilization is established. Remove the accumulated sediment whenever the sediment accumulates to 1/3 of the linear sediment barrier height.

19. STOCKPILES: Sand, dirt, and similar materials shall be stored at least 100 feet from concentrated flows of storm water, drainage courses, and storm drain inlets if within a flood plain, otherwise at least 50 feet if outside the floodplain, and shall be covered and protected with a temporary perimeter sediment barrier.

20. DISCOVERY OF CONTAMINATION: The State Representative shall be notified in case any unusual discoloration, odor, or texture of groundwater, is found in excavated material or if abandoned, underground tanks, pipes, or buried debris are encountered.

21. SANITARY AND SEPTIC WASTE: Do not bury or discharge wastewater from a sanitary or septic system within the highway. Properly connected sewer facilities are free from leaks. With State Representative approval place portable sanitary facility at least 50 feet away from storm drains, receiving waters, and flow lines. Permittee must comply with local health agency provisions when using an on-site disposal system.

22. LIQUID WASTE: Prevent job site liquid waste from entering storm drain systems and receiving waters. Drilling slurries, grease or oil-free waste water or rinse water, dredging, wash water or rinse water running off a surface or other nonstorm water liquids not covered under separate waste water permits shall be held in structurally sound, leak-proof containers, such as portable bins or portable tanks. Store containers at least 50 feet away from moving vehicles and equipment. Liquid waste may require testing to determine hazardous material content prior to disposal.

23. WATER CONTROL AND CONSERVATION: Manage water use in a way that will prevent erosion and the discharge of pollutants into storm drain systems and receiving waters. Direct runoff water, including water from water line repair from the job site to areas where it can infiltrate into the ground. Direct water from off-site sources around the job site or from contact with job site water.

24. PILE DRIVING: Keep spill kits and cleanup materials at pile driving locations. Park pile driving equipment over drip pans, absorbent pads, or plastic sheeting with absorbent material, and away from storm water run-on when not in use.

25. DEWATERING: Dewatering consists of discharging accumulated storm water, groundwater, or surface water from excavations or temporary containment facilities. All dewatering operations shall comply with the latest Caltrans guidelines. Any effluent discharged into any storm water system requires approval from the Regional Water Quality Control Board. Prior to the start of dewatering, the Permittee shall provide the State Representative with a dewatering and discharge work plan that complies with section 13-4.01B Submittals, Water Pollution Control, of the State of California standard specifications for construction (2010 version). A copy of the Waste Discharge Permit and a copy of a valid WDID number issued by the Regional Board shall be provided to the State representative.
STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION
ENCROACHMENT PERMIT GENERAL PROVISIONS
TR-0045 (REV. 05/2007)

1. AUTHORITY: The Department's authority to issue encroachment permits is provided under, Div. 1, Chp. 3, Art. 1, Sect. 660 to 734 of the Streets and Highways Code.

2. REVOCATION: Encroachment permits are revocable on five days notice unless otherwise stated on the permit and except as provided by law for public corporations, franchise holders, and utilities. These General Provisions and the Encroachment Permit Utility Provisions are subject to modification or abrogation at any time. Permittees' joint use agreements, franchise rights, reserved rights or any other agreements for operating purposes in State highway right of way are exceptions to this revocation.

3. DENIAL FOR NONPAYMENT OF FEES: Failure to pay permit fees when due can result in rejection of future applications and denial of permits.

4. ASSIGNMENT: No party other than the permittee or permittee's authorized agent is allowed to work under this permit.

5. ACCEPTANCE OF PROVISIONS: Permittee understands and agrees to accept these General Provisions and all attachments to this permit, for any work to be performed under this permit.

6. BEGINNING OF WORK: When traffic is not impacted (see Number 35), the permittee shall notify the Department's representative, two (2) days before the intent to start permitted work. Permittee shall notify the Department's Representative if the work is to be interrupted for a period of five (5) days or more, unless otherwise agreed upon. All work shall be performed on weekdays during regular work hours, excluding holidays, unless otherwise specified in this permit.

7. STANDARDS OF CONSTRUCTION: All work performed within highway right of way shall conform to recognized construction standards and current Department Standard Specifications, Department Standard Plans High and Low Risk Facility Specifications, and Utility Special Provisions. Where reference is made to "Contractor and Engineer," these are amended to be read as "Permittee and Department representative."

8. PLAN CHANGES: Changes to plans, specifications, and permit provisions are not allowed without prior approval from the State representative.

9. INSPECTION AND APPROVAL: All work is subject to monitoring and inspection. Upon completion of work, permittee shall request a final inspection for acceptance and approval by the Department. The local agency permittee shall not give final construction approval to its contractor until final acceptance and approval by the Department is obtained.

10. PERMIT AT WORKSITE: Permittee shall keep the permit package or a copy thereof, at the work site and show it upon request to any Department representative or law enforcement officer. If the permit package is not kept and made available at the work site, the work shall be suspended.

11. CONFLICTING ENCROACHMENTS: Permittee shall yield start of work to ongoing, prior authorized, work adjacent to or within the limits of the project site. When existing encroachments conflict with new work, the permittee shall bear all cost for rearrangements, (e.g., relocation, alteration, removal, etc.).

12. PERMITS FROM OTHER AGENCIES: This permit is invalid if the permittee has not obtained all permits necessary and required by law, from the Public Utilities Commission of the State of California (PUC), California Occupational Safety and Health Administration (Cal-OSHA), or any other public agency having jurisdiction.

13. PEDESTRIAN AND BICYCLIST SAFETY: A safe minimum passageway of 4' shall be maintained through the work area at existing pedestrian or bicycle facilities. At no time shall pedestrians be diverted onto a portion of the street used for vehicular traffic. At locations where safe alternate passageways cannot be provided, appropriate signs and barricades shall be installed at the limits of construction and in advance of the limits of construction at the nearest crosswalk or intersection to deter pedestrians to facilities across the street. Attention is directed to Section 7-1.09 Public Safety of the Department Standard Specifications.

14. PUBLIC TRAFFIC CONTROL: As required by law, the permittee shall provide traffic control protection warning signs, lights, safety devices, etc., and take all other measures necessary for traveling public's safety. While providing traffic control, the needs and control of all road users (motorists, bicyclists and pedestrians, including persons with disabilities in accordance with the Americans with Disabilities Act of 1990 (ADA)) shall be an essential part of the work activity.

Day and night time lane closures shall comply with the California Manual on Uniform Traffic Control Devices (Part 6, Temporary Traffic Control), Standard Plans, and Standard Specifications for traffic control systems. These General Provisions are not intended to impose upon the permittee, by third parties, any duty or standard of care, greater than or different from, as required by law.

15. MINIMUM INTERFERENCE WITH TRAFFIC: Permittee shall plan and conduct work so as to create the least possible inconvenience to the traveling public; traffic shall not be unreasonably delayed. On conventional highways, permittee shall place properly attired flagger(s) to stop or warn the traveling public in compliance with the California Street Code (Chapter 6E, Flagger Control).

16. STORAGE OF EQUIPMENT AND MATERIALS: The storage of equipment or materials is not allowed within State highway right-of-way, unless specified within the Special Provisions of this specific encroachment permit. If Encroachment Permit Special Provisions allow for the storage of equipment or materials within the State right of way, the equipment and material storage shall comply with Standard Specifications, Standard Plans, Special Provisions, and the Highway Design Manual. The clear recovery zone widths must be followed and are the minimum desirable for the type of facility indicated below: freeways and expressways - 30', conventional highways (no curbs) - 20', conventional highways (with curbs) - 1.5'. If a fixed object cannot be eliminated, moved outside the clear recovery zone, or modified to be noise yielding, it should be shielded by a guardrail or a crash cushion.

17. CARE OF DRAINAGE: Permittee shall provide alternate drainage for any work interfering with an existing drainage facility in compliance with the Standard Specifications, Standard Plans and/or as directed by the Department's representative.

18. RESTORATION AND REPAIRS IN RIGHT OF WAY: Permittee is responsible for restoration and repair of State highway right of way resulting from permitted work (State Streets and Highways Code, Sections 570 et. seq.).
19. **RIGHT OF WAY CLEAN UP**: Upon completion of work, permittee shall remove and dispose of all scrap, brush, timber, materials, etc. off the right of way. The aesthetics of the highway shall be as it was before work started.

20. **COST OF WORK**: Unless stated in the permit, or a separate written agreement, the permittee shall bear all costs incurred for work within the State right of way and waives all claims for indemnification or compensation from the State.

21. **ACTUAL COST BILLING**: When specified in the permit, the Department will bill the permittee actual costs at the currently set hourly rate for encroachment permits.

22. **AS-BUILT PLANS**: When required, permittee shall submit one (1) set of folded as-built plans within thirty (30) days after completion and approval of work in compliance with requirements listed as follows:

1. Upon completion of the work provided herein, the permittee shall send on cellulose or paper set of As-Built plans, to the State representative. Mylar or paper replica plans are not acceptable.

2. All changes in the work will be shown on the plans, as issued with the permit, including changes approved by Encroachment Permit Rider.

3. The plans are to be stamped or otherwise noted AS-BUILT by the permittee's representative who was responsible for overseeing the work. Any original plan that was approved with a State stamp, or Caltrans representative signature, shall be used for producing the As-Built plans.

4. If As-Built plans include signing or striping, the dates of signing or striping removal, relocation, or installation shall be shown on the plans when required as a condition of the permit. When the construction plans show signing and striping for staged construction on separate sheets, the sheet for each stage shall show the removal, relocation or installation dates of the appropriate staged signing and striping.

5. As-Built plans shall contain the Permit Number, County, Route, and Post Mile on each sheet.

6. Disclaimer statement of any kind that differ from the obligations and protections provided by Sections 6735 through 6735.6 of the California Business and Professions Code, shall not be included on the As-Built plans. Such statements constitute non-compliance with Encroachment Permit requirements, and may result in the Department of Transportation retaining Performance Bonds or deposits until proper plans are submitted. Failure to comply may also result in denial of future permits, or a provision requiring a public agency to supply additional bonding.

23. **PERMITS FOR RECORD PURPOSES ONLY**: When work in the right of way is within an area under a Joint Use Agreement (JUA) or a Consent to Common Use Agreement (CCUA), a fee exempt permit is issued to the permittee for the purpose of providing a notice and record of work. The Permittee's prior rights shall be preserved without the intention of creating new or different rights or obligations. "Notice and Record Purposes Only" shall be stamped across the face of the permit.

24. **BONDING**: The permittee shall file bond(s), in advance, in the amount set by the Department. Failure to maintain bond(s) in full force and effect will result in the Department stopping all work and revoking permit(s). Bonds are not required of public corporations or privately owned utilities, unless permittee failed to comply with the provision and conditions under a prior permit. The surety company is responsible for any latent defects as provided in California Code of Civil Procedure, Section 337.15. Local agency permittees shall comply with requirements established as follows: In recognition that project construction work done on State property will not be directly funded and paid by State, for the purpose of protecting stop notice claimants and the interests of State relative to successful project completion, the local agency permittee agrees to require the construction contractor furnish both a payment and performance bond in the local agency's name with both bonds complying with the requirements set forth in Section 3-1.02 of State's current Standard Specifications before performing any project construction work. The local agency permittee shall secure, indemnify, and hold harmless the State, its officers and employees from all project construction related claims by contractors and all stop notices or mechanic's lien claims. The local agency also agrees to remedy, in a timely manner and to State's satisfaction, any latent defects occurring as a result of the project construction work.

25. **FUTURE MOVING OF INSTALLATIONS**: Permittee understands and agrees to relocate a permitted installation upon notice by the Department. Unless under prior property right or agreement, the permittee shall comply with said notice at his sole expense.

26. **ARCHAEOLOGICAL/HISTORICAL**: If any archaeological or historical resources are revealed in the work vicinity, the permittee shall immediately stop work, notify the Department's representative, retain a qualified archaeologist who shall evaluate the site, and make recommendations to the Department representative regarding the continuance of work.

27. **PREVAILING WAGES**: Work performed by or under a permit may require permittee's contractors and subcontractors to pay prevailing wages as set by the Department of Industrial Relations. Inquiries or requests for interpretations related to the enforcement of prevailing wage requirements are directed to the State of California Department of Industrial Relations, 525 Golden Gate Avenue, San Francisco, California 94102.

28. **RESPONSIBILITY FOR DAMAGE**: The State of California and all officers and employees thereof, including but not limited to the Director of Transportation and the Deputy Director, shall not be answerable or accountable in any manner for injury to or death of any person, including but not limited to the permittee, persons employed by the permittee, persons acting in behalf of the permittee, or for damage to property from any cause, including but not limited to the permittee, persons employed by the permittee, persons acting in behalf of the permittee, or for damage to property arising out of work, or other activity permitted and done by the permittee under a permit, or arising out of the failure on the permittee's part to perform his obligations under any permit in respect to maintenance or any other obligations, or resulting from defects or obstructions, or from any cause whatsoever during the progress of the work, or other activity at any subsequent time, work or other activity is being performed under the obligations provided by and contemplated by the permit.

The permittee shall indemnify and save harmless the State of California, all officers, employees, and State's contractors, thereof, including but not limited to the Director of Transportation and the Deputy Director, from all claims, suits or actions of every nature, kind and description brought for or on account of injuries to or death of any person, including but not limited to the permittee, persons employed by the permittee, persons acting in behalf of the permittee, or for damage to property from any cause, including but not limited to the permittee, persons employed by the permittee, persons acting in behalf of the permittee, or for damage to property arising out of work, or other activity permitted and done by the permittee under a permit, or arising out of the failure on the permittee's part to perform his obligations under any permit in respect to maintenance or any other obligations, or resulting from defects or obstructions, or from any cause whatsoever during the progress of the work, or other activity at any subsequent time, work or other activity is being performed under the obligations provided by and contemplated by the permit.
The duty of the permittee to indemnify and save harmless includes the duties to defend as set forth in Section 2778 of the Civil Code. The permittee waives any and all rights to any type of expressed or implied indemnity against the State, its officers, employees, and State contractors. It is the intent of the parties that the permittee will indemnify and hold harmless the State, its officers, employees, and State’s contractors, from any and all claims, suits or actions as set forth above regardless of the existence or degree of fault or negligence, whether active or passive, primary or secondary, on the part of the State, the permittee, persons employed by the permittee, or acting on behalf of the permittee.

For the purpose of this section, “State’s contractors” shall include contractors and their subcontractors under contract to the State of California performing work within the limits of this permit.

29. NO PRECEDENT ESTABLISHED: This permit is issued with the understanding that it does not establish a precedent.

30. FEDERAL CIVIL RIGHTS REQUIREMENTS FOR PUBLIC ACCOMMODATION:

A. The permittee, for himself, his personal representative, successors in interest, and assigns as part of the consideration hereof, does hereby covenant and agree that:

1. No person on the grounds of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

2. That in connection with the construction of any improvements on said lands and the furnishing of services thereon, no discrimination shall be practiced in the selection and retention of first-tier subcontractors in the selection of second-tier subcontractors.

3. That such discrimination shall not be practiced against the public in their access to and use of the facilities and services provided for public accommodations (such as eating, sleeping, rest, recreation), and operation on, over, or under the space of the right of way.

4. That the permittee shall use the premises in compliance with all other requirements imposed pursuant to Title 15, Code of Federal Regulations, Commerce and Foreign Trade, Subtitle A, Office of the Secretary of Commerce, Part 8 (15 C.F.R. Part 8) and as said Regulations may be amended.

5. That in the event of breach of any of the above nondiscrimination covenants, the State shall have the right to terminate the permit and to re-enter and repossess said land and the land and the facilities thereon, and hold the same as if said permit had never been made or issued.

31. MAINTENANCE OF HIGHWAYS: The permittee agrees, by acceptance of a permit, to properly maintain any encroachment. This assurance requires the permittee to provide inspection and repair any damage, at permittee’s expense, to State facilities resulting from the encroachment.

32. SPECIAL EVENTS: In accordance with subdivision (a) of Streets and Highways Code Section 632.5, the Department of Transportation shall not be responsible for the conduct or operation of the permitted activity, and the applicant agrees to defend, indemnify, and hold harmless the State and the city or county against any and all claims arising out of any activity for which the permit is issued.

Permittee understands and agrees that it will comply with the obligations of Titles II and III of the Americans with Disabilities Act of 1990 in the conduct of the event, and further agrees to indemnify and save harmless the State of California, all officers and employees thereof, including but not limited to the Director of Transportation, from any claims or liability arising out of or by virtue of said Act.

33. PRIVATE USE OF RIGHT OF WAY: Highway right of way shall not be used for private purposes without compensation to the State.

The gifting of public property use and therefore public funds is prohibited under the California Constitution, Article 16.

34. FIELD WORK REIMBURSEMENT: Permittee shall reimburse State for field work performed on permittee’s behalf to correct or remedy hazardous damaged facilities, or clear debris not attended to by the permittee.

35. NOTIFICATION OF DEPARTMENT AND TMC: The permittee shall notify the Department’s representative and the Transportation Management Center (TMC) at least 7 days before initiating a lane closure or conducting an activity that may cause a traffic impact. A confirmation notification should occur 3 days before closure or other potential traffic impacts. In emergency situations when the corrective work or the emergency itself may affect traffic, TMC and the Department’s representative shall be notified as soon as possible.

36. SUSPENSION OF TRAFFIC CONTROL OPERATION: The permittee, upon notification by the Department’s representative, shall immediately suspend all lane closure operations and any operation that impedes the flow of traffic. All costs associated with this suspension shall be borne by the permittee.

37. UNDERGROUND SERVICE ALERT (USA) NOTIFICATION: Any excavation requires compliance with the provisions of Government Code Section 4216 et. seq., including, but not limited to notice to a regional notification center, such as Underground Service Alert (USA). The permittee shall provide notification at least 48 hours before performing any excavation work within the right of way.
Any public utility or public corporation who lawfully maintains a utility encroachment, or their agent, may perform routine or emergency maintenance on such facility in accordance with the following provisions:

**UE1. EXCLUSIONS:** These provisions do not authorize tree trimming, work on freeways, expressways, aerial capacity increase on designated "Scenic Highways," or other activities not specifically provided for in this permit.

**UE2. POSSESSION OF PERMIT REQUIRED:** The permit or a copy thereof shall be kept at the work site and must be shown to any Department representative or any law enforcement officer on demand. **WORK SHALL BE SUSPENDED IF PERMIT IS NOT AT JOB SITE AS PROVIDED.**

**UE3. NOTICE REQUIRED:** The permittee shall notify the Department’s representative and the Transportation Management Center (TMC) 7 days before initiating a lane closure. A confirmation notification should occur 3 days before closure. In emergency situations that may impact traffic, TMC and the Department’s representative shall be notified as soon as possible.

**UE4. STANDARDS OF WORK:** All work shall conform to recognized standards of utility construction and Department's current Standard Specifications.

**UE5. EMERGENCY REPAIRS:** The permittee may make emergency repairs, alter traffic flow, and excavate through improved surfaces only when breaks in the conduit, cable, or pipeline over or under the pavement presents a definite public hazard or serious interruption of essential services. In such cases, the Department’s representative shall be notified immediately.

**UE6. OPEN EXCAVATIONS:** No excavation shall be left open after daylight hours unless specifically authorized and adequate protection for traffic is provided in accordance with General Provisions, "Public Traffic Control." Backfill and pavement replacement shall be performed in accordance with General Provisions, "Restoration and Repairs in Rights of Way."

**UE7. TRAFFIC CONTROL HOURS:** Work requiring traffic control shall be conducted between 9:00 a.m. and 3:00 p.m. or as otherwise authorized by the Department’s representative.

**UE8. WORK PERMITTED --AERIAL:**

1. Install additional capacity (in the same location), except facilities over the traveled way, on designated "Scenic Highways," or on Structures.

2. Maintain, inspect, remove, repair or replace (in the same location) all aerial facilities except over the traveled way or on Structures. Permittee is authorized to clear grasses from around base of poles and excavate around poles for inspection, including tamping and straightening. This permit does not authorize the use of herbicides or other chemicals. A separate encroachment permit must be applied for and issued for that purpose.

3. Perform insulator washing and interconnect splicing of cables.

4. Install or remove service connections with potential to ground of 300 volts or less, except over the traveled way.

5. Install, maintain, remove, repair or replace aerial service connections with potential to ground of 300 volts or less, over the traveled way when specifically stated in permit.

6. Installations and clearances shall be equal to those required by either the State of California Public Utilities Commission orders or the California Occupational Safety and Health Regulations (CAL-OSHA), Division of Industrial Safety, Safety Orders, promulgated in the California Code of Regulations, Title 8, Chapter 4, whichever is greater.

**UE9. WORK PERMITTED --UNDERGROUND:**

1. Maintain, inspect, remove, repair or replace (in the same location) all underground facilities except those requiring trenching in the traveled way.

2. Install additional capacity in existing ducts except for facilities not in compliance with the Department’s current “Manual on High and Low Risk Facilities within Highway Rights of Way” or on Structures.

3. Install air flow monitoring transducers and piping in existing ducts.

4. Barholing, portholing, cleaning, rodding and placing float ropes.

5. Adjust access cover to grade and replace in kind or with larger size pull boxes.

6. Interconnect splicing of cables.

7. Install service connections perpendicular to the highway using either directional drilling jacking and boring, or trenching methods as determined by the District Permit Engineer. Electrical service is restricted to a potential to ground of 300 volts or less. Gas and domestic water services are restricted to 2" (51 mm) in diameter or less.

8. Permanent pavement patching for work authorized by this permit.

**UE10. FAILURE TO COMPLY:** Failure to comply with the terms and conditions above shall be grounds for permit revocation.
Any public utility or public corporation who lawfully maintains a utility encroachment, or their agent, may perform routine or emergency maintenance on such facility in accordance with the following provisions (unless updated at some future time, thence the future provisions shall govern.

**UM1. EXCLUSIONS:**

These provisions do not authorize tree trimming, work on freeways, expressways, or other activities not specifically provided for in this permit.

**UM2. POSSESSION OF PERMIT REQUIRED:**

The permit or a copy thereof shall be kept at the site of the work and must be shown to any Department's representative or any law enforcement officer on demand. WORK SHALL BE SUSPENDED IF PERMIT IS NOT AT JOB SITE AS PROVIDED.

**UM3. NOTICE REQUIRED:**

The permittee shall notify the Department's representative and the Transportation Management Center (TMC) 7 days before initiating a lane closure. A confirmation notification should occur 3 days before closure. In emergency, situations that may impact traffic, TMC and the Department's representative shall be notified as soon as possible.

**UM4. STANDARD OF WORK:**

All work shall conform to recognized standards of utility construction and the Department's current Standard Specifications.

**UM5. EMERGENCY REPAIRS:**

The permittee may make emergency repairs, alter traffic flow, and excavate through improved surfaces only when breaks in the conduit, cable or pipeline over or under the pavement present a definite public hazard or serious interruption of essential service. In such cases, the Department's representative shall be notified immediately.

**UM6. OPEN EXCAVATIONS:**

No excavation shall be left open after daylight hours unless specifically authorized and adequate protection for traffic is provided in accordance with the General Provisions "Protection of Traffic."

Backfill and pavement replacement shall be performed in accordance with the applicable General Provisions (i.e., "Restoration and Repairs in Rights of Way").

**UM7. SERVICE CONNECTION:**

These provisions do not authorize installation of conduit, cable, gas, or water service connections within State rights of way, regardless of the location of the main, existing conduit, or cable.

All new underground or pipe abandon services must be covered by individual permits. See Section "OH 4" regarding service connections for aerial wires.

**UM8. ROUTINE INSPECTION AND MAINTENANCE:**

1. **Routine Maintenance and Inspection:**

Roadbed work shall be conducted between 9:00 a.m. and 3:00 p.m., or as otherwise authorized, in writing, by the Department's representative.

2. **Manholes:**

The permittee may open existing manholes to repair underground cables. Where the manhole lies within the improved surface of the highway, the permittee will provide adequate protection for traffic in accordance with the General Provisions "Public Traffic Control".

3. **Excavations:**

Routine inspection and repair of pipeline and cables shall:

A. Not be made in improved surfaces, landscaped areas or closer than 10' (3.04 m) to the edge of the pavement without a special permit; and

B. Not uncover more than 50' (15.24 m) of line at any one time.

4. **Pole Lines:**

Permittee is authorized to:

A. Stub, or reset existing pole, provided no change in location of pole or anchor is made. Stubs and anchors must not be placed between existing pole and traveled way.

B. Replace poles, guy poles, and crossarms in same location limited to two (2) consecutive poles. No additional poles or guys poles are authorized under this routine maintenance provision.

C. Replace broken pins and insulators, repair broken wires, pull slack wires, and replace or pull broken or slack guys.
D. Repair and complete transfer work on existing aerial cables.

E. Install new and replace existing transformers on existing poles.

F. Replace aerial wires and crossarms on existing poles except where wires cross the highway. Unless otherwise specifically required by the Department, protected cable, tree wire or plastic tree wire guard used for communication lines may be used through trees where necessary, provided the appearance of the tree or the tree itself will not be damaged. *This section (F) does not apply to scenic highways.*

G. Installations and clearances shall be equal to those required by either the California Public Utilities Commission Orders or the California Occupational Safety and Health (CAL-OSHA) Safety Orders, whichever is greater. *Also see "OH 2" of the Overhead Utility Provisions.*

H. Clear grass from around base of poles and excavate around poles for inspection, including tamping and straightening. The use of herbicides or other chemicals is not authorized by this permit. A separate encroachment permit must be applied for and issued for that purpose.
This Special Provision "C" is to be used as minimum specifications for excavating and backfilling within State right of way.

I. EXCAVATION WITHIN ROADWAY:

1. Pipes crossing the roadway shall normally be jacked or otherwise forced underneath pavement without disturbing same. Pavement or roadway shall not be cut unless specifically allowed by the permit. Service pipes will not be allowed inside of culverts used as drainage structures.

2. Permittee shall comply with all State and local safety codes relative to safety measures for protection of workers in trenches and excavations (State of California Administrative Code, Title 8).

3. All excavations shall be shored and/or tightened in accordance with Cal OSHA requirements.

4. Work shall not be permitted in confined spaces until all possible hazardous gases and vapors have been purged. Workers shall be equipped with adequate blowers, safety harnesses, hard hats, ropes, ladders and any other equipment necessary. When working in confined spaces, Cal OSHA requirements shall be adhered to.

5. Service connections shall be installed perpendicular to the center line of the State highway.

6. When the permit authorizes installation by open-cut method, not more than one lane of the highway shall be open-cut at any one time unless otherwise approved by the State permit inspector. After the pipe is placed in the open section, the trench is to be backfilled and temporary repairs made or bridged in accordance with the specifications and this portion shall be opened to traffic before the pavement is cut for the next section.

Temporary asphalt pavement patches, a minimum of 75mm (3") thick, shall be placed and maintained in a smooth riding surface free of humps or depressions.

7. Hazardous pipeline potholing clause (petroleum distillates, gas, electricity, chorine, etc.):

The permittee shall furnish Caltrans with the results of this exploration, having the location and grade shown to within 30mm (0.1') tied to State's datum, and certified by a licensed land surveyor or civil engineer, registered in the State of California.

8. Pavement (portland cement concrete and asphalt concrete) shall be sawcut to full depth by means of a concrete saw to provide a neat
and straight edge along both sides of the trench. An unfractured pavement joint and rigid bonding of pavement replacement shall also be provided.

All residue, caused by the sawcutting, should be vacuumed or removed by other method, as approved by the State permit inspector and disposed of outside of State right of way.

9. Where the edge of the trench is within 0.6m (2') of existing curb or gutter, the pavement between the trench and the curb or gutter shall be removed and replaced.

10. A minimum lateral clearance of 1.5m (5') shall be provided between the edge of excavation and adjacent traffic lanes. Where 1.5m (5') of clearance is not provided, the excavation shall be shored. In no case shall the clearance be less than 0.9m (3').

11. Banks of open-cut trenches shall be kept as nearly vertical as possible. Trenches shall not be more than 600mm (24") wider than the outside diameter of the pipe to be laid therein, plus the necessary width to accommodate shoring.

12. All open trenches within the traveled way shall be backfilled, compacted and temporary pavement placed before the end of the working day.

Shoring and properly placed and maintained steel plates may be substituted for backfilling when authorized by the State permit inspector. See page 6 of this special provision: Temporary Steel Plate Bridging.

13. Trenches shall not be excavated more than 90m (300') in advance of pipe laying and shall not be left open more than 60m (200') in the rear thereof.

14. Tree roots over 50mm (2") in diameter shall not be cut unless otherwise authorized and approved by the State permit inspector.

15. If it becomes impractical to protect all roots over 50mm (2") in diameter or more than 40% of all roots will be damaged, permittee or permittee's contractor shall make special arrangements with the State permit inspector to remove, relocate or replace subject trees.

16. Manholes and vaults shall not be constructed within 6m (20') of any parkway tree.

II. BACKFILL

1. Structural backfill within the existing or proposed roadbed area
shall be compacted in horizontal layers not exceeding 200mm (8") in thickness using approved hand, pneumatic or mechanical type tampers to obtain a relative compaction of 95% using California Test Method 216F. Structural backfill outside of slope lines and not beneath the roadbed shall be compacted to a relative compaction of 90%. Backfill material shall have a sand equivalent value of not less than 20 as determined by California Test Method 217F, if the excavation falls within the existing or proposed roadbed. Consolidation by ponding and jetting will be permitted when, as determined by the inspector, the backfill is of such character that it will be self-draining when compacted, and the foundation materials will not be softened or be otherwise damaged by the applied water and no damage from hydrostatic pressure will result. Ponding and jetting of the upper 1.2m (4') below finished grade is prohibited. When ponding and jetting is permitted, material for use as structural backfill shall be placed and compacted in layers not exceeding 1.2m (4 ft) in thickness. Ponding and jetting methods shall be supplemented by the use of vibratory or other compaction equipment when necessary to obtain the required compaction.

2. Backfill material may consist of 83kg/m³ (1-1/2 sack/CY) sand-cement slurry. Accelerator (i.e., calcium chloride) may be used when authorized by the State permit inspector. Slurry shall be vibrated in accordance with Section 40-107A of the Caltrans Standard Specifications as required by the State permit inspector.

3. Where it is necessary to tunnel under existing curb and gutter, sidewalk, or underground facilities, the void shall be backfilled and vibrated with sand-cement slurry.

4. By accepting this permit, the permittee agrees to pay all laboratory costs in connection with the necessary tests which may be required by the State permit inspector to determine the sand equivalent value of the backfill material or the trench backfill compaction. The frequency of such tests shall be at a minimum of one test per 450m (1500 ft) of continuous trench, or at locations determined by the State permit inspector, at elevations of not less than every 0.6m (2 ft) of backfill depth. A minimum of one test is required for each trench.

5. Prior to starting the trench backfill, the permittee shall make the necessary arrangements with a Caltrans certified materials testing laboratory to conduct the tests with certification from a civil engineer registered in the State of California.

III. PERMANENT PAVEMENT REPAIRS

1. Repairs to PCC pavement shall be made within 5 working days of completion of backfill and shall be made of Class 2 portland cement concrete containing a minimum of 350kg/m³ (5 sack/CY). Replacement of PCC pavement shall equal existing pavement thickness. The concrete shall
be satisfactorily cured and protected from disturbance for not less than 48 hours. High early strength concrete may be required at the discretion of the permit inspector.

2. Concrete sidewalks or curbs shall be cut to the nearest score marks and replaced equal in dimensions to that removed with score marks matching existing adjacent sidewalk or curb or as directed by the State permit inspector.

3. Repairs to AC pavements shall be made within 5 working days of completion of backfill and shall be made with Type B asphalt concrete meeting State specifications.

4. Replacement of the roadway structural section (pavement, base, subbase, etc.) shall be equal or better in all respects to the thickness and materials in the best portions of the existing structural section. Minimum thicknesses shall be 150mm (6") asphalt concrete on 200mm (8") base.

IV. REQUIRED MARKERS

Underground installations of pipes, cables, and conduits may be required to have surface markings showing the location of the underground facility. When markings are required, the permittee shall submit a marking plan for approval by the State permit inspector. Markings shall not interfere with vehicular traffic.

V. CATHODIC PROTECTION

The permittee shall perform stray current interference tests on underground utilities under cathodic protection. The permittee shall notify Caltrans prior to the tests and perform any necessary corrective measures recommended by Caltrans.

VI. HIGHWAY STRUCTURES

The permittee shall pay for any damage to highway structures caused by gas mains or other pipe lines carrying flammable. This includes, but is not limited to, explosion or fire resulting from such installations regardless of causation. If repairs are not feasible, complete replacement of structure may be necessary. The permittee will indemnify and hold the State harmless from any and all claims for injury to persons or damage to property resulting from such installation.

VII. TUNNELING

Except in effecting emergency repairs on utilities, no tunneling will be permitted. Major installations may be exempt as specifically set forth
by the permit.

VIII. UNDERGROUND FACILITIES

All underground facilities shall be in accordance with the Caltrans "Manual on High and Low Risk Underground Facilities Within Highway Rights of Way". Unless otherwise authorized, pipes and conduits shall be installed in a manner to provide a minimum clearance of 1.1m (42") between the top of pipe and finished surface.
IF SIDESALLS CAVE IN:

A. FOR LONGITUDINAL CUT, EXCAVATE TO SURFACE AND 300mm (12") INTO UNDISTURBED MATERIAL OR TO NEXT PAVEMENT JOINT IF WITHIN 0.9 m (3')

B. FOR TRANSVERSE CUT, EXCAVATE TO SURFACE AND 300mm (12") AND UNDISTURBED MATERIAL OR TO NEXT PAVEMENT JOINT IF WITHIN 1.5m (5')

C. IN BOTH CASES EXCAVATE CAVED-IN MATERIAL

PAVEMENT REPLACEMENTS:

A. PAVEMENT SECTION SHALL BE REPLACED IN KIND EXCEPT P.C.C. PAVEMENT SURFACED WITH A.C. SHALL BE REPLACED WITH MINIMUM OF 150mm (6") ASPHALT CONCRETE

B. P.C.C. PAVEMENT OR A.C. PAVEMENT SHALL BE REPLACED WITH THE APPLICABLE STRUCTURAL SECTION SHOWN HEREBY

A MINIMUM CLEARANCE OF 1.1m (42") SHALL BE PROVIDED BETWEEN THE INSTALLATION AND THE SURFACE OF THE PAVEMENT OR GROUND UNLESS OTHERWISE AUTHORIZED IN THE PERMIT.

PAVEMENT REMOVAL, EXCAVATION, BACKFILL AND RESURFACING IN STATE HIGHWAYS
TEMPORARY SHEET PLATE BRIDGING

This sheet shall be used as a minimum requirement when steel plates are allowed for use on State Highways. Steel plate bridging on freeways is not allowed.

**METHOD 1**

The pavement shall be cold planed to a depth equal to the thickness of the plate(s) and to a width and length equal to the dimensions of the plate. Tack welding of plates may be required.

**METHOD 2**

Steel plates that are allowed to set on top of the road surface may have the approach and ending plates secured to the roadway by 2-25mm (1") dowels placed through predrilled corners of the plate or by 4-25mm (1") dowels placed at the edge of the plate and set a minimum of 150mm (6") into the pavement. Intermediate plates are butted and tack welded to each other. Fine graded asphalt concrete shall be compacted to form ramps, maximum slope 8.5% with a minimum 300mm (12") taper to cover all edges of the steel plates. When steel plates are removed, the dowel holes in the pavement shall be backfilled with either graded fines of asphalt concrete mix or concrete slurry.

1. Steel plate must extend a minimum of 300mm (12") beyond the edges of the trench, and shall be installed to operate with minimum noise and rocking by using adjustable cleats, shims, or other device.

2. The trench shall be adequately shored to support bridging the traffic loads.

3. The permittee shall place and maintain on the steel plate a non-slip surface having a minimum coefficient of friction equivalent to 0.35 as determined by California Test Method 342.

4. The Permittee shall be responsible for maintenance of the steel plates, shoring, and asphalt concrete ramps.

5. Unless specifically noted in the permit provisions, steel plate bridging should not exceed 4 consecutive working days in any given week.

6. Steel plate bridging shall be steel designed for HS20-44 truck loading per Caltrans Bridge Design Specifications Manual.

7. A Rough Road sign (W33), with black lettering on an orange background, may be used in advance of steel plate bridging.
8. Method 2 shall not be allowed for speeds more than 70 km/h (45 mph).

The following table shows the minimum thickness of steel plate bridging required for a given trench width:

<table>
<thead>
<tr>
<th>Trench Width</th>
<th>Minimum Plate Thickness</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.3 m (1.0')</td>
<td>13 mm (1/2&quot;)</td>
</tr>
<tr>
<td>0.45 m (1.5')</td>
<td>19 mm (3/4&quot;)</td>
</tr>
<tr>
<td>0.6 m (2.0')</td>
<td>22 mm (7/8&quot;)</td>
</tr>
<tr>
<td>0.9 m (3.0')</td>
<td>25 mm (1&quot;)</td>
</tr>
<tr>
<td>1.2 m (4.0')</td>
<td>32 mm (1 1/4&quot;)</td>
</tr>
</tbody>
</table>

For spans greater than 1.2 m (4') a structural design shall be prepared by a registered civil engineer and approved by the State permit inspector.
This Special Provision "M" and its attachment are to be used as minimum specifications for fence construction.

1. At location where the existing freeway fence is to be removed for construction purposes, a temporary fence shall be erected between the traveled way and the construction work area.

2. The temporary 1.8m (6') fence shall be placed and maintained by the permittee as directed by the State permit inspector.

3. Type CL-6 fabric shall be used for temporary fence fabric unless otherwise approved by the State permit inspector. Concrete footings are not required for the temporary fence.

4. Salvaged right-of-way fence shall be disposed of as directed by the State permit inspector.

5. The temporary fence shall be connected to the existing fence so that the entire fencing, both permanent and temporary, is continuous.

6. Access control to freeway right-of-way shall be maintained at all times. No opening shall be allowed in the right-of-way or temporary fence at any time except as authorized and conditioned by the State permit inspector.

7. All of the Permittee's activities shall be confined to the area outside of the temporary fence. Once the temporary fence is installed, no work including ingress and egress shall be allowed on or from the freeway side of fence except for maintenance and removal of the temporary fence and other work as may be authorized by the State permit inspector.

8. Location of existing right-of-way fence shall be surveyed, recorded and referenced to field points, by a licensed land surveyor, in order to preserve its location and ensure its restoration at the original location upon completion of permit work. Copies of survey notes shall be provided to State permit inspector.

9. The fence shall be constructed in accordance with Section 80-4 of the Caltrans Standard Specifications and Sheet A85 of the Caltrans Standard Plans (attached).

10. Existing right-of-way fence does not need to be restored if replaced by fence and/or wall minimum 1.8m (6') high measured from each side, and constructed flush or otherwise connected to the remaining ends of existing right-of-way fence as directed by the State permit inspector.
Freeway R/W fence to be temporarily removed.
Enter or exit the work area from this side.

No equipment or persons allowed in this area.

NO ACCESS OR PARKING

SHOULDER

FREEWAY TRAVELLED WAY
Brace to be removed after all other fence construction is completed unless otherwise directed by the Engineer.

Notes:
1. The above table shows examples of post and brace sections which may comply with the Specifications.
2. Sections shown in the table must also comply with the strength requirements and other provisions of the Specifications.
3. Other sections which comply with the strength requirements and other provisions of the Specifications may be used on approval of the Engineer.
4. Options exercised shall be uniform on any one project.
5. Dimensions shown are nominal.
6. Offset to be 0.50 m at monument locations, measured at right angles to R/E lines. Taper to achieve offset to be at least 5 m long.