

CITY OF OAKLAND
APPLICATION FOR TELECOMMUNICATION INSTALLATION
☐ MINOR ENCROACHMENT

Project Address (APN) Various		Date 2-23-12	City of Oakland PTS Application Number		
Permittee (Utility Company/Contractor) Pacific Gas + Electric Co.		Utility Company Project Number 30618097			
Mailing address 1030 Detroit Avenue		Permittee's Telephone 925 674-6776			
City/State Concord CA	Zip 94518				
Contractor TBD		Contractor's 24 hour Emergency Phone Number			
Address		STATE Contractor's LICENSE NUMBER and Class			
City/State		Zip			
START DATE May 1, 2012	COMPLETION DATE Dec 31, 2013	Have plans for this work been revised and signed by City Engineering Services ☐ YES ☐ NO			
Description of Work: Install joint trench along Mountain + Ascot including side streets between Mountain + Wilton.		FEES			
		Item	Each	Quantity	Receipt #
		Plan check Fee	\$ /hr.		
		Application Fee	\$		
		Encroachment	\$		
(SEE ATTACHED DRAWING FOR DETAILS)		Other Permits			
1. Call Public Works Agency at (510) 238-3651, 48 hours prior to starting work to schedule inspection. 2. Any person, firm or corporation encroaching into public right-of-way, or watercourse to do work, store materials, erect or place any structure is required to obtain an encroachment permit, and or creek protection permits and each activity is covered under law of OMC respectively 3. State Law requires that the contractor/owner call Underground Service Alert (USA) two working days before excavation. This permit is not valid unless applicant has secured an inquiry identification number issued by USA. The USA telephone number is: (800) 227-2600 or 811. Underground Service Alert (USA) # _____ 4. Excavation Permit Required ☐ YES ☐ NO					
Special Conditions:					
Issued Date	Limited duration Area? (7am-9am & 4pm-6pm) ☐ YES ☐ NO	Holiday (Nov1-Jan1) Restriction ☐ YES ☐ NO	Date street last resurfaced		
CERTIFICATE OF INSURANCE PROVIDED? ☐ YES ☐ NO					
Signature of Permittee Linda Swarty		City Engineer Approval		Date	

CITY OF OAKLAND

PERMIT TO EXCAVATE IN STREETS OR OTHER WORK AS SPECIFIED

LOCATION OF WORK: Ascot Drive and various side streets BETWEEN Mountain AND Wilton
(Street or Address) (Specify)

PERMISSION TO EXCAVATE IN THE PUBLIC RIGHT-OF-WAY IS HEREBY GRANTED TO:

APPLICANT Pacific Gas & Electric - Linda Swartz

ADDRESS 1030 Detroit Ave, Concord PHONE #: 925 674-6770

TYPE OF WORK: GAS ☐ ELECTRIC ☒ WATER ☒ TELEPHONE ☒ CABLE TV ☒ SEWER ☐ OTHER ☐

NATURE OF WORK: Install joint trench for overhead to underground conversion. (Specify)

I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Sec. 70031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he is licensed pursuant to the provisions of the Contractor's License Law Chapter 9 (commencing with Sec. 70000) of Division 3 of the Business and Professions Code, or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Section 70031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than \$500:

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 70044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he did not build or improve for the purpose of sale).

☐ I, as owner of the property, am exempt from the sale requirements of the above due to: (1) I am improving my principal place of residence or appurtenances thereon; (2) the work will be performed prior to sale; (3) I have resided in the residence for the 12 months prior to completion of the work; and (4) I have not claimed exemption in this subdivision on more than two structures more than once during any three-year period. (Sec. 7044, Business and Professions Code).

☐ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law).

☐ I am exempt under Sec. 84.5C for this reason _____

Signature Linda Swartz Date _____

I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Workers' Compensation Insurance, or a certified copy thereof (Sec. 3800, Lab C).

Policy _____ Company _____ Name _____

☐ Certified copy is hereby furnished.

☐ Certified copy is filed with the city building inspection dept.

Signature Linda Swartz Date _____

(This section need not be completed if the permit is for one hundred dollars (\$100) or less.)

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Signature Linda Swartz Date 2-23-12

NOTICE TO APPLICANT: If, after making this certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

PERMIT VOID 90 DAYS FROM DATE OF ISSUE UNLESS EXTENSION GRANTED BY DIRECTOR OF PUBLIC WORKS.

Approximate Starting Date _____ DATE May 1, 2012

Approximate Completion Date _____ DATE Dec 31, 2013

HOLIDAY RESTRICTION (1 NOV - 1 JAN) YES ☐ NO ☐

LIMITED OPERATION AREA (7AM - 9AM/4PM - 6PM) YES ☒ NO ☐

DATE STREET LAST RESURFACED ONLY DATE _____ YES ☐ NO ☐

SPECIAL PAYING DETAIL REQUIRED YES ☐ NO ☐

24-HOUR EMERGENCY PHONE NUMBER 925 708-6540

PERMIT NOT VALID WITHOUT 24 HOUR NUMBER. Telephone 238-3668 Forty-eight (48) HOURS BEFORE ACTUAL CONSTRUCTION.

ATTENTION

State law requires that contractor/owner call Underground Service Alert two working days before excavating to have below-ground utilities located. This permit is not valid unless applicant has secured an inquiry identification number issued by Underground Service Alert.

Call Toll Free: 800-642-2444 USA ID Number _____

This permit is issued pursuant to all provisions of Chapter 6, Article 2 of the Oakland Municipal Code.

The permit is granted upon the express condition that the permittee shall be responsible for all claims and liabilities arising out of work performed under the permit or arising out of permittee's failure to perform the obligations with respect to street maintenance. The permittee shall, and by acceptance of the permit agrees to defend, indemnify, save and hold harmless the City, its officers and employees, from and against any and all suits, claims or actions brought by any person for or on account of any bodily injuries, disease or illness or damage to persons and/or property sustained or arising in the construction of the work performed under the permit or in consequence of permittee's failure to perform the obligations with respect to street maintenance.

CONTRACTOR

I hereby affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

LICENSE # _____ TAX # _____

Signature of Contractor Owner or Agent Linda Swartz Date 2-23-12

☐ Agent for ☐ Contractor ☐ Owner

OFFICIAL USE ONLY

UTILITY COMPANY REPORT

Supervisor _____

Completion Date _____

CITY INSPECTOR'S REPORT

BACKFILL PAVING

Initials _____

Hours _____

Date _____

Concrete _____

Asphalt _____

Sidewalk _____

Size of Cut: Sq. Ft. _____ Inches _____

Paved by _____ Type _____

Bill No. _____ Backfill _____

Charges _____ Paving _____

Traffic Striping Replaced _____ Date _____

Engineering Services _____ Date _____

Planning _____ Date _____

Field Services _____ Date _____

Construction _____ Date _____

Traffic Engineering _____ Date _____

Electrical Engineering _____ Date _____

APPROVED BY: _____

DIRECTOR OF PUBLIC WORKS

DATE: _____

EXTENSION GRANTED BY: _____

DATE: _____

CONDITIONS FOR USE OF OAKLAND'S RIGHT OF WAY

1. Installation of telephone lines and provision of telephone service shall be pursuant to Sec. 7901 of the California Public Utilities Code.
2. Permittee is not authorized to place any other facilities or provide any services over the facilities placed in the rights-of-way other than telephone lines as described above, without first obtaining authorizations from the City, including any necessary franchises, except where state law preempts local authority to franchise. By way of example and not limitation, Permittee may not install cable system or open video system facilities without first obtaining a franchise.
3. Permittee is not authorized to install facilities on any other public property other than rights-of-way, and any use of other public property shall require separate agreement.
4. Permittee shall comply with any provision that the City may adopt in the future requiring it to obtain a franchise or other authorization, and may be required to do so as a condition to the continued effectiveness of the permit, provided that nothing in this agreement shall be construed to prevent Permittee from claiming that a particular requirement is prohibited by applicable law.
5. If state or federal law does not prohibit municipality from charging for use of rights-of-way by Permittee, it may do so, and payment of any lawful compensation established by City shall be a condition of the continued effectiveness of the permit.
6. Permittee warrants that the services it will offer over the telephone lines consist solely of telephone service within the meaning of Section 7901.
7. Permittee shall abide by all City requirements for indemnification and insurance.
8. Conditions do not create or vest in Permittee any property interest.
9. Permittee warrants that it will promptly notify the City of any company to which it is selling, leasing, or otherwise transferring facilities or capacity, and agrees not to sell, lease, or otherwise transfer facilities or capacity to any company that is required by state or federal law to obtain a franchise or other authorization from municipality without proof that such company has obtained the necessary authorization or franchise.
10. The City retains police powers with respect to time, place and manner of placement and relocation of facilities within the public right-of-way.
11. Permittee agrees to comply with any future changes in State or Federal laws that pertain to the telephone and telecommunications industry and the City reserves the right to impose any changes in the law at such future time.
12. Permittee will submit Quarterly Construction reports as required by the Public Utilities Commission.
13. Permittee warrants that in the event any telephone facilities approved by the City pursuant to this permit are at any time during the usable life of the equipment or facilities utilized for purposes other than providing telephone service as defined by the California Public Utilities Code, including but not limited to the transmission of a cable system equivalent or open video or data transmission, Permittee agrees to first obtain the necessary authorization or franchise for providing such service over said existing facilities.
14. In addition to Permittee processing fees associated with the issuance of the herein permit, Permittee is Subject to inspection fees for the cost of determining compliance with the herein permit requirements. Additional re-inspection fee charges may be assessed as necessary to assure ongoing compliance with permit requirements.
15. Permittee agrees to notify City of any changes to the plans submitted with the excavation and all related permit applications prior to constructing such change(s).
16. Permittee shall be a member of USA and shall be responsible for notifying USA prior to excavations.
17. At least 48 hours prior to excavation, Permittee shall notify the City's Electrical Division, at 615-5438 and Telecommunications Systems Engineer at 238-6900.
18. Permittee is required to adhere to all herein conditions as a condition of the continued effectiveness of the permit. Failure or refusal to comply shall subject the Permittee to all applicable civil penalty provisions.
19. Additional permit conditions may be required as a matter of policy at any time commencing from the issuance of the permit up until the permit is "finalized" by the City.
20. For as long as Permittee maintains facilities within the public right-of-way, Permittee is subject to any further licensing and/or leasing requirements imposed by the City for such use.

I/we agree to the above conditions.

Permit #: X

Date: 2/23/12

Signed: Junda Swartz

Company: Pacific Gas & Electric
Title: Project Manager

Rev: January 29, 2001

1/29/01