
CHICAGO DEPARTMENT OF TRANSPORTATION

**REGULATIONS FOR OPENINGS,
CONSTRUCTION AND REPAIR IN
THE PUBLIC WAY**



July 2012

CHICAGO DEPARTMENT OF TRANSPORTATION
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CHICAGO DEPARTMENT OF TRANSPORTATION

REGULATIONS FOR

OPENINGS, CONSTRUCTION AND REPAIR IN THE PUBLIC WAY

Chapter 1

Definitions

1A. Definition of Terms

When used in these regulations, the following terms or abbreviations shall have the following meaning:

1A.1 Abbreviations

AASHTO	American Association of State Highway and Transportation Officials
APWA	American Public Works Association
CTA	Chicago Transit Authority
CDOL	Chicago Department of Law
CDOT	Chicago Department of Transportation
CDOT/OUC	Chicago Department of Transportation Office of Underground Coordination - Utilities of Chicago
CDOT/QAS	Chicago Department of Transportation Quality Assurance Section
CDOT/DEO	Chicago Department of Transportation Division of Electrical Operations
CDOT/DOE	Chicago Department of Transportation Division of Engineering
CDOT/DOIM	Chicago Department of Transportation Division of Infrastructure Management

CDOT/DOPD	Chicago Department of Transportation Division of Project Development
DIGGER	(Chicago Utility Alert Network)
DOWM	Department of Water Management
DSS	Department of Streets and Sanitation
DSS/FOR	Department of Streets and Sanitation Bureau of Forestry
IDOT	Illinois Department of Transportation
IDOT/SSRBC	Illinois Department of Transportation/Standard Specifications for Road and Bridge Construction (latest edition)
OEMC	Office of Emergency Management and Communications

1A.2 Definitions

Certain definitions not specifically provided herein relating to Telecommunications Providers are set forth in Chapters 3-73 and 10-30 of the Code. To the extent definitions herein shall conflict with such sections of the Code, the Code definitions shall control.

CERTIFICATE OF INSURANCE - Certificate of Insurance naming the City of Chicago as additional insured.

CHICAGO FREIGHT TUNNELS - The freight tunnels running below certain streets of the City.

CHICAGO SIMPLIFIED TELECOMMUNICATIONS TAX – The tax to be paid by Telecommunications Retailers Pursuant to Chapter 3-73 of the Code.

CITY - The City of Chicago, Illinois.

CITY BLOCK – A standard city block is defined as 660 feet from center of intersection to center of intersection.

CITY PROPERTY - Includes all real property owned by the City, excluding public streets and utility easements and all property held in a proprietary capacity by the City, including the Tunnels. The Freight Tunnels are being treated as the Public Way for certain purposes as set forth in Chapter 9 of these Regulations.

CODE – The Municipal Code of Chicago, as amended.

COMMISSIONER – The Commissioner of the Chicago Department of Transportation.

CONTRACTOR - Collectively, any individual, contractor, subcontractor, representative, agent or consultant employed by a Permittee or its affiliate to perform the work under a Permit.

DEPARTMENT - Chicago Department of Transportation. (CDOT)

EMERGENCY WORK - Work necessary to correct a situation which constitutes an evident and immediate hazard to life, health, or property, endangering the public safety or causing or likely to cause the imminent interruption of service required by law, contract or franchise to be continuously maintained, for which it is impractical to secure a permit before work is commenced. Such term shall not include work on new construction, upgrades or maintenance of existing hardware, continuation of an existing permit that has expired or will expire imminently or any other work which is not necessary to correct a condition likely to cause such hazard or imminent interruption.

INSPECTOR - The authorized representative of CDOT/DOIM assigned to make inspections of any or all portions of the work directly or indirectly affecting the Public Way.

IMPROVED - Any portion of the Public Way which has been paved in accordance with City standards and specifications, which include but not limited to streets, sidewalks, curbs, gutters, drainage, structures, etc.

LETTER OF CREDIT- An irrevocable, unconditional standby Letter of Credit naming the City as beneficiary (See Appendix C).

LICENSE - The Public Way work license specified in Chapter 10-20 of the Code (See Appendix C).

MATERIALS - Any substances specified for use in construction or repairs.

MORATORIUM STREET - Any street that has been constructed with a concrete surface/base within ten (10) years or resurfaced with asphalt within five (5) years. The 10-year and 5-year periods shall commence upon CDOT's declaration.

NON –MORATORIUM STREET – Any street that is not within the 5-year or 10-year moratorium period.

PARKWAY - That portion of the Public Way located between the curb line and the sidewalk (normally reserved for tree and grass planting) (See Appendix A, Sheet A-1-1).

PAVEMENT STRUCTURE - The combination of sub-base, base course, and surface courses placed on a prepared subgrade to support the traffic load and distribute it to the roadbed (See Appendix A, Sheet A-1-1).

PERMIT - Written authority to proceed with any activity which may directly or indirectly affect the Public Way, granted by CDOT -Room 905-City Hall. The term Permit shall also include a permit deemed to be issued pursuant to Section 2B of these regulations.

PERMITTEE - Person receiving a Permit from CDOT, including but not limited to, Utilities. All Telecommunications Providers are considered Permittees, regardless of which Person is listed on or acquires a Permit related to construction or installation of equipment of such Telecommunications Provider.

PERSON - Includes all individuals, sole proprietorships, partnerships, limited partnerships, firms, limited liability companies, corporations or other legal entities.

PUBLIC WAY - City highways, streets, alleys, and Public Right-of-Way dedicated or commonly used for utility purposes and water. A typical City street and an alley dedicated as right-of-ways are shown in Appendix A, Sheet A-1-1, and Sheet A-1-2.

RETAILER – Defined as provided in Section 3-73-020 of the Code.

RISK MANAGER - The Risk Manager, Department of Finance of the City, or such other office or employee of the City to whom responsibilities and duties regarding insurance standards, limits and requirements shall be assigned in the future.

ROADBED - The graded portion of a roadway prepared as a foundation for the pavement structure.

ROADWAY - That portion of the Public Way devoted to vehicular traffic, normally as measured from curb to curb. (See Appendix A, Sheet A-1-1).

SIDEWALK - That portion of the Public Way devoted to pedestrian traffic (normally a minimum of a 6-foot wide concrete strip located one foot from the property line) (See Appendix A, Sheet A-1-1).

SPECIFICATIONS - The body of directions, provisions, and requirements contained herein, or in any supplement adopted by the City, pertaining to the method or manner of performing work and the quantity or quality of materials utilized.

STRUCTURES - Objects which are an integral part of the Public Way including, but not limited to, vaults in sidewalks, sewer and catch basin grates and covers, manhole and/or vault covers, trees, etc.

STREET/UTILITY CUT – The transverse or longitudinal cut to the asphalt or

concrete pavement in the roadway.

SUBGRADE - The top surface of the roadbed on which the pavement structure is built.

TELECOMMUNICATION PROVIDERS – (i) a Retailer subject to Chapter 3-73 of the Code and (ii) a provider of telecommunications services and facilities which is not a Telecommunications Retailer within the meaning of Chapter 3-73 of the Code.

TELECOMMUNICATION/RETAILERS – Definitions pertaining to "Telecommunications" and "Retailers" are set forth in Chapter 3-73 of the Code. The provisions in these regulations applicable to Telecommunications Providers and relating to Letter of Credit, insurance and general construction standards and submittals are also applicable to Utilities which are not Telecommunications Providers; except that where City franchises or other agreements with such Utilities which are not Telecommunications Providers specifically conflict with or preempt these regulations, such franchise provisions shall control and provided, that in the case of such Utilities the provisions of Section 2B.1 of these regulations shall not apply.

TROLLEY TUNNELS - Collectively, the three tunnels formerly used by trolley cars crossing the Chicago River at LaSalle Street, Washington Street and Van Buren Street.

TUNNELS - Collectively, the Chicago Freight Tunnels and the Trolley Tunnels located under certain City streets.

UNIMPROVED - Any portion of the Public Way which has not been paved in accordance with City standards and specifications, including but not limited to gravel roadway, W.P.A. streets, and asphalt or gravel sidewalks, driveways and alleys.

UTILITY - A Person who owns or operates lines, facilities, and systems for producing, transmitting, or distributing communications, power, electricity, telecommunication, light, heat, gas, oil, crude products, steam, water, sewer and other similar commodities, including all Telecommunications Providers and providers of cable television. The term "Utility" includes, but is not limited to the current members of CDOT/OUC set forth on Exhibit G to these Regulations.

For the most current listing of the OUC utility members contact CDOT/OUC at (312) 744-4828.

VIADUCT/BRIDGE - Any load-carrying structure, including supports erected over an obstruction (such as waterways, railroads, or other roadway), having a passageway for carrying vehicular and/or pedestrian traffic.

Chapter 2

Specific Requirements

Requirements Pursuant to Chapter 10-20 and 10-30

The following shall describe the type of approval required prior to making any opening in, or constructing or repairing any pavement in, the Public Way pursuant to Chapter 10-20 and 10-30 of the Code.

In general, the requirements set forth in Section 2A of these regulations do not apply to Telecommunications Providers subject to the requirements of Section 2B of these regulations. However, no telecommunication facilities may be installed in the Public Way, by or on behalf of, a Telecommunications Provider unless a Telecommunications Provider Permit has been issued under Section 2B of these Regulations or deemed issued as provided in Code Section 10-30-030(b). In addition, each Contractor which installs facilities in the Public Way on behalf of a Telecommunications Provider (but is not itself the Telecommunications Provider whose facilities are being installed) must obtain its own Public Way work license pursuant to this Section 2A. See Section 3B.1 of these regulations.

2A. License Requirements Pursuant to Chapter 10-20

The provisions set forth in Section 2A of these regulations are applicable solely to Persons making openings in or constructing or repairing any pavement in the Public Way who are not subject to Section 2B of these regulations.

2A.1 Public Way Work Licenses

It shall be the responsibility of any Person (who is not a Telecommunications Provider subject to Chapter 10-30) to obtain a Public Way work license from CDOT prior to making an opening in, or constructing or repairing any pavement in, the Public Way. Applications for such a license and for any renewals must be submitted in the office of CDOT, City Hall, Room 905. (See Appendix C) for a sample license application and renewal form.

A Public Way work license may be applied for at any time during the calendar year, and the license will be valid, unless otherwise invalidated, suspended or revoked, until midnight of December 31st of the calendar year in which the license is issued.

A license fee will be charged for issuing licenses according to Section 10-20-100 of Chapter 10-20 of the Code.

A copy of Chapter 10-20 of the Code can be obtained from CDOT, 121 N. LaSalle Street, City Hall, Room 905.

2A.2 Insurance Requirements

Each applicant for a Public Way work license and for any renewals shall be required to furnish to the City proof of valid certificate/s of insurance/s as discussed below:

1. Furnish a certificate of Commercial General Liability insurance naming the City of Chicago an "additional insured". Minimum Limits of Liability, \$1,000,000.00 per occurrence. This insurance must be maintained unchanged from the terms initially approved by CDOT and must be maintained uninterrupted for the duration of the license period. If a Person holding a Public Way work license allows this insurance to be cancelled or to expire or otherwise lapse for more than 30 days during a calendar year, the license will be rendered void and the Person must reapply for a new license and pay a new license fee in order to be considered for a valid license.
2. Where applicant will use a motor vehicle (any type), in the conduct of business or will require a permit for the parking of said vehicle or vehicles on the Public Way, applicant will also be required to furnish a certificate of automobile insurance showing the City of Chicago as an additional insured. Minimum Limits of liability on motor vehicles, \$1,000,000.00 per occurrence.
3. All policies must be written by companies authorized to do business in Illinois.
4. An original and one copy of each certificate in question should be sent for review and approval to:

CITY OF CHICAGO
Department of Transportation
121 North LaSalle Street, Room 905
Chicago, Illinois 60602

2A.3 Letter of Credit Requirements

Each applicant for a Public Way work license and for any renewals shall be required to furnish to the City proof of a valid Letter of Credit as discussed below:

1. Furnish an original irrevocable, unconditional, standby Letter of Credit naming the City of Chicago as beneficiary. The Letter of Credit shall be a clean Letter of Credit, requiring only sight drafts for proper presentment, shall permit partial and multiple draws, and shall be in the form shown in Appendix C.
2. The expiration date of the Letter of Credit shall be at least three years from the last day of the license period for which application is made. For example, if a Public Way work license (or renewal of same) is applied for in January of

2012, the Letter of Credit submitted with the application shall not expire before midnight on December 31 of 2015. If a Public Way work license (or renewal of same) is applied for in June of 2012, the Letter of Credit submitted with the application shall not expire before midnight on December 31 of 2015. An applicant for renewal of a Public Way work license may arrange for an extension of the expiration date of an existing Letter of Credit, as an alternative to obtaining a new Letter of Credit.

3. The dollar amount of the Letter of Credit shall determine the amount of work that may be performed pursuant to the license during a given license period. The following four Letter of Credit levels shall apply:

a. 5,000.00 Letter of Credit -- By submitting a \$5,000.00 Letter of Credit to CDOT, the holder of the Public Way work license may disturb an unlimited amount of unpaved Public Way, and may disturb up to 75 square yards of street and/or alley pavement or up to 1200 square feet of Sidewalk pavement, or any combination of the three pavements, calculated at the following rate, up to a maximum of \$5,000.00:

Street and/or alley pavement at \$65.00 per square yard.
Sidewalk pavement at \$4.00 per square foot.

b. \$25,000.00 Letter of Credit -- By submitting a \$25,000.00 Letter of Credit to CDOT, the holder of the Public Way work license may disturb an unlimited amount of unpaved Public Way, and may disturb up to 375 square yards of street and/or alley pavement or up to 6000 square feet of Sidewalk pavement, or any combination of the three pavements, calculated at the following rate, up to a maximum of \$25,000.00:

Street and/or alley pavement at \$65.00 per square yard.
Sidewalk pavement at \$4.00 per square foot.

c. \$50,000.00 Letter of Credit -- By submitting a \$50,000.00 Letter of Credit to CDOT, the holder of the Public Way work license may disturb an unlimited amount of unpaved Public Way, and may disturb up to 750 square yards of street and/or alley pavement or up to 12,500 square feet of sidewalk pavement, or any combination of the three pavements, calculated at the following rate up to a maximum of \$50,000.00.

Street and/or alley pavement at \$65.00 per square yard.
Sidewalk pavement at \$4.00 per square foot.

d. \$100,000.00 Letter of Credit -- By submitting a \$100,000.00 Letter of Credit to CDOT, the holder of the Public Way work license may disturb an unlimited amount of unpaved Public Way, street and/or alley pavement or sidewalk pavement.

The "per square yard" and "per square foot" dollar amounts are used in this paragraph 3 to define the scope of work which may be performed pursuant to a given level of Letter of Credit, and are not charges or assessments for performing the work.

The amount of pavement and/or other Public Way surface that may be disturbed by a project is stated in, and measured by, a Public Way work Permit (See Chapter 3 of these Regulations). Accordingly, if a permitted project involves more than one Licensee or a Telecommunications Provider, only the Licensee or the Telecommunications Provider named on the permit is required to meet the level of Letter of Credit required for that permitted project. All other Licensees working on that project must, however, be in compliance with the Letter of Credit requirement, at a dollar level appropriate for their own permitted work.

At any time during a license period, a licensee may raise or lower the amount of work that the licensee may perform pursuant to a Public Way work license by submitting a new Letter of Credit in a different amount or by submitting an amendment to the amount specified in the licensee's existing Letter of Credit. Any such submission shall be made to, and shall be subject to the prior approval of, CDOT. Any work performed during a license period prior to the time of any such change in amount shall be carried over and applied to the new amount authorized.

The restrictions as to the amount of pavement and/or other Public Way surface that may be disturbed under a given level of Letter of Credit shall not apply to work done pursuant to a contract with the City of Chicago. However, a valid Public Way work license and Public Way work Permit shall be required for such work, and all licensees participating in such work must otherwise be in compliance with the Letter of Credit requirement, at a dollar level appropriate for their scope of work.

4. All Letters of Credit must be issued by a financial institution that is an insured depository institution (as defined in 12 U. S. C. § 1813). The financial institution may be subject to the prior approval of the City Comptroller. The financial institution issuing the Letter of Credit shall preferably be located within, or have a branch located within, the Chicago metropolitan area and shall preferably carry an investment grade rating from one of the major rating agencies.
5. Except for an authorized change in the amount of the Letter of Credit discussed in paragraph 3 above or an authorized extension of the expiration date, the above-described Letter of Credit must be maintained unchanged from the terms initially approved by the Commissioner and must be maintained uninterrupted for the duration of the period specified in paragraph 2 above. If the Letter of Credit is cancelled or expires or otherwise lapses for

more than 30 days during a calendar year, the license will be rendered void and the licensee shall be subject to the penalties for violation of Chapter 10-30, Chapter 10-20 and other applicable provisions of the Code. Upon being notified that a Letter of Credit will be cancelled or will not be extended and upon determining that such cancellation or failure to extend is improper, the City may draw upon the Letter of Credit pending resolution of the issue. In the event that the City draws from the Letter of Credit, the licensee shall take any action required to restore the Letter of Credit to its full amount within three days of notification by the City of its withdrawal against the Letter of Credit.

6. If circumstances occur that cause the financial institution issuing the Letter of Credit to fail financially or no longer meet the approval of the City Comptroller, the licensee shall promptly arrange for a replacement Letter of Credit to be issued by an acceptable financial institution.
7. In order to avoid processing delays and possible additional costs from the applicant's financial institution, the submission to CDOT, in the form of Appendix C, for review and approval is encouraged. An original and one copy of each Letter of Credit in question should be sent for review and approval to:

CITY OF CHICAGO
Department of Transportation
121 North LaSalle Street, Room 905
Chicago, Illinois 60602

8. Upon consultation with the Corporation Counsel of the City and upon being satisfied that adequate security is provided, the Commissioner/, for good cause shown, may accept an existing Letter of Credit naming the City of Chicago as beneficiary or other form of security as a substitute for the Letter of Credit required by this Section 2A.3. For example, in appropriate circumstances, a Person who performs work in the Public Way exclusively as a Contractor of the holder of a Telecommunications Provider Permit (see Section 2B. below), may satisfy the Letter of Credit requirement of Chapter 10-20 of the Code with the Letter of Credit required of the Telecommunications Provider.

2A.4 Notices or Citations -- License Suspension

As provided in Chapter 10-20 of the Code, a Public Way work license may be suspended for repeated notices and/or citations. The number of notices and/or citations that may trigger the imposition of a suspension depends on the level of work authorized in the license, as measured by the applicable Letter of Credit amount, as follows:

For a Public Way work license maintained in conjunction with a \$5,000.00 Letter of Credit, a suspension may be imposed for three (3) notices and/or citations during a license period.

For a Public Way work license maintained in conjunction with a \$25,000.00 Letter of Credit, a suspension may be imposed for ten (10) notices and/or citations during a license period.

For a Public Way work license maintained in conjunction with a \$50,000.00 Letter of Credit, a suspension may be imposed for fifteen (15) notices and/or citations during a license period.

For a Public Way work license maintained in conjunction with a \$100,000.00 letter of credit, a suspension may be imposed if the number of notices and/or citations during a license period exceeds ten (10) percent of the number of Public Way work Permits issued to the licensee during the license period or for twenty (20) notices and/or citations during a license period, whichever number is greater.

2B. Requirements Pursuant to Chapter 10-30 (Telecommunications Provider)

Subject to Section 10-30-030 of the Code and Section 2B.1 of these regulations, no Telecommunications Provider shall make an opening in, or construct or repair any part of, or install any telecommunications equipment in, on or over any part of the Public Way without getting a telecommunications provider Permit under this Section 2B. Pursuant to Section 10-30-020(b) of the Code, the Commissioner/shall deny the issuance of a Permit under this Section 2B, or shall revoke any such Permit if:

1. The Commissioner/determines that the installation or maintenance of the telecommunications equipment would endanger public health or safety or otherwise inconvenience the public; or
2. The Commissioner/determines that the Telecommunications Provider has not paid any portion when due of the Chicago Simplified Telecommunications Tax Pursuant to Chapter 3-73 of the Code or any required Permit fee pursuant to Section 10-30-40(b) of the Code; and has not provided any security required pursuant to these regulations; has not complied with specifications prescribed under these regulations; or has otherwise failed to comply with the provisions of the Code, or any applicable rules or regulations adopted pursuant thereto, including these regulations.

A copy of Chapter 10-30 and Chapter 3-73 of the Code and related Code provisions can be obtained from the Department, City Hall, Room 905.

2B.1 Permit Process

1. A Telecommunications Retailers/Provider that intends to install any telecommunications equipment on, over or under the Public Way shall give the City notice of such installation by filing written notice with the Commissioner no less than 10 days prior to the date the installation is to begin or, if the installation requires excavation relating to new construction, no less

than 30 days prior to the date the excavation is to begin. The notice shall include plans, specifications and documentation of the purpose and intention of the Telecommunications Provider with respect to the installation, and shall be in a form, as amended from time to time, prescribed by the Commissioner consistent with the requirements of Chapter 10-30 of the Code. Where installation shall require excavation in the Public Way, such notice form shall require proof of submittal of construction documents to CDOT/OUC as set forth in Section 3C.5 at least 10 days prior to submittal of notice under this Section 2B.1. Notice forms must be obtained from and submitted to the office of CDOT/OUC in Room 905, City Hall.

2. Within 10 days after receiving a completed notice form under this Section (or within 25 days if the notice form is for installation that requires excavation relating to new construction), the Commissioner shall specify the portion of the Public Way that the Telecommunications Retailer/Provider shall be permitted to occupy without creating an undue risk to the safety or welfare of the public and all users of the Public Way. Upon receiving the Commissioner's specification of the permitted location, the Telecommunications Retailer/Providers shall provide the Commissioner with any additional plans, specifications and documentation required which are available. Upon the Telecommunications Provider's submission of the additional plans, specifications and documentation, the Commissioner shall, in a timely fashion issue a Permit allowing the Telecommunications Provider to install and maintain telecommunications equipment in accordance with the terms and conditions specified in the Permit. However, if permission for installation on a particular portion of the Public Way must be denied for any of the reasons specified in subsection (b) of Section 10-30-020 of the Code and Section 2B of these regulations described above that denial shall be issued in writing within the 10 or 25 day period, as the case may be, and shall specify the reasons for the denial. If the Commissioner fails to specify a permitted location or issue a written denial within the time required by this paragraph (2), a Permit shall be deemed to have been issued for the Telecommunications Provider to install and maintain, solely at the Telecommunications Provider's risk, telecommunications equipment on, over or under the Public Way, provided that such installation and maintenance: (i) is not in violation of the Code or any rules and regulations adopted pursuant thereto, including these regulations; and (ii) does not interfere with other proper uses of the Public Way.
3. Nothing in these regulations shall excuse any Person or entity from obligations imposed under any applicable law or ordinance, or regulations issued by CDOT concerning generally applicable standards for construction on, over, under, or within, use of or repair of the Public Ways, including standards relating to free standing towers and other structures on the Public Way, nor shall any Person or entity be excused from any liability imposed by any such law or ordinance, or regulations for failure to comply with standards.

Any notification for a Permit for telecommunication system installation and/or maintenance shall include appropriate evidence, if requested, of approval and permission from the Illinois Commerce Commission and provide evidence of registration of the Telecommunications Provider with the City's Comptroller or Department of Finance as applicable under Chapter 3-73-060 of the Code and, if requested, with the State of Illinois as a telecommunications retailer, if applicable, under 35 ILCS 635/22 et seq. or an explanation as to why such registration is not legally required by Illinois law.

There will be no Permit fee charged for Permits issued to Telecommunications Providers which are subject to the "Chicago Simplified Telecommunications Tax" pursuant to Chapter 3-73 of the Code or Persons whose sole work in the Public Way consists of working for such a Telecommunications Provider for the installation of telecommunications facilities. No fee permitting shall continue during such time as the Telecommunications Provider: (i) is subject to and is paying the Chicago Simplified Telecommunications Tax established by Section 3-73-030 of the Code and (ii) has complied with the other requirements of Chapter 3-73 of the Code (including registration).

4. Permittees holding an existing telecommunications provider Permit covering facilities in the Public Way and seeking to expand, modify or relocate such facilities in the Public Way shall obtain a new telecommunications provider Permit for such activities. However, compliance with the requirements of notice under Chapter 10-30 of the Code and Section 2B.1 of these regulations may be achieved through submittal of legible and complete copies of insurance, letter of credit and other security documents in effect under existing Permits, together with the Permit numbers of such applicable existing Permits, provided that such instruments and documents provide the same coverages and protections to the City for all activities and facilities related to the new Permit as is provided under the existing Permit and that no further coverages or protections are deemed necessary by the Commissioner.

In case construction documents are submitted by a Telecommunications Provider or its Contractor, the Permittee's documentation shall be submitted to CDOT/OUC at least 10 days before submittal of notice pursuant to Section 2B of these regulations. If the construction documents so submitted are found to be incomplete or deficient or do not conform to these regulations, CDOT/OUC will not process the request. CDOT/OUC will inform the Permittee in writing, stating the reasons for not processing the construction documents, within 48 hours of submittal. When the required information is submitted and found to be complete and sufficient for review by CDOT/OUC, the Permittee's documentation will be transmitted to OUC members for review.

2B.2 Insurance Requirements

Each Telecommunications Provider using the Public Way shall be required to provide and maintain the insurance specified below throughout the duration of the Permit and as described below:

1. Worker's Compensation and Employers Liability Insurance:

Workers Compensation and Employers Liability Insurance as prescribed by applicable law, covering all employees who are to provide a service to Permittee and Employers Liability coverage with limits of not less than \$500,000.00 each accident or illness.

2. Commercial General Liability Insurance (Primary and Umbrella).

Commercial General Liability Insurance or equivalent with limits of not less than \$5,000,000.00 per occurrence, for bodily injury, personal injury, and property damage liability. Any tunnel penetration shall require limits of not less than \$10,000,000.00 per occurrence for bodily injury, personal injury and property damage liability. Coverage shall include the following: All premises and operations, products/completed operations, explosion, collapse, underground, independent Contractors, separation of insured, defense and contractual liability (with no limitation endorsement). The City is to be named as additional insured on a primary, non-contributory basis for any liability arising directly or indirectly from the work.

Subcontractors performing work shall be required to maintain limits of not less than \$1,000,000.00 with the same limits as set forth above.

3. Railroad Protective Liability Insurance

When any work is to be done adjacent to or on railroad or transit property, with respect to the operations performed, Railroad Protective Liability Insurance in the name of the railroad or transit entity shall be provided. The policy shall have limits of not less than \$2,000,000.00 per occurrence, combined single limit, and \$6,000,000.00 in the aggregate for losses arising out of injuries to or death of all persons, and for damage to or destruction of property, including the loss of use thereof

4. Automobile Liability Insurance (Primary and Umbrella)

When any motor vehicles (owned, non-owned, and hired) are used in connection with work to be performed, Automobile Liability Insurance shall be maintained with limits of not less than \$1,000,000.00 per occurrence, for bodily injury and body damage.

The City shall be named as an additional insured on a primary, non-contributory basis.

5. Professional Liability

When any architects, engineers, construction managers or other professional consultants perform work in connection with a permitted project, Professional Liability Insurance covering acts, errors or omissions shall be maintained with limits of not less than \$1,000,000.00. Coverage shall include contractual liability. When policies are renewed or replaced, each policy's retroactive date must coincide with, or precede, start of work as authorized by the Permit. A claims-made policy which is not renewed or replaced must have an extended reporting period of two (2) years.

6. All Risk Property

The Permittee shall be responsible for all loss or damage to personal property (including but not limited to material, equipment, tools and supplies) in the care, custody or control of such Permittee.

7. Self-Insurance

To the extent permitted by law and subject to prior approval by the Risk Manager, a Permittee may self insure for the insurance requirements specified above. In case of any such approved self-insurance, the Permittee shall bear all risk of loss for any loss which would otherwise be covered by insurance policies, and the self-insurance program shall comply with at least the insurance requirements set forth above.

8. Additional Requirements

Each Permittee will furnish the City of Chicago, Department of Transportation, Room 905, 121 North LaSalle Street, Chicago, Illinois 60602, an original Certificate of Insurance evidencing the required coverage to be in force on the date of the applicable Permit, and Renewal Certificates of Insurance, or such similar evidence, if the coverages have an expiration or renewal date occurring during the term of a Permit. Each Permittee receiving a Permit under Section 2B of these regulations shall submit evidence of insurance on the City of Chicago Insurance Certificate form or equivalent prior to Permit issuance. The failure of the City to obtain certificates or other insurance evidence from a Permittee shall not be deemed to be a waiver by the City. Each Permittee shall be deemed to have advised all of its insurers of the Permit provision regarding insurance. Non-conforming insurance shall not relieve a Permittee of the obligation to provide insurance as specified in these regulations. Nonfulfillment of the insurance conditions may constitute a violation of these regulations, and the City retains the right to terminate any issued Permits until proper evidence of insurance is provided.

The insurance shall provide for 60 days prior written notice to be given to the City in the event coverage is substantially changed, canceled, or non-

renewed.

Any and all deductibles or self-insured retentions on referenced insurance coverages shall be borne by the Permittee.

As a condition of Permit issuance, each Permittee is deemed to expressly understand and agree that its insurers shall waive their rights of subrogation against the City, its employees, elected officials, agents or representatives.

As a condition of Permit issuance, each Permittee is deemed to expressly understand and agree that any coverages and limits furnished by the Permittee shall in no way limit the Permittee's liabilities and responsibilities specified under these regulations or by any permit issued or by law.

As a condition of Permit issuance, each Permittee is deemed to expressly understand and agree that any insurance or self-insurance programs maintained by the City of Chicago shall apply in excess of and not contribute to insurance provided by a Permittee under the Permit.

The required insurance shall not be limited by any limitations expressed in the indemnification language contained in these regulations or any limitation placed on the indemnity therein given as a matter of law.

Each Permittee shall require all subcontractors to provide the insurance subcontractors. All subcontractors of a Permittee shall be subject to the same insurance requirements as the Permittee unless otherwise specified herein.

Any variation of the above-indicated insurance requirements can only be approved by the Commissioner, after consultation with the Risk Manager.

9. All policies must be written by companies authorized to do business in Illinois.

2B.3 Letter of Credit Requirements

Each Telecommunications Provider submitting notice to the Commissioner pursuant to Section 10-30-030 of the Code and Section 2B of these regulations in conjunction with a telecommunications provider Permit shall be required to furnish (or to have furnished in conjunction with prior notices) to the City an original irrevocable unconditional and valid Letter of Credit as described below:

1. The Letter of Credit shall name the City of Chicago as beneficiary. The Letter of Credit shall be a clean Letter of Credit, requiring only sight drafts for proper presentment, shall permit partial and multiple draws, and shall be in the form shown in Appendix C.
2. The Telecommunications Provider shall maintain the Letter of Credit for the

duration of the Permit, and shall further maintain the Letter of Credit for three years following the termination of the last Permit issued in connection with its facilities. For example, if a telecommunications provider Permit expires in June of 2012, the Letter of Credit may not expire before midnight on June 30, 2015.

3. The dollar amount of the Letter of Credit shall be \$500,000.00. However, upon providing proof to the City as specified below, the Telecommunications Provider may provide a Letter of Credit at the following reduced level:

If the Permittee is an "Independent Small Telecommunications Provider" whose telecommunications system will constitute a single build which is not part of a larger telecommunications system located in the Public Way and such build will not require disturbing of more than 375 square yards of street pavement, alley pavement, Sidewalk pavement and/or unpaved Public Way, the Permittee will be allowed to build its system for a Letter of Credit of \$25,000.00, provided that all other requirements of the Code and these regulations are met including, but not limited to, the insurance requirements set forth in Section 2B.2. Only the Commissioner, after consultation with the Risk Manager, will decide who is eligible for "Independent Small Telecommunications Provider" status.

4. All letters of credit must be issued by a financial institution that is an insured depository institution (as defined in 12 U. S. C. § 1813). The financial institution may be subject to the prior approval of the City Comptroller. The financial institution issuing the Letter of Credit preferably shall be located within, or have a branch located within, the Chicago metropolitan area and preferably shall carry an investment grade rating from one of the major rating agencies.

Except for an authorized extension of the expiration date, the above-described Letter of Credit must be maintained unchanged from the terms initially approved by the Commissioner and must be maintained uninterrupted for the duration of the period specified in paragraph 2 above. If the Telecommunications Provider allows the Letter of Credit to be canceled or to expire or otherwise lapse the Permit will be rendered void and the Telecommunications Provider shall be subject to the penalties for violation of Chapter 10-30 and other applicable provisions of the Code. Upon being notified that a Letter of Credit will be cancelled or will not be extended and upon determining that such cancellation or failure to extend is improper, the City may draw upon the Letter of Credit pending resolution of the issue.

In the event that the City draws from the Letter of Credit, the Telecommunications Provider shall take any action required to restore the Letter of Credit to its full amount within three days of notification by the City of its withdrawal against the Letter of Credit.

5. If circumstances occur that cause the financial institution issuing the Letter of Credit to fail financially or no longer meet the approval of the City Comptroller, the Permittee shall promptly arrange for a replacement Letter of Credit to be issued by an acceptable financial institution.
6. In order to avoid processing delays and possible additional costs from the applicant's financial institution, the submission to CDOT of a draft Letter of Credit, in the form of Appendix C, for review and approval is encouraged. An original and one copy of each Letter of Credit in question should be sent for review and approval to:

CITY OF CHICAGO
Department of Transportation
121 North LaSalle Street, Room 905
Chicago, Illinois 60602

7. Upon consultation with the Corporation Counsel of the City and upon being satisfied that adequate security is provided, the Commissioner, for good cause shown, may accept an existing Letter of Credit naming the City of Chicago as beneficiary or other form of security as a substitute for the Letter of Credit required by this Section 2B.3.
8. The Letter of Credit required by these regulations shall be used to ensure the faithful performance by the Telecommunications Provider and its Contractors of all their obligations under any Permit issued under Chapter 10-30 of the Code as well as the performance of any Contractor performing work related to such Permits and to remedy any defaults there under and to ensure compliance with all orders, licenses, and permits on direction of the City having jurisdiction over the Telecommunications Provider's or its Contractor's acts or defaults under the Permit and to pay any penalties, liens, claims, fees and taxes due the City which arise by reason of a Telecommunications Provider's or its Contractor's activities pursuant to the Permit. Furthermore, said Letter of Credit may be used as provided in this section to repay the City for any damages, expenses or costs incurred by the City by reason of a Telecommunications Provider's or its Contractor's acts or omissions connected with a matter covered in a Permit.
9. In the absence of a dangerous condition that poses an imminent threat (see paragraph 11 below), if the actions or omissions of a Telecommunications Provider or its Contractor results in a condition for draw, CDOT shall provide the Telecommunications Provider with notice, by certified mail, of the condition(s) for draw and an opportunity to respond, and shall provide the Telecommunications Provider with a reasonable time period to correct the condition(s) before drawing on the Telecommunications Provider's Letter of Credit.

10. If the action or omissions of a Telecommunications Provider or its Contractors results in a dangerous condition that poses an imminent threat to the safety of pedestrians, motorists, or others on or near the Public Way and makes notice impracticable, CDOT may correct or arrange for the correction of the condition and shall provide the Telecommunications Provider with notice, by certified mail, of the costs incurred and an opportunity to respond, and shall provide the Telecommunications Provider with 48 hours from the mailing of notice to remit funds to cover the City's costs before drawing on the Telecommunications Provider's Letter of Credit
11. The Commissioner may in his or her discretion draw upon the Letter of Credit, either simultaneously or sequentially, of any one or more licensees or Permittees either holding, or performing work pursuant to, a Permit issued pursuant to this Section 2B of these regulations. Any such draw shall be pursuant to the procedures set forth in this section 2B.

2B.4 Fees for Telecommunications Providers which do not pay the City Simplified Telecommunication Tax under Chapter 3-73 of the Code.

1. Pursuant to Chapter 10-30-040(b) of the Code the Commissioner is authorized to determine what the Permit fee shall be for Telecommunications Providers not subject to the City Simplified Telecommunications Tax required by Chapter 3-73 of the Code and who have not otherwise entered into an agreement with the City regarding fees or other compensation. Such fees shall provide for the recovery of the City's actual or reasonably estimated costs of maintaining and regulating the Public Way in a manner consistent with the public welfare, and shall include, but not be limited to, the City's costs of inspection, regulation, maintenance, administration and repair.
2. The Commissioner will calculate the costs described in paragraph (1) above by case basis, and from time to time, set forth the fees operative under paragraph (1). The fees under paragraph (1) are subject to change at any time on a prospective basis. The current fee structure can be obtained from the Department at Room 905, City Hall. The Commissioner and a Telecommunications Provider subject to fees under this Section 2B.4 may mutually agree on the provision of in-kind compensation to the City consisting of cables, conduits or other telecommunications facilities as an offset to be applied against such fees, provided that such offset shall be calculated in a reasonable and nondiscriminatory manner.
3. All Permit fees required under this Section 2B.4 shall be paid to the City's Comptroller or Department of Finance as applicable prior to the issuance of a Telecommunications Provider Permit. Annual Fees, as applicable, shall be payable no later than 30 days following the anniversary of the date of issuance of the Telecommunications Provider Permit for which such Annual Fees

pertain. If extraordinary costs shall be reimbursed within 30 days of a written statement from the City Such as to such amount of extraordinary costs (together with reasonable documentation thereof) from the Commissioner. Failure to timely pay the fees covered in this Section 2B.4 may lead to revocation by the Commissioner of all Permits issued to a Telecommunications Provider. In case of such revocation, Section 3B.9 of these regulations shall apply.

Chapter 3

General Requirements

3A. Requirements Pursuant to Chapter 10-20, Chapter 10-29, and Chapter 10-30

The following shall describe the type of approvals and Permits required prior to making any opening in, including but not limited to excavation, tunneling, boring and drilling, or constructing or repairing any pavement in, the Public Way pursuant to chapters 10-20 and 10-30 of the Code, subject to the provisions of Section 10-30-030 of the Code. The following also describes the duty to maintain new and existing utility structures used to house or obtain access to wires, pipes, cables, conduits, or telecommunications equipment placed on, under, or over the Public Way pursuant to Chapters 10-29 or 10-30 of the Code.

3B. Work Permits

It shall be the responsibility of any Person to obtain a Public Way Permit from CDOT pursuant to Chapters 10-20 and 10-30 of the Code, as applicable. Applications/Notice forms for such Permits may be obtained from and must be submitted in the Office of CDOT/DOIM Permit Section, City Hall - Room 905, 121 N. LaSalle Street, Chicago, IL 60602. . Except for emergencies, no work in the Public Way shall be started until an approved Permit has been obtained. Where the work on the Public Way is being performed by or for the benefit of a Utility (except for governmental agencies, including the City of Chicago) which uses the Public Way to provide services to the public, the Permit must be issued in the name of such Utility.

Any Person performing Emergency Work must submit a formal permit application by the close of business on the next business day.

Asphalt Restoration Agreement Requirement – A Permittee shall be required to enter into an Asphalt Restoration Agreement for any of the following situations; 1) Street cuts or other opening(s) are made on a Moratorium Street, 2) Street cuts or other opening(s) for emergency situations; 3) CDOT determines that an Agreement is required. Emergency Work restoration agreements shall be entered into by the close of business on the next business day. An Asphalt Restoration Agreement Form is included in Appendix E.

Perimeter Paving Requirement for a new development – A Permittee for a development project shall be required to enter into an Asphalt Restoration Agreement to address the extent of perimeter paving required by the City to restore pavement adjacent to new construction in accordance with the requirements in Appendix A, Section 2, Sheet A-2-1D. This type of restoration agreement is required of the Permittee prior to the start of any street excavation work and will utilize the Asphalt Restoration Agreement Form included in Appendix E.

Streetscape Restoration Agreement – When work is requested to be performed in an area deemed a Moratorium Street due to a Streetscape project the Permittee will be required to complete an application for a Streetscape Restoration Agreement, see Appendix H.

3B.1 Permit Fees

1. Permittees requesting Permits under Chapter 10-20 (all applicants except Telecommunications Providers) for making an opening in or constructing or repairing any pavement in the Public Way will be subject to Permit fees as set forth in Section 10-20-150 of Chapter 10-20 of the Code. The current Permit fee schedule can be viewed on the City's web site at <http://www.cityofchicago.org>. Go to Chicago Government-Transportation and click on Permits.
2. A degradation fee will be assessed by the City for any project involving cuts or trenches on a Moratorium Street. The degradation fee will be calculated in accordance with the Degradation Fee Schedule included as Appendix F. The Permittee will be subject to a fee for Obstructing the Public Way. The current Permit Fee Schedule can be viewed on the City's web site at www.ChicagoDOT.org.
3. Permittees requesting Permits under Chapter 10-30 (Telecommunications Providers and/or their Contractors for the installation of a telecommunication system) will not be charged Permit fees (including Permit fees otherwise payable under Chapter 10-20); provided that the Telecommunications Provider is subject to the Chicago Simplified Telecommunications Tax imposed pursuant to Section 3-73-030 of the Code and is not in violation of applicable requirements of Chapter 3-73 and Chapter 10-30 of the Code
4. Telecommunications Providers who are not subject to the Chicago Simplified Telecommunications Tax pursuant to Section 3-73-030 of the Code are subject to fees as set forth in Section 2B.4.

* Copies of Chapters 3-73, 10-20 and 10-30 of the Code can be obtained from CDOT/DOIM, City Hall, Room 905

3B.2 Construction and Installation Documents Submittal Requirement

No Person shall access the Public Way to construct, install, maintain or modify any facilities without the issuance of a Permit and the payment of any applicable fees under Chapters 3-73, 10-20 and 10-30 of the Code. All Permittees shall submit to the Commissioner documents which shall include, but are not limited to: project scope and purpose; drawing/plans and specifications identifying exact proposed locations, sizes, and depths; standards; and procedures, depending upon the complexity or extent of the work. Said documents shall be consistent with

requirements set forth in these regulations and with the requirements set forth in the Notice forms issued by the Commissioner. The Commissioner may ask for additional documentation whenever the Commissioner deems it necessary for management of the Public Way and the safety of the public and other users of the Public Way. Any application or notice for a Permit involving new construction or installation shall also be submitted to the Office of Underground Construction (OUC). All modifications shall be made, to the extent deemed necessary by the Commissioner, to any construction documents.

3.B.2.1 "As-Built" Drawings

At the completion of the construction, installation or modification of the Public Way the Permittee shall create and maintain "as-built" drawings in digital format. As-built drawings shall be provided upon CDOT request. Consistent with applicable law, CDOT shall treat such drawings as confidential pursuant to Section 7(x) of the Illinois Freedom of Information Act (5ILCS 140/7(x)), as amended, and shall provide the Permittee with a copy of any appeal, received by CDOT, of CDOT's notice of denial provided to a third party seeking inspection and copies of such drawings.

3B.3 Removal and Relocation

The City may modify, vacate or transfer what is now Public Way for a public purpose. As a condition of Permit issuance, each Permittee is deemed to expressly acknowledge and agree that the City has the predominant right to use the Public Ways in the placement, maintenance and repair of sewers, water mains, trees and other Utility facilities or to relocate or remove such Permittee's facilities either temporarily or permanently on 30 days notice for any public purpose, including, but not limited to, the use of the Public Way for public transportation purposes. The Permit issued may be amended or revoked in whole or in part by CDOT, whenever CDOT considers it necessary or advisable for a public purpose. Permittee shall make no claim for costs or damages against the City by reason of any removal or relocation and shall pay all such cost and expenses. CDOT can extend such 30 days notice period on a discretionary basis. CDOT may remove or relocate any of Permittee facilities at Permittee's expense upon failure of Permittee to relocate or remove such facilities in a 30 day time period and all actual expenses incurred or damages paid by the City on account of such action shall be paid by Permittee upon demand. The City shall reasonably cooperate with Permittee in finding an alternate location for any facilities removed and in avoiding disruption to Permittee's services. In an emergency, as determined by CDOT, the City may order Permittee to remove or relocate its facilities within forty-eight (48) hours. Permittee shall have an option, upon notice to CDOT, of abandoning the portion of its facilities to be removed or relocated.

3B.4 No Burden on Public Ways

No Permittee may construct or install its facilities in such a fashion or maintain its facilities as to unduly burden the present or future use of the Public Way under a Permit, nor build for excess capacity than the present or reasonably anticipated future need. In the event that the Commissioner shall determine that any portion of the Permittee's facilities, either planned or presently constructed, unduly burdens any portion of the Public Way, now or in the future, the Permittee shall be required either to modify its facilities, or to take such actions as the Commissioner shall determine necessary for the sake of public convenience to eliminate the problem within the time frame provided by the Commissioner and the Code. Failure to comply in a timely fashion shall be grounds for revocation of the Permit and other penalties provided in the Code and of these regulations.

3B.5 Emergency or Disaster

In case of emergency or disaster, any Permittee shall, upon request of the City, make available its facilities to the City, without cost, for emergency use.

3B.6 Suspension or Vacation of Permit

Should a Permittee or its Contractors violate any terms of a Permit, applicable provisions of the Codes or these regulations, the Commissioner may suspend or revoke the Permit or take any other action the Commissioner may deem necessary, including the stopping of work or operations, until the violation is corrected to the satisfaction of the Commissioner. Failure to correct any such violation as required by the Commissioner may lead to revocation of all Permits under Section 3B.9.

3B.7 Physical Inspections

CDOT reserves the right to make, at any time after the date of issuance of the Permit and throughout the duration of the permit, physical on-site inspections regularly. The Permittee and/or its Contractor will accommodate CDOT's need for access to the site and construction documents. The Permittee shall satisfy CDOT requirements and correct all construction deficiencies and submit latest applicable drawings as requested by CDOT..

3B.8 Trespassing Facilities

Any portion of the Permittee's installation in the Public Way but not within areas which are specified in a valid Permit is known as a "Trespassing Facility". Upon discovery of a Trespassing Facility by CDOT, the Commissioner may order the immediate removal of such Trespassing Facilities from the Public Way, seek to obtain damages or pursue any other remedy permitted under Illinois Law.

3B.9 Revocation or Termination

Upon revocation or termination of any Permit, the Permittee, without cost to CDOT, shall promptly remove or abandon in place, at the option of the CDOT, facilities installed in the Public Way and restore the Public Way to the satisfaction of the Commissioner. In the event of the failure or refusal of the Permittee and/or its designated representative to remove facilities or restore the Public Way as requested by the Commissioner, the Commissioner may have the facilities removed or deem them abandoned and declare the facilities property of the City. The Permittee will be held liable to reimburse CDOT for all costs of any removal.

3B.10 Restoration

Permittee shall, at its own expense in a manner approved by CDOT rebuild, restore or repair any portion of the Public Way disturbed by Permittee. In the event Permittee fails to perform the restoration to the satisfaction of the Commissioner, CDOT shall have the right to do so at the expense of the Permittee. Permittee shall make an immediate report to the City of the occurrence of any damage for which it or any of its agents or contractors are responsible.

3B.11 Maintenance of New and Existing Structures

It is the responsibility of the owner of a utility structure used to house or obtain access to wires, pipes, cables, conduits, or telecommunications equipment placed on, under, or over the Public Way pursuant to Chapters 10-29 or 10-30 of the Code to maintain that structure in good condition for the entire time that structure is placed on, under, or over the Public Way. The owner of such structure shall conduct a periodic inspection to verify that it is in good condition and shall immediately repair that structure should the inspection reveal the structure has failed, settled, or is not otherwise in good condition. The top of any manhole, catchbasin, handhole, inlet, and any other partially submerged structure must be maintained such that the top of that structure is flush with the existing surface grade to the satisfaction of CDOT/DOIM.

3B.12 Parking Requirements

“No Parking” postings for Permits issued by CDOT shall only be posted by the City, unless the City directs or has authorized the Permittee to do so.

Pursuant to agreement between the City of Chicago and LAZ Parking, the Permittee shall remit a fee for obstructing parking at metered locations.

3B.13 Permit/Signage Display Requirements

Project signs, denoting permitted work in the parkway and in the street must follow a written/design format approved by the Commissioner to allow for identification of the Person performing the work and shall include contact name, phone number, e-mail address and website information if applicable. Signs shall be posted by the Permittee at each end of the permitted location. This requirement will be noted on the Permit issued for the work.

3B.14 Verification of Existing Conditions

All appurtenances within the limits of the permitted location, including but not limited to vegetation, planters, signs, poles, courtesy walks, carriage walks, etc. shall be surveyed and photographed. Any item disturbed or damaged by the permitted construction shall be restored at the Permittee's cost within 30 days of project completion. Surveys and photos shall be kept on file by the Permittee, and provided to CDOT upon request. Failure to provide when requested may result in the Permittee assuming liability for replacement and restoration.

3B.15 Indemnities.

1. Each Permittee shall be solely responsible for the support, safety, and protection of its facilities and the portions of the Public Way being used by Permittee and for the safety and protection of all persons and all property coming into contact with Permittee's facilities or operations. Each Permittee shall to the maximum extent permitted under Illinois law, at its sole cost and expense, indemnify, defend, keep, and save completely harmless the City, its officials, boards, commissions, agents, and employees (collectively the "Indemnified Parties") against any and all suits, causes of action, proceedings, and judgments, costs, and expenses (collectively referred to as "Claims") arising out of, caused by, or resulting from the grant of rights pursuant to these Regulations and Permittee's installations, maintenance and operations of its facilities installed in the Public Way. The City shall have the right, at its option and at Permittee's expense, to participate in the defense of any suit without relieving Permittee of any of its obligations under this Section. The term "Claim" specifically shall be deemed to include, but not be limited to, any liability for the payment of Workmen's Compensation under the Illinois law which the City is required to make, and Permittee shall reimburse the City for any such payment made by the City. Each Permittee, in accepting the terms of these Regulations and any Permit shall be deemed to understand and agree that the insurance required by these Regulations shall in no way limit the responsibility of each Permittee to indemnify, keep, and save harmless and defend the Indemnified Parties pursuant to this Section. Indemnified expenses shall include, but not be limited to, all out-of-pocket expenses of the Indemnified Parties in connection with the defense of any such claims, such as reasonable attorneys' fees, and shall also include the reasonable value of any

services rendered by the City's corporation counsel or his or her assistants or any consultants, employees, or agents of the City. To the extent permissible by law, each Permittee waives any limits on such Permittee's liability that it would otherwise have by virtue of the Workers' Compensation Act or the judicial decision of Kotecki v. Cyclops Welding Corporation, 146 Ill. 2d 155 (1991). The City, however, does not waive any limitations it may have on its liability under the Workers' Compensation Act or under the Illinois Pension Code. In the case of Telecommunications Providers and other entities locating facilities in the Public Way, the Permittee shall be deemed to mean the Telecommunications Provider and/or owner of the facilities, as well as any Contractor and all such parties shall be deemed indemnifying parties under this Section 3B.12.

2. Failure to Defend; Abandonment of Claim Without Consent. The City may (but is not obligated to) defend any such claim or suit at a Permittee's expense if such Permittee fails to defend such claim or abandons the defense of such claim or suit without the City's express consent. Further, the indemnities contained in this provision survive the expiration or termination of these Regulations and any permit issued thereunder.
3. Relationship to Permit Issuance. The foregoing notwithstanding, under no circumstances shall the issuance of any Permit or certificate or the execution of any agreement provided for under the Code or these Regulations to a Permittee or any Contractor or assignee constitute an act of wanton or willful misconduct. Nothing set forth in these Regulations shall be deemed a waiver by the City of any defenses or immunities relating to a Permittee or its property, or to any other person or entity or their property, that are or would be otherwise available to the City or its corporate authorities, officers, and employees under the provisions of the Illinois Local Government and Governmental Employees Tort Immunity Act, or that otherwise available to local governments and their corporate authorities, officers, and employees under the common law of the State or the United States of America.
4. Waiver of Claims. Each Permittee is deemed to waive any and all claims, demands, causes of action, and rights it may assert against the City on account of any loss, damage, or injury to any portion of its facilities or any loss or degradation of the services it provides to its customers, including but not limited to actions by persons or entities other than the City or its corporate authorities, officers or employees, except as set forth in paragraph 5 of this Section 3B.15.
5. Limitation of City's Liability. The City shall be liable only for the cost of repair to damaged facilities in the Public Way from the willful or wanton misconduct of City, its corporate authorities, officers, or employees as determined by final judgment of a court of final jurisdiction. The City shall not be liable for interference by the City or any Permittee or third party with the communications of any Permittee or any third party.

3B.16 Compliance with Applicable Laws

In addition to satisfying these regulations, the Permittee during installation, operation and maintenance of its any facilities in, on or over the Public Way, shall comply with all latest applicable laws and regulations of the United States of America and its agencies (including, but not limited to, the regulations, requirements and standards of the Federal Occupational Safety and Health Administration), the State of Illinois, and all applicable ordinances, regulations and executive orders of the City.

3C. Other Permit and Notification Requirements

Any Person performing work in the Public Way shall obtain other required Permits; and provide notification(s) where required by the circumstance and conditions. These Permits and/or notifications may include, but are not limited to the following:

3C.1– DIGGER (Chicago Utility Alert Network: CUAN)

It shall be the responsibility of the Permittee and any City agency to notify DIGGER (312-744-7000) a minimum of 48 hours prior to any penetration/excavation in the Public Way (except in case of Emergency Work in which case such notice shall be given as soon as possible upon determination of the emergency), but in no case later than 24 hours after such determination. This requirement shall not apply to excavations which are not deeper than 18 inches for the purpose of pavement repairs only.

If the Commissioner shall determine that it is in the public interest and so directs in writing, a Permittee which operates underground utilities shall apply for, and if accepted, enter into membership, in the City-sponsored Utility Alert Network for underground facilities ("DIGGER"). Any other owner or operator of underground utility facilities may also apply for membership in CUAN.

3C.1.1 Notification of Utility Hits

Immediately after any utility hit/damaged by the Permittee and/or their Contractors, it is the responsibility of the Permittee and their Contractors to inform DIGGER (312-744-7000) of the utility hit; and immediately notify the owner of the hit/damaged facility. The Permittee and/or their Contractors shall also provide DIGGER information regarding the utility which was hit/damaged.

All Permittees are informed that: 1) all Hits to the City's utilities (water mains, sewer mains, electric lines, etc.) and 2) all Hits to any utilities (both private and public) caused by City crews; that these Hits will be investigated by an agency

hired by the City. All costs incurred for the investigation and reporting will be borne by the Permittee responsible for the Hit. All reports of the investigations will be submitted to CDOT/OUC, City Hall, Room 905 for review and compliance with all standards and protocols.

3C.2 Division of Engineering - Bridges and Transit Permit(s)

Prior to any opening in the deck of a viaduct/bridge or opening which extends deeper than 3 feet below grade and/or within 40 feet of a viaduct/bridge support, a Bridge Permit must be obtained from CDOT/DOE. Designs for all cuts and/or pavement removals on or near a viaduct/bridge must be submitted to CDOT/DOE for review and approval prior to the start of the work.

3C.3 Chicago Transit Authority Approval(s)

Prior to commencing any work within 50 feet of Chicago Transit Authority rapid transit tracks, satisfaction of CTA safety, insurance and inspection requirements must be demonstrated to the CTA Engineering Department. Permission to commence work must be obtained from the CTA Engineering Department a minimum of 48 hours in advance.

3C.4 Harbor Permit(s)

All work in and within 40 feet of the City of Chicago Waterways will require a Harbor Permit from CDOT/DOE. CDOT/DOE is located at 30 North LaSalle Street, Suite 400.

3C.5 Office of Underground Coordination (OUC)

All new construction and installation work in the Public Way involving excavation shall comply with guidelines and procedures issued by CDOT/OUC, pursuant to Section 2-120-300 of the Code. The construction documents shall be submitted to CDOT/OUC together with notice in the form required by the Commissioner. The document may include but are not limited to: project scope and purpose; drawings/plans and specifications identifying exact proposed locations, sizes and depths and proposed facilities relation with any and all existing facilities which may exist in the Public Way; construction standards; and proposed procedures depending upon the complexity or extent of the opening. The submitted documents will be reviewed by the OUC members. CDOT/OUC will need One (1) set of Drawings and One (1) Disc with an Adobe PDF or Computer Aided Drafting Design (CADD) file of the drawings in DWF Format. If there is conflict with the facilities of any OUC member because of proximity to or potential risk to existing facilities, the conflict will need to be resolved to the satisfaction of the OUC. Upon completion of the OUC review and approval process, the OUC will issue approval notification to CDOT recommending the issuance of the Permits. CDOT/OUC is located at City Hall, Room 905.

3C.6 Bureau of Forestry Permit(s)

Any work in the Public Way involving the planting or removal of trees requires permission from DSS/FOR, prior to the start of work, pursuant to Sections 10-32-060 through 10-32-100 of the Code.

Chapter 4

Excavation Pavement Removal

4A. General

The following specifications apply to all pavement openings or trenches made in conjunction with underground plant repairs and/or installation of new runs. Complete replacement of a relatively large or deep underground plant requires special procedures not covered in this manual and when requested shall be submitted to CDOT/OUC and CDOT/DOIM for pavement restoration requirements.

4B. Description

1. During construction, the Permittee shall provide personnel at all openings who shall be responsible for the safe operation of all the equipment and protection of all workmen. The personnel in charge of the operations shall have had all the necessary training and shall also be knowledgeable as to the latest rules, guidelines and regulations of the local, state and federal agencies.
2. Breaking of concrete base material must be accomplished with a hand tool, pneumatic hammer, or hoe ram. Saws and rock cutters are to be utilized for pavement removal only and not as a sub-grade excavation tool, except that all pavement edges shall be saw-cut or milled prior to restoration of the pavement to achieve a clean, straight repair joint. All pavements require clean full depth saw cuts.
3. Use of a drop hammer or other pavement breaking device is permitted only with special permission of CDOT/DOIM.
4. Excavation within the roadway may be accomplished with hand tools, back-hoe or any other mechanical device designed for such purposes. However, when utilizing any method of excavation, extreme care must be exercised so as not to disturb or damage utilities beneath street pavements.

As indicated above in "Section 4A-General", when the proposed installation will be a relatively large or underground deep excavation and/or penetration (deeper than 12 feet) which may include excavation; piling, tunneling; pipe jacking; directional drilling, the applicant will be required to submit detailed Construction Documents (drawings, with locations, alignment, profiles, sizes and depths; specifications, procedures, and standards) to CDOT/OUC for review and approval by CDOT and OUC members. Permits will not be issued until all conflicts with other utility members involved/affected have been resolved to the satisfaction of all concerned parties.

4C. Protection During Excavation of Arterial Streets

1. All arterial street openings during off-work periods shall be plated or decked unless specifically authorized by CDOT/DOIM.
2. All plating and decking installed by a Permittee shall be made safe for vehicles and/or pedestrians and shall be adequate to carry the load. The size of the plate shall be large enough to span the opening with sufficient overlap. It shall be firmly bedded and secured to prevent rocking or movement. The name of the Permittee shall be on both sides of all plating and decking. CDOT/DOIM may require that the Permittee submit the design calculations stamped by a Licensed Structural Engineer in the State of Illinois for review and approval of the structural integrity of the plating and/or decking.

4D. Barricades

Every excavation during work hours not plated to carry vehicular traffic shall be protected by barricades, fences or railings. During twilight or night hours where such protection is required, an amber light shall be kept lit from ½ hour before sundown to ½ hour after sunrise.

It shall be the duty of every Person engaged in openings, construction or repair in the Public Way, by virtue of any permission which may be granted by the City where such work is left exposed and should be dangerous to the public, to install fences or railing and/or barricades in a manner to prevent danger to the public traveling such Public Way and continue to maintain such railings, fences and/or barricades until the work shall be completed or danger removed. The provisions of this section shall apply to every Person who is performing any work or placing any obstruction in any of the Public Way.

All railings, fences and/or barricades placed on Public Way for the protection of the public shall be placed and maintained to the satisfaction and approval of the Commissioner.

4E. Protection of trees, shrubs, etc.

All excavation in the Public Way requires special care be taken around trees to prevent injury. All excavation in parkway or sidewalk areas adjacent to trees or shrubs shall be accomplished with hand tools only, unless special permission is obtained from the Commissioner and from the Commissioner of DSS. Auguring or directional boring may be used, where approved, to install utilities in close proximity of trees. Open trenching should follow the guidelines indicated in Appendix A, Sheet A-5-3.

All work performed around or adjacent to trees is subject to the requirements of Chapter 10-32 and other applicable sections of the Code. Every effort should be taken to protect and maintain existing trees in a healthy and safe condition. Utmost care

should be taken so as not to damage any root system of trees or shrubbery. If during construction a problem arises that involves trees, DSS/FOR should be contacted immediately.

4F. Cleanliness

The Permittee shall be responsible for keeping the excavation area as clean as possible. All excavation spoil material shall be removed from the work site as soon as possible. No soil or fill material shall be permitted to restrict pavement drainage or gutter flow or to enter any sewer system. The tracking of mud, dirt and other loose material on the Public Way from construction sites located on or off the Public Way is prohibited. If deemed necessary by CDOT/DOIM the Permittee may be required to provide for and show proof of regular cleaning of the Public Way adjacent to the construction site. Failure to keep the Public Way clean will result in citations and/or revocations of the Permits.

4G. Trench Opening Length Requirement

The length of the trench to be opened in any roadway for the purpose of laying pipes shall be limited to 300 ft. in advance of the pipe being placed therein. In cases of power and communication conduit/s installation, where the trench opening will be limited to 4 ft. in depth and 3 ft. in width, the length of the trench can be more than 300 ft. when approved by CDOT/DOIM. Only one-half of any intersection may have an open trench at any time unless special permission is obtained from CDOT/DOIM.

Chapter 5

Trench Backfilling

5A. Materials

Aggregates

All aggregates utilized within the Public Way shall be produced according to the current IDOT Bureau of Materials and Physical Research Policy Memorandum, "Aggregate Gradation Control System (AGCS)." Fine Aggregates shall be according to IDOT SSRBC Article 1003.04 and Coarse Aggregates shall be according to Article 1004.05 with the exception of the following:

- Trenches <4 feet in width shall use one of the following backfill materials: FA22, CA13, CA16 or Flowable Backfill.
- Trenches >4 feet in width shall use FA6, FA22, CA6, CA11, CA13, CA16 or Flowable Backfill.

Backfill material for trenches made within the roadway or sidewalk, and trenches where the inner edge of the trench is within 2 ft of the proposed edge of pavement or sidewalk, shall utilize trench backfill and excavated materials will not be allowed to be reused as trench backfill. Excavated materials that display visual or olfactory signs of contamination shall never be reused in the Public Way.

Flowable Backfill

Mandatory Flowable backfill usage: Effective September 1, 2007, all agencies performing work in the Public Way within the Central Business District bounded by Lake Michigan, Division Street, Halsted Street and Roosevelt Road will be required to use a Flowable backfill for backfilling unless otherwise approved by the Quality Assurance Manager of CDOT in writing.

Flowable Backfill Mix Design. The materials shall comply with Sections 1001 through 1003 of the IDOT SSRBC. The Permittee shall provide a mix that does not contain fly ash or any other materials with corrosive properties. The Permittee shall provide Flowable backfill from a source with a CDOT approved Flowable backfill mix design (FBMD).

5B. Abandoned Facilities

The top of any structure to remain shall be removed to an elevation of at least 3 in. below the top of subgrade of the proposed improvement. If the existing structure to be abandoned remains, the structure shall be filled with FA22, CA13, CA16 or Flowable Backfill. The void formed by the removal of any structure shall be backfilled with FA22, CA13, CA16 or Flowable Backfill.

Flowable Backfill shall be used to fill any cavity or void within any duct or pipe that is abandoned. The fill shall be verified to assure complete filling. Request to use alternate materials such as Foam Fill or Controlled Low Strength Material must be made to CDOT/DOIM and QAS for approval.

5C. Backfill Procedures

CDOT requires that all power and/or communication lines shall be installed in a trench deep enough to provide a minimum cover of 30 inches over the facility. All other facilities (water line, sewer line, gas line, petroleum line, etc.) shall be installed in a trench deep enough to provide a minimum cover of 36 inches over the facility.

The bottom of the trench shall be firm prior to placement of the bedding material and/or proposed facility. Any procedure that allows for variation from the required cover over the facility requires prior written approval of CDOT/DOIM.

When FA6 or CA6 are used in the backfilling operations the backfill material shall be deposited in horizontal layers not to exceed 12 inches in depth prior to compaction. Maximum care shall be taken to fill all voids. Each layer shall be compacted to 95% of maximum density as determined by AASHTO T-99 prior to placement of the succeeding layer. When placing fill around pipes, layers shall be deposited equally on both sides so as to progressively and uniformly bury the pipe. Results of compaction tests shall be made available to CDOT/QAS upon request.

Compaction shall be attained by the use of vibrating equipment. Compaction by water jetting may be considered where the excavation is in well draining granular materials and above the existing ground water level. Water jetting may not be used when CA6 is used as backfill material. Approval is required of water jetting compaction procedures prior to starting compaction from CDOT/DOIM. Hand tamping is acceptable only in the immediate area of the underground facility.

Utility Pipe Cover Material: All pavement excavation shall be completely backfilled as described in this chapter with the exception that the utility pipe cover material can be selected by the owner for the area surrounding the utility and up to a maximum thickness of 6 inches above the top of the utility.

Flowable backfill shall be brought up uniformly to the grade(s) as shown on the plans or as directed by the Commissioner.

Flowable backfill shall not be subject to load nor disturbed until the the backfill can support “foot” traffic without deformation.

5D. Failure Due to Improper Compaction

Any settlement which may develop in the backfilled areas and thus the surface within five (5) years of any work fully completed and accepted, shall be the responsibility of the Permittee and of any licensee/s working for or with the Permittee to remove and restore. The Permittee and/or other licensee/s, at his expense, shall remove the pavement and backfill material to the top of the installed facility and place new flowable fill and restore new pavement, sidewalk, curbs, and driveways to the proper grades as approved by CDOT/DOIM.

Chapter 6

Pavement Placement

6A. Sidewalk and/or Driveways

1. When any portion of a sidewalk slab requires removal for access to an underground plant, the entire slab shall be removed and replaced. When a portion of a full width sidewalk requires removal, it will be necessary to remove concrete sidewalk to the nearest joints.
2. When any portion of a driveway requires removal for access to any underground plant, the entire driveway shall be removed and replaced to the nearest existing construction joint.
3. See Appendix A – Standard Construction Details and Appendix B – ADA Standards for sidewalk and for driveway construction standards.
4. Replacement of vaulted sidewalks will require a special Permit application with detailed description of structural members and/or special surface treatment or aggregate composition.
5. Sidewalk and driveway construction shall be in accordance with Sections 423 and 424 of the IDOT SSRBC. The concrete shall be protected until such time as the concrete has achieved a minimum compressive strength of 3,500 psi @ 14 days as evidenced by concrete cylinder break tests. Results of said strength tests shall be made available to CDOT/QAS upon request.
6. Replacement of special treatment and/or heated sidewalks will be to City standards unless agreement with the property owner provides for the additional cost to replace in kind.
7. When the work is performed under existing driveways, alleys, or adjacent to street intersections, where the existing sidewalk is removed or is damaged due to the proposed construction, the affected sidewalk shall be designed and reconstructed as per latest standard for Federal, State and local laws and regulations regarding accessibility standards for persons with disabilities or environmentally limited persons (American With Disabilities Act Compliance - Refer to Appendix B-ADA Standards).

6B. Alleys

1. Alley pavements to be removed shall be saw-cut full depth. Concrete shall be placed for the full 8 inch depth of the pavement and finished flush to match the surrounding concrete pavement or up to the bottom of the existing asphalt surface (if present). Alley pavement construction shall conform to Sections 420 and 423 of the IDOT SSRBC and Appendix A, Sheets A-1-2 and A-2-11 and Appendix B, Sheets B-2-1, B-2-2 and B-2-3. If the alley has been overlaid by asphalt surface, then for restoration, the asphalt surface shall be saw-cut the full width of the alley and 1 foot beyond the limits of the proposed trench along the longitudinal direction. The alley shall be resurfaced between the saw-cut boundaries across the entire width of the alley (ROW to ROW).
2. Alley pavement shall conform to the standard details and Section 420 and 423 of the IDOT SSRBC. The concrete shall be protected until such time as the concrete has achieved a minimum compressive strength of 3,500 psi @ 14 days as evidence by concrete cylinder break tests. Results of said strength tests shall be made available to CDOT/QAS upon request.

6C. Street Pavements

The existing pavement section may consist of asphalt or finished concrete surface underlain by a base or sub-base of asphalt, concrete, paving blocks, bricks, CTA trolley tracks, slag, aggregate, or other material. The pavement removal shall be in accordance with Section 440 of the IDOT SSRBC and to the limits as indicated in Appendix A, Sheet A-2-2.

Street Classifications:

For the purpose of these regulations, the following definitions shall apply for City of Chicago Street Classifications. Note: That these terms are used to establish restoration requirements for different street types only and may differ from classification in State Route Agreement or other documents indicating street classifications within the City of Chicago.

Primary Arterial Street: Any street with pavement markings for two or more lanes in both directions. This also includes one-way streets with pavement marking for two or more lanes.

Secondary Arterial Street: Any street with lane line pavement markings for one permanent lane in both directions and signed for peak hour parking restrictions, which enable the roadway to function as two lanes in one or both directions during the peak hours.

Collector Street: Any street with lane line pavement markings for one lane in both directions and no peak hour parking restrictions.

Residential Street: All streets which do not have lane line pavement markings.

Full Depth Pavement Removal (Utility / Street Cut): the pavement to be removed must be saw-cut full depth in order to create a perpendicular clean joint between the portion of the pavement to be removed and that to be left in place. When pavement is removed for the purpose of trench excavation, the pavement must be removed 12 inches beyond the limits of the excavation or 12 inches beyond the limits of any disturbed aggregate base or sub-base material. (Appendix A, Sheet A-2-2)

Pavement Resurfacing (City Standard for Asphalt Restoration): All pavement restorations shall be performed to the most current citywide standard. Asphalt pavement surface removal shall be performed by means of a self propelled milling machine. Butt joints must be saw-cut and constructed in accordance with Article 406.08 of the IDOT SSRBC at the limits of removal. The removal depth must be in accordance with the following:

Primary Arterial Streets:	4 Inches
Secondary Arterial Streets:	3 ¾ Inches
Collector Streets:	3 ¾ Inches
Residential Streets:	3 ¾ Inches
Minor Patches*:	2 Inches

* Minor Patches are patches where the asphalt restoration is less than 6 feet wide or an area less than 200 square feet.

Pavement Restoration:

For all pavements with an asphalt surface, the restoration shall include placement of aggregate sub-base, Portland Cement Concrete base, and Hot Mix Asphalt binder and surface courses. Typical asphalt restoration limits for a street opening shall be extended to the nearest longitudinal joint(s) and extend a minimum of 5 feet beyond the transverse limits of the opening. See Appendix A, Section 2 for Street Cuts and Asphalt Restoration Requirements.

For all pavements with a finished concrete surface, the restoration shall include placement of aggregate sub-base, and Portland Cement Concrete pavement.

Asphalt Restoration Limits –

When the following occurs:

- Two (2) or more separate openings,
- By the same developer or development, utility, agency or company, or their agents,
- Located on the same side of the street,
- Occur within a six (6) consecutive month period,
- When the openings are within 150 feet of each other

The bituminous surface shall be required to be restored as follows and as shown in Appendix A-2-1C:

- one continuous monolithic surface restoration shall be made from the edge of pavement along the curb face, or gutter line,
- limits shall extend to the nearest longitudinal paving joint from the outermost edge of ALL of the openings,
- if any portion of the cut straddles a paving joint, then the restoration must be extended to the nearest paving joint, except where CDOT requires Permittee to perform otherwise,
- limits shall extend 5 feet beyond the transverse limits of the opening.

For purposes of this section, structures are not considered street openings and any perimeter pavement agreement shall govern restoration requirements.

Pavement restoration requirements shall be in accordance with the details shown in Appendix A, Section 2, and the following IDOT SSRBC sections or articles:

Item	SSRBC Detailed Requirement	SSRBC Material Requirement
Aggregate Sub-Base, Type B	Section 311, Article 420.04	Section 1003, 1004
P.C.C. Base	Section 353, 354	Section 1020
P.C.C. Pavement	Section 420	Section 1020
H.M.A. Binder	Section 406	Section 1030
H.M.A. Surface	Section 406	Section 1030

Minimum Pavement Thickness for Pavements with Asphalt Surface (Inches)

Street Classification	Aggregate Sub-base	P.C.C Base	HMA Binder	HMA Surface	Total
Primary Arterial	6	9	2 ¼	1 ¾	19
Secondary Arterial	6	9	2 ¼	1 ½	18 ¾
Collector	6	9	2 ¼	1 ½	18 ¾
Residential	6	7	2 ¼	1 ½	16 ¾
Minor Patches*	6	11(**)	NA	2	19(**)

* Minor Patches are patches where the asphalt restoration required is less than 6 feet wide or an area less than 200 square feet.

** For residential streets, min PCC Base thickness is 8 ¾ resulting in a Total pavement thickness of 16 ¾.

Hot Mix Asphalt to be used for HMA Binder and Surface Courses:

Street Classification	HMA Binder	HMA Surface
Primary Arterial	IL – 19.0, N90	Mix F, N90
Secondary Arterial	IL – 19.0, N70	Mix D, N70
Collector	IL – 19.0, N50	Mix D, N50
Residential	IL – 19.0, N30 low ESAL	IL – 9.5 Mix C, N30 Low ESAL
Minor Patches*	NA	Mix D, N70

* Minor Patches are patches where the asphalt restoration required is less than 6 feet wide or an area less than 200 square feet.

**Minimum Pavement Thickness for Pavements with Concrete Surface
(Inches)**

Street Classification	Aggregate Sub-base	P.C.C Pavement	Total
Primary Arterial	8	10	18
Secondary Arterial	8	10	18
Collector	8	10	18
Residential	8	8	16
Minor Patches*	8	10	18

* Minor Patches are patches where the asphalt restoration required is less than 6 feet wide or an area less than 200 feet.

Restoration Time Limits:

All pavements must be restored to finished grade (temporary roadway plate removed) and open to traffic within 14 days of the pavement removal, or completion of underground repair and/or installations. The following restoration options shall apply:

- Option 1: The sub-base aggregate material is compacted and concrete base is placed to the top of adjacent base course surface (Finished surface minus Asphalt Binder and Surface thickness). The roadway is temporarily plated for the appropriate cure time. The existing asphalt is milled to the asphalt restoration limits. The asphalt binder and surface courses are placed and pavement markings are restored to match the existing conditions.

- Option 2: The sub-base aggregate material is compacted and concrete pavement is placed to existing finished grade of adjacent (Concrete thickness must be equal to concrete base, plus asphalt binder and surface courses). The roadway is temporarily plated for the appropriate cure time. The existing asphalt and newly placed concrete patch is milled to the asphalt restoration limits. The asphalt binder and surface courses are placed and pavement markings are restored to match the existing conditions.

Winter Condition: Pavement restoration Option 2 must be used. The Permittee must place temporary pavement markings to match existing condition. The Permittee must complete the asphalt binder and surface courses within seven (7) days of Asphalt Plant openings as determined by CDOT / DOIM.

Additional Requirements:

- 1) For pavements with special treatments such as pavers, stamped concrete or asphalt, permeable pavements or other surfaces the replacement shall be with the same materials as the existing pavement and shall match existing thickness and surface condition unless otherwise approved in writing by CDOT/DOIM. If any portion of the pavement to be left in place is damaged, the pavement shall be repaired or replaced in a manner and to the extent as directed by CDOT / DOIM.
- 2) All concrete pavement and concrete base restoration shall include placement of tie bars drilled and grouted into the adjacent concrete pavement. However, if trenches are backfilled with Flowable Backfill up to the top of the sub-base level, then the use of aggregate sub-base and tie bars are not required. See Appendix A, Sheet A-2-2.
- 3) Concrete pavement and concrete base restoration in arterial and collector streets traffic lanes must be High Early Strength Concrete Class PP-1 in accordance with Section 1020 of the IDOT SSRBC. The concrete shall be plated for five (5) days after placement or until the time the concrete has achieved a compressive strength of 3,500 psi as evidenced by concrete cylinder break tests. Results of said strength test shall be made available to CDOT/QAS upon request.
- 4) Concrete pavement and concrete base restoration in areas of arterial and collector streets designated as full time parking lane and all residential streets shall be Class PV in accordance with Section 1020 of the IDOT SSRBC. The concrete shall be plated for seven (7) days after placement or until the time the concrete has achieved a compressive strength of 3,500 psi as evidenced by concrete cylinder break tests. Results of said strength test shall be made available to CDOT/QAS upon request. If the Permittee desires to use High Early Strength Concrete Class PP-1 in accordance with Section 1020 of the IDOT SSRBC, the concrete shall be plated for five (5) days after placement or until the time the concrete has achieved a compressive strength of 3,500 psi as evidenced by concrete cylinder break tests.
- 5) It is the City's policy not to issue opening Permits on Moratorium streets unless such work is determined to be Emergency Work or other work considered necessary and unforeseen before the time of reconstruction. Information regarding recently reconstructed streets may be obtained from CDOT/OUC.
- 6) For residential streets where the existing pavement section typically consists of an asphalt surface over an aggregate base, the base material must be replaced with at least 12 inches of compacted CA06 aggregate subbase under IDOT's AGCS Program meeting "D" quality. Prior to placement of any subbase material, the Permittee shall arrange to have the existing section inspected by a CDOT / DOIM inspector to verify the pavement section type.

- 7) When street openings are made in full depth concrete pavements, pavement shall be restored with concrete to the same depth as the existing concrete or to the depth indicated in the Minimum Pavement Thickness for Pavements with Concrete Surface table whichever is greater. A skid resistant finish must be provided to match the existing.

On Non-Moratorium streets, pavement restoration associated repairs at structures will be allowed to utilize a full depth concrete repair (“base-to-grade”) provided the following is met. The squared-off permanent restoration area is treated and constructed as finished PCC pavement with broom finish, the adjacent pavement is not damaged, and the joint between the concrete and asphalt is sealed with a hot-poured joint sealer per IDOT SSRBC Article 1050.02.

- 8) All pavement markings removed during construction must be replaced by the Permittee.

When any portion of the crosswalk marking system across a given leg of an intersection is disturbed it shall be restored in its entirety, curb-to-curb across the given leg of the intersection. The crosswalk marking system includes, but is not limited to, stop bars, crosswalk markings, lane and center-line markings. Center-line markings shall be restored 10 feet beyond the transverse street cut (5 feet beyond the asphalt restoration limit). Pavement markings, including bike lane treatments, markings and symbols, etc., shall be fully restored if disturbed during construction.

Temporary markings shall be installed as required, for short-term conditions PRIOR to opening to traffic. The temporary markings shall be maintained until the permanent markings are installed.

- 9) During winter months the concrete shall be protected from the cold weather in accordance with Section 1020 of the IDOT SSRBC.
- 10) For all private utility cuts, **the full perimeter of the restoration cut shall be crack sealed**, unless otherwise directed by the Commissioner. The crack sealing shall be performed according to Section 451 of the IDOT SSRBC, and the material shall be a hot-poured joint sealer in accordance with Article 1050.02 of the IDOT SSRBC.
- 11) All restorations shall be in accordance with the most current city regulation/standard.

6D. Viaduct/Bridge Pavements

Design and repairs to the viaduct bridge pavements including approach slabs shall be submitted to CDOT/DOE for review and approval prior to the restart of any work.

6E. Median/Cul-de-sacs/Planters/Traffic Devices

In those instances, where the facilities are proposed to cross under the existing medians, cul-de-sacs, planters, traffic devices or other structures, the Permittee's construction method should protect these existing structures from damage. The Permittee and any licensee/s working for or in concert with the Permittee will be responsible for repairing and/or replacing the existing medians, cul-de-sacs, planters, traffic devices and other structures as well as any trees or other plantings affected during the course of the Construction, at his/her own expense to the satisfaction of CDOT/DOE.

6F. Request for Excavation Within a Non-Irrigated Boulevard

Pre-Construction Understanding

1. A mandatory pre-construction meeting must be coordinated between DSS/FOR and CDOT/DOE to determine the scope and construction limits
2. Construction limits will be agreed upon by CDOT/DOE and Contractor and these limits will be defined by the installation of orange snow fence by the contractor. Once installed, the contractor will be responsible for the maintenance of the fence and the containment of all work and all contractors within the construction zone.
3. No parking will be allowed at anytime within the construction zone or outside the construction zone of any personal vehicles. Only necessary equipment will be allowed within the construction zone as defined in the pre-construction meeting.
4. Stock piling of materials will not be allowed within or adjacent to the construction zone. Material deliveries must be coordinated to allow delivery as the material is required.
5. Tree protection of all trees, as determined by DSS/FOR will be required of all projects and must be maintained throughout the duration of the project. Any tree damage as determined by DSS/FOR will result in the assessment of a fine and or tree replacement.
6. Minimal excavation as determined at the pre-construction meeting will be required with all spoils being immediately removed from the site by the contractor.

Post Construction Restoration

1. All restoration shall conform to any additional details as determined at the mandatory pre-construction meeting.
2. All trench back-fill required to cover utility work shall provide coverage not to exceed municipal code. For example; trench back-fill for a water line will not be interpreted as a trench filled to grade with sand. Rather, the top of pipe coverage will be to the depth defined by municipal code with all additional depth remaining to be filled with pulverized top-soil as determined by CDOT/DOE and DSS/FOR.
3. Trench back-fill shall be installed in lifts with each lift being hydraulically settled without mechanical compaction. Mechanical compaction of any kind will not be allowed.
4. Restoration of turf will typically require seeding in at a rate and mix as determined at the pre-construction meeting. High profile areas may require sodding in place of seeding, which will be determined in advance at the pre-construction meeting.
5. All turf areas, regardless of the restoration method, will require watering to establishment which shall be defined as the duration required for the turf to mature and have been mowed three times with no one mowing occurring any sooner than 7 days apart from the prior.
6. The contractor will be responsible for weekly trash collection and proper disposal of any trash that accumulates within the project limits. Failure to maintain the project site will result in the issuance of a citation for every day that trash remains on the site.
7. Tree replacement will require the replacement in size, quantity, and variety as determined by the DSS/FOR at the pre-construction meeting, or in the case of those damaged after construction begins, following the completion of the project. Any replacement tree will require the contractor to warranty each tree for a two year period starting from the date of acceptance.
8. All work shall require a final walk-through with all involved parties. Maintenance of the project site shall remain the sole responsibility of the contractor, until a Final Acceptance letter is received by the contractor from the CDOT/DOE.

Contacts: DSS/FOR at 312-747-2098 and CDOT/DOE at 312-744-1863.
For information regarding locations of existing Non-Irrigated Boulevards, see Appendix D.

Chapter 7

Work Zone Traffic Control

7A. Fundamental Principles

Traffic safety in construction zones should be a high priority element of every project from planning through design and construction. Similarly, maintenance and planned construction work should be planned and conducted with the safety of the motorist, pedestrian, and worker kept in mind at all times.

7B. Work Zone Traffic Control General Policies

1. Traffic movement should be inhibited as little as practicable.

Traffic control in work sites should be designed on the assumption that motorists will only reduce their speeds if they clearly perceive a need to do so. Reduced speed zoning should be avoided as much as practicable.

Frequent and abrupt changes in geometry such as lane narrowing, dropped lanes, or main roadway transitions requiring rapid maneuvers should be avoided.

Provisions should be made for the safe operation of work vehicles, particularly on high speed, high volume roadways.

Roadway occupancy and work completion time should be minimized to reduce exposure to potential hazards.

2. Motorists should be guided in a clear and positive manner while approaching and traversing construction and maintenance work areas.

Adequate warning, delineation, and channeling by means of proper pavement marking, signs, or use of other devices which are effective under varying conditions of light and weather should be provided to assure the motorists of positive guidance in advance of and through the work area.

Inappropriate markings should be removed to eliminate any misleading cues to motorists under all conditions of light and weather. On short term maintenance projects it may be necessary to leave existing markings in place; if so, special attention must be paid to providing additional guidance by other traffic control measures.

Flagging can provide positive guidance to the motorist traversing the work area. Flagging should only be employed when required to control traffic or when all other method of traffic control are inadequate to warn the

direct drives.

All traffic control devices should be removed immediately when they are no longer needed.

7C. Definition of Traffic Control Zone Components

When traffic is affected by construction, maintenance, utility, or similar operations, traffic control is needed to safely guide and protect motorists, pedestrians, and workers in a traffic control zone. The traffic control zone is the distance between the first advance warning sign and the point beyond the work area where traffic is no longer affected. (See Appendix A, Sheet A-6-1).

Most Traffic control zones can be divided into the following parts:

1. Advance Warning Area
2. Transition Area
3. Buffer Space
4. Work Area
5. Termination Area

7C.1 Advance Warning Area

An advance warning area is necessary for all traffic control zones because drivers need to know what to expect. Before reaching the work area, drivers should have enough time to alter their driving patterns. The advance warning area may vary from a series of signs starting in advance of the work area to a single sign or flashing lights on a vehicle. (See Appendix A, Section 6-Sheet A-6-1).

The advance warning area, from the first sign to the start of the next area, should be long enough to give the motorists adequate time to respond to the conditions. For most operations, the length can be:

500 ft. to 1/2 mile for freeways or expressways.
350 ft. for most other roadways or open highway conditions. At least 200 ft. for urban streets.

7C.2 Transition Area

When work is performed within one or more traveled lanes, lane closure(s) is required. In the transition area, traffic is channeled from the normal highway lanes to the path required to move traffic around the work area. The transition area contains the tapers which are used to close lanes (See Appendix A, Section 6-Sheet A-6-1).

The transition area should be obvious to drivers. The correct path should be clearly marked with channeling devices and pavement markings so drivers will not make a mistake and follow the old path.

The length of taper used to close a lane is determined by the speed of traffic and the width of the lane to be closed (the lateral distance that traffic is shifted). The following table shows the taper lengths, the recommended number, and the spacing of channeling devices for various speeds and width of closing:

Speed Limit M.P.H.	Taper Length			Number of Channeling Devices for Taper	Spacing of Devices Along Taper in Feet
	Lane Width in Feet				
	10	11	12		
20	70	75	80	5	20
25	105	115	125	6	25
30	150	165	180	7	20
35	205	225	245	8	35
40	270	295	320	9	40
45	450	495	540	13	45
50	500	550	600	13	50
55	550	605	660	13	55

7C.3 Buffer Space

The buffer space is the open or unoccupied space between the transition and work area (See Appendix A, Sheet A-6-1). With a moving operation, the buffer space is the space between the shadow vehicle, if one is used, and the work vehicle.

The buffer space provides a margin of safety for both traffic and workers. If a driver does not see the advance warning or fails to negotiate the transition, a buffer space provides room to stop before the work area. It is important that the buffer space be free of equipment, workers, materials, and workers' vehicles. When designing or setting out a Traffic Control Plan, place channeling devices along the edge of the buffer space. The suggested spacing in feet is equal to two times the posted speed limit.

7C.4 Work area

The work area is that portion of the roadway which contains the work activity and is closed to traffic and set aside for exclusive use by works, equipment, and construction materials. Work area may remain in fixed locations or may move as work progresses. An empty buffer space may be included at the upstream end. The work area is usually delineated by channeling devices or shielded by barriers to exclude traffic and pedestrians.

Work areas that remain overnight have a greater need for delineation than daytime operations.

Every feasible effort should be made to minimize conflicts.

7C.5 Termination Area

The termination area provides a short distance for traffic to clear the work area and to return to the normal traffic lanes.

Avoid "gaps" in the traffic control that may falsely indicate to drivers that they have passed the work area.

NOTE: The information provided in this "Chapter 7-Work Zone Traffic Control" is general and brief and the "Traffic Control Plan Details" shown in Appendix A, Section 6 are a few that are normally used and may not apply to various other street/roadway types. The "Traffic Control Plan Details" for review and approval can be submitted to CDOT/DOE personnel at City Hall, Room 905. For detailed Specifications for Temporary Traffic Controls for construction and/or maintenance, refer to the Manual on Uniform Traffic Control Devices (MUTCD) latest Edition, Revision. Prior to any construction and/or maintenance work in the Public Way, the Permittee must submit a "Traffic Control Plan Detail" to CDOT/DOE and CDOT/DOIM for review and approval.

Chapter 8

Compliance with Environmental Laws

8A. General

All Permittees shall comply with all laws relating to environmental matters including, without limitation, those relating to fines, orders, injunctions, penalties, damages, contribution, cost recovery compensation, losses or injuries resulting from the release or threatened release of Hazardous Materials, special wastes or other contaminants including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. §9601 et seq.), the Hazardous Material Transportation Act (42 U.S.C. § 1801 et seq.), the Resource Act (33 U.S.C. § 1251 et seq.), the Clean Air Act (42 U.S.C. § 7401 et seq.), the Toxic Substances Control Act of 1986 (15 U.S.C. § 2601 et seq.), the Safe Drinking Water Act (42 U.S.C. § 3000, the Occupational Safety and Health Act of 1970 (29 U.S.C. § 651 et seq.), the Emergency Planning and Community Right-to-Know Act (42 U.S.C. § 11001 et seq.), the Illinois Environmental Protection Act (415 ILCS 5/1 et seq.), and the Chicago Municipal Code, each as amended or supplemented, and any analogous future or present state or Federal statutes, rules and regulations promulgated there under or pursuant thereto, and any other present or future law, ordinance, rule, regulation, Permit or Permit condition, order or directive regulating, relating to or imposing liability or standards or conduct concerning any Hazardous Materials or by the Federal government, any state or any political subdivision thereof, or any agency, court or body of the Federal government, any state or any political subdivision thereof, exercising executive, legislative, judicial, regulatory or administrative functions (collectively "Environmental Laws").

If any of the above laws require the Permittee to file any notice or report of a release or threatened release of Hazardous Materials or special wastes or mitigation of Hazardous Materials or special wastes on, under or about any premises or Public Ways used by Permittee, the Permittee shall provide a copy of such report or notice to the City. In the event of a release or threatened release of or mitigation of Hazardous Materials, special waste or other contaminants into the environment by Permittee or its Contractors or in the event any claim, demand, action or notice is made against the Permittee regarding the Permittee's failure or alleged failure to comply with any of the above environmental laws, in regard to activities related to Permittee's system, Permittee shall immediately notify the City in writing and shall provide the City with copies of any written claims, demands, notices or actions so made. Permittee shall comply with the rules and regulations stated in any applicable mandatory recycling ordinance enacted or amended by the City Council of the City of Chicago.

If Permittee fails to comply with any of the above referenced environmental laws, the City may terminate the Permit in accordance with the termination and/or revocation provisions of the Permit.

For purposes of this Chapter 8, the following definitions shall apply:

"Hazardous Materials" means friable asbestos or asbestos-containing materials, polychlorinated biphenyls (PCBs) petroleum or crude oil or any fraction thereof, natural gas, special nuclear materials; and by product materials regulated under the Atomic Energy Act (42 U.S.O. § 2011, *et. sea.*), pesticides regulated under the Federal Insecticide Fungicide and Rodenticide Act (7 U.S.C. § 136 *et. seq.*) and any hazardous waste, toxic or dangerous substance or related material, including any material defined or treated as "hazardous substance," "hazardous waste," "toxic substance," or contaminant (or comparable term) under any of the Environmental Laws.

"Special Wastes" means those substances as defined in Section 415 ILCS 5/3.45 of the Illinois Environmental Protection Act, and as further referred to in Section 809.13 of 35 Illinois Code, Subtitle G, ch.1.

8B. Environmental Permits

1. To the extent required by the Environmental Laws, Permittee must keep current throughout the term of a Permit, waste hauling, Special Waste hauling, disposal permits and insurance certificates required by Federal, State, City or any local government body or agency pursuant to any Environmental Law, if any, and at the request of the City, show evidence thereof.
2. When requested by the City, the Permittee shall submit copies of any hauling permits required by any Environmental Law. To the extent requested by the City, copies of all permits that require periodic renewal must be forwarded to the City throughout the duration of a Permit. Non-compliance with this requirement may be cause for termination of a Permit.
3. Environmental Records and Reports: Permittee shall be required to prepare and maintain proper, accurate and complete records of accounts of all transactions released to its operation of the Public Way, including, but not limited to, the following:
 - a. Vehicle Maintenance records
 - b. Safety and accident reports
 - c. IEPA or OSHA manifests
 - d. Disposal records, including disposal site used, date, truck number and disposal weight.
 - e. Permit documentation and all other documentation and transactions pertaining to all Environmental Laws.

8C. Disposal of Materials, Construction Debris, Soil and Waste

1. If during excavation of trenches for installation of the proposed facilities, the Permittee encounters contaminated materials, Permittee shall be responsible for the proper disposal of all materials, construction debris, soil and other waste. Hauling and disposal by a Contractor does not relieve the Permittee from responsibility for proper disposal. Disposal of all materials, construction debris, soil, and other wastes shall be at a disposal site that is properly licensed and permitted to accept the particular materials, construction debris, soil and other

wastes delivered to it in accordance with all Environmental Laws. Failure to identify disposal site (s) for materials, construction debris, soil and other wastes or to submit such information when requested by the City may result in the revocation of all Permits held by the Permittee and other penalties authorized by the Code, or these regulations or applicable law.

2. If the Permittee decides that he/she will not perform the remediation and would like to forgo further installation and/or restore their facilities, the Permittee will still be liable to dispose of the materials already removed within the Public Way in accordance with all Environmental laws. The City will not be responsible or liable for any cost incurred by the Permittee.
3. At the request of the City, the Permittee shall provide the Commissioner or his/her designated representative with copies of all load tickets, manifests, bills or lading, scale tickets and other pertinent documents. When requested by the City, Permittee shall provide copies of all permits and/or licenses for the proposed transfer station and/or landfill. In the event that the transfer station and/or landfill proposed for use by the Permittee does not possess the necessary permits and/or licenses to accept the materials, construction debris, soil or other wastes, Permittee will replace the transfer station and/or landfill. If the Permittee disposes of materials, construction debris, soil or other wastes at a site which is not property permitted, the Permittee shall be responsible for all costs associated with the removal of the waste to a properly licensed/permitted landfill or disposal site.
4. The Permittee is fully responsible for compliance with all Environmental Laws.
5. The Permittee shall notify the City within 24 hours of receipt of any environmental complaints, fines, citations, violations or notices of violation ("Claims") by any governmental body or regulatory agency against the Permittee by any third party relating to the loading, hauling or disposal of material, construction debris, soil or other wastes in connection with the Permittee's systems or Installation. The Permittee will provide evidence to the City that any such Claim has been addressed to the satisfaction of the issuer or initiator of any such Claim.
6. Permittee shall provide the City with reasonable prior written notice of any community meetings, media involvement or media coverage related to the loading, hauling or disposal of materials, construction debris, soil or other wastes related to its System or Installation in which Permittee is asked to participate.
7. Non-compliance with these terms and conditions may be used by the City as grounds for termination of a Permit.

8D. Equipment and Environmental Control During Transport

Permittee shall haul any materials, construction debris, soil and other wastes in vehicles and/or containers complying with all applicable Environmental Laws. All equipment used to transfer materials, construction debris, soil or other wastes shall be designed to prevent spillage during the hauling operation. Permittee's equipment shall fully comply with all City, state and federal regulations, Laws and ordinances pertaining to size, load weight, safety and any Environmental Laws.

8E. Indemnification

Section 3B.12 of these Regulations applies to any violation of Environmental Laws by Permittee or its Contractors.

8F. Environmental Controls

Permittee shall comply with all Environmental Laws with respect to the elimination of excessive noise and pollution of air and water due to its construction and other operations. Permittee shall minimize the noise of heavy construction equipment and control in city streets and properties, in accordance with ordinances of the City and other City departments. Permittee shall not discharge oily, greasy chemical, hazardous to toxic wastes into waterways and City sewers.

8G. Hazardous Materials

1. In the event that a Permittee encounters asbestos or toxic or hazardous materials not caused by or introduced by Permittee or its Contractors, Permittee shall, before disturbing such materials, immediately notify the City and any owner of any facility in which Permittee may be performing work ("Owner") of the location thereof, and as to whether it is feasible to re-route or otherwise work so as to avoid such materials. If such re-routing is feasible Permittee or the owner shall do so at no cost to the City. To the extent that Permittee exacerbates any existing environmental condition, Permittee shall be liable for any additional cost of abatement so caused by Permittee activities.
2. If such re-routing or avoidance is not feasible in the judgment of the City, and such materials must be disturbed or relocated to complete such work, then Permittee shall perform or cause one or more of its Contractors or the Owner (including, if necessary, a new, specialized subcontractor then retained with the consent and approval of the City for such purpose) to perform such abatement, containment, treatment or removal and disposal of such materials as may be required by law, such to the provisions of paragraph (3) of this Section.
3. In the undertaking of such abatement, treatment, containment, removal or disposition, Permittee, or such Person employed by Permittee:
 - a. Shall notify the City and the Owner at least 72 hours prior to the start of removal and deposal of any hazardous materials;

- b. Shall be certified as a hazardous materials removal firm by the Environmental Protection Agency and all state or local agencies.
- c. Shall carry such insurance coverage as may be required by the City's Department of Risk Management naming the City as an additional insured; and
- d. Shall provide such indemnification and documentation as required by the City.

Chapter 9

Chicago Freight and Trolley Tunnels

9A. General

The Chicago Freight Tunnels (the "Freight Tunnels under the Public Way) and both the LaSalle Street Trolley Tunnel and the Washington Street Trolley Tunnel (the "Trolley Tunnels" and collectively with the Freight Tunnels the "City Tunnels") to the extent of the City's interest therein, are City-owned property except where located under non-City owned property and represent unique environments. For the purpose of these regulations, however, the Commissioner has determined that the City Tunnels, for purposes of the City's Chicago Simplified Telecommunication Tax Act, shall be treated as the Public Way subject to the provisions of this Chapter 9. If any Permittee desires to use portions of the City Tunnels to install permanent facilities, the Permittee will require approval and permits from the Commissioner prior to the installation of the proposed system. The City Tunnels or specific portions of any of the City Tunnels may in the future become a scarce resource. In order to preserve the availability of the City Tunnels for future Permittees and City use, a Permittee may be required, by the terms of a Permit, to restrict the size and location of its facilities. The foregoing Public Way Designation provision shall not apply to any interest the City may have in the Van Buren Street Trolley Tunnel which shall otherwise be deemed to be city property to the extent of such interest.

CDOT reserves the right to impose fees specifically for the use of (i) the City Tunnels and (ii) the existing sleeves under the bulkheads in the City Tunnels installed by the City under certain crossings of the Chicago Rivers, so long as such fees are applied in a nondiscriminatory and reasonable fashion to other similar users and are consistent with then current law; provided that with regard to the City Tunnels no such specific fees will be imposed on Telecommunications Providers which are subject to and are paying the Chicago Simplified Telecommunications Tax imposed pursuant to Chapter 3-73 of the Code.

9B. Tunnel Agreement Required

Prior to the issuance of any permits, each Permittee seeking to use any portion of any of the City Tunnels shall enter into tunnel agreements as required by CDOL and CDOT regarding access, construction, installation, maintenance, inspection, insurance and other related aspects of use of such portions of such City Tunnels. Any disputes regarding use of any portion of any of the City Tunnels shall be resolved by the Commissioner and other concerned City departments. For information regarding tunnel agreement and tunnel related matters contact CDOT/DOE at (312)744-3920.

9C. No City Obligation

The City will not be obligated to pay any amounts to Permittee for any cost of preparation, maintenance or improvement to the City Tunnels and each Permittee is deemed to expressly waive all right to any such contributions. Any use of the City Tunnels shall be solely at Permittee's risk and the City shall not be liable in any way therefore.

9D. Maintenance

Each Permittee shall maintain in conjunction with other users those portions of the City Tunnels through which each Permittee's system is placed or operates or which is affected directly or indirectly by such operations, if any, free of hazards to the satisfaction of the City, and will keep such portions passable for purposes of inspection by City personnel or its designated agents.

9E. Cooperation

Each Permittee shall provide reasonable cooperation to the City, its designated agents and other users of the City Tunnels in which such Permittee's facilities are located for installation, construction, inspection and maintenance and shall not interfere with such activities. All of the Permittee's activities in the City Tunnels shall be performed in accordance with any tunnel agreement to which such Permittee is a party, any permit issued by the Commissioner and any restrictions of the use of the City Tunnels established by the Commissioner by regulations or otherwise.

Chapter 10

Guidelines/Criteria for Authorization of Construction in the Public Way

10A. General

Provided below are the guidelines to which all parties (governmental agencies, utilities, private companies, private individuals, etc.) must adhere when constructing within the Public Way. This information is not to be considered all-inclusive or an incorporation of other requirements that might be set forth concurrently by other City agencies.

10B. Permits

All work in the Public Way requires a Permit from CDOT, (Room 905, City Hall). Permits are required for work by all governmental agencies, utilities, not-for-profit associations, private contractors, individuals, etc. No pavement opening Permit will be issued for any work in city streets that have been resurfaced in the last five (5) years or reconstructed in the last ten (10) years unless such work is determined to be Emergency Work or other work deemed necessary by the Commissioner of the Chicago Department of Transportation. All pavement cuts shall meet City of Chicago Standard guidelines/Standard Construction Details (See Appendices to these Regulations) for such work; in addition all cuts to recently resurfaced or reconstructed streets shall meet special City guidelines issued by CDOT/DOIM. All pavement restorations shall be performed to current citywide regulation/standards.

10C. DIGGER (Chicago Utility Alert Network)

All pavement openings in the Public Way require a 48-hour minimum prior notice to DIGGER at (312) 744-7000 located at City Hall, 121 N. LaSalle Street, Room 905. DIGGER is a 24-hour service network whose purpose is to notify all DIGGER Member Utilities of proposed excavation in the City of Chicago Corporate Limits (Public Way and Private Property). The current members are provided in Appendix G.

(Note: refer to the DIGGER Excavator Handbook for additional information of DIGGER Protocol, Policy, Procedures and Excavator Responsibilities related to excavation).

10D. Office of Underground Coordination

Provided below are the Department of Transportation's guidelines to which all parties (governmental agencies, utilities, not-for-profit associations, private contractors, private companies, individuals, etc.) must adhere to when constructing within the Public Way. This information is not to be considered all-inclusive or an incorporate of other requirements that might be set forth concurrently by other City, State and Federal Agencies.

The Office of Underground Coordination (OUC) is the distribution agency within the Chicago Department of Transportation, Division of Infrastructure Management, for all requests regarding existing utility information (Information Retrieval Process - "IR") and the review/ approval of construction work in or adjacent to the Public Way (Existing Facility Protection - "EFP"). This also includes large projects with deep excavations and penetrations, such as foundations (piles, caisson, etc.), earth retention systems or major piping installations. The OUC is responsible for the protection of the City's surface and subsurface infrastructure from damage due to planned and programmed construction, installation and maintenance projects. Proposed projects for new construction and installation work must be processed through the OUC, prior to the issuance of permits through CDOT (Room 905, City Hall).

The OUC is made up of twenty member ("Members") consisting of both city agencies and private entities, who review IR and EFP documents to determine the effect specific requests will have on their existing facilities. Each Member reviews individual IR and EFP requests, which are then commented on either through providing existing atlas information/record drawings; conflict notification and resolution requirements or authorizing proposed construction/installation of new facilities.

10D.1 Information Retrieval (IR) Process

In order for a proposing entity ("Requester") to accurately engineer the installation of new facilities or maintenance of existing facilities it is recommended that an Information Retrieval Request (IR) be submitted to the OUC. This will also assist Members in the protection of their existing infrastructure and minimize conflicts in the field during construction of new facilities or maintenance on existing facilities. Upon submittal of an IR- Notice Form (obtained from the OUC), with the electronic drawing and one (1) copy of an 8-1/2" x 11" preliminary sketch of the project area, the OUC will assign an OUC number to the request and distribute the IR request to all Members for their review/ response. Members are required to respond within thirty (30) calendar days to the OUC with existing atlas/record drawing information or to comment "Not Involved" when they are not located in the requested area. The OUC will confirm by written response, to the Requester that the IR request (OUC member) has been distributed to the Members and will notify the Requester when all responses have been received. It is then the Requester's responsibility to obtain the completed IR request from the OUC Administrative Office and evaluate the information as it pertains to future work in the requested area. The Requester should direct any correspondence regarding the information provided in the IR to the Members.

IR Process Overview (See "**Exhibit 1**")

1. Complete OUC Notice Form (See "**Appendix C**") for an "Information Retrieval".
2. Submit Notice Form with required electronic drawing and one (1) copy of an 8-1/2"x11" preliminary sketch of the project area to the OUC at 121 N. LaSalle St., Room 905, Chicago, Illinois 60602. In addition, a service fee of

fifty dollars (\$50.00) is required and must be paid by check or money order payable to: City of Chicago. (NOTE: Project area should not encompass an area larger than 4 square blocks/per IR request).

3. The OUC will assign an OUC number to the request, distribute IR request to all Members for their response and send a confirmation to the Requester in writing.
4. Members review request and respond within thirty (30) calendar days to the OUC with existing atlas/record drawing information or to comment “Not Involved” when they are not located in the requested area.
5. The OUC will manage the Member responses and notify the Requester when all responses have been received for pick-up.

10D.2 Existing Facility Protection (EFP) Process

All new construction, maintenance and installation work in the Public Way involving excavation; and all excavations and/or penetrations deeper than twelve (12) feet on all Private and Public construction projects shall adhere to the following criteria/guidelines and are prerequisites to the issuance of an opening permit. Without collaboration of completion of review by the Secretary (or his designate) or the Office of Underground Coordination, a pavement-opening permit may not be issued, pursuant to the Municipal Code of the City of Chicago, Section 2-120-300 (available for viewing at www.cityofchicago.org)

In order to promote efficiency of work in the Public Way, reduce the risk of damage to existing infrastructure and reduce inconvenience to the public caused by work within the Public Way, a requester must submit an Existing Facility Protection (EFP) request to the OUC. Upon submittal of an EFP – Notice Form (obtained from the OUC), with one (1) copy of the proposed construction documents and one (1) Disc with CADD Drawings Published in DWF Format of the construction documents, the OUC will assign an OUC number to the EFP request and distribute the request to all Members for their review/response. In addition, the OUC will send an acknowledgement letter to the Requester. Members are required to respond within thirty (30) calendar days to the OUC with various responses of: “Permit Issuance Authorized”, “Not Involved”, or “Conflict”. Responses may include information and/or comments as to how Member’s existing facilities in the project area are to be protected and also may include inspection requests, etc. Members will contact the Requester directly with any “Conflict” notices and in addition, any received by the OUC will be immediately sent to the Requester for resolution. A proposed project will not be authorized for permit unless all outstanding conflicts are resolved. The DOIM/OUC will notify the Requester when all responses have been received and the EFP request will only be authorized for permit when all Member responses have been received as “Permit Issuance Authorized” or “Not Involved”.

EFP Process Overview:

1. Complete OUC Notice Form (See “**Appendix C**”) for an “Existing Facility Protection”.
2. Submit Notice Form with electronic drawings and one (1) copy of the Construction Documents, folded separately, to the OUC at 121 N. LaSalle St., Room 905, Chicago, Illinois 60602. (See “**Exhibit 2**”): Construction Documents are to include, but not limited to, project scope and purpose, drawings/plans and specifications identifying proposed locations, sizes, depths of proposed construction in relation to any and all existing facilities which may exist within the project area. Construction standards and procedures should also be included with the proposed project.
3. The OUC will assign an OUC number to the request, distribute the EFP request to all Members for their review/response and send a written confirmation to the Requester.
4. Members review request and respond within thirty (30) calendar days to the OUC with various responses of: “Permit Issuance Authorized”, “Not Involved”, or “Conflict” (NOTE: Responses may include information and/or comments as to how Member’s existing facilities in the project area are to be protected and also may include inspection requests, etc., which need to be followed during construction).
5. Members are to contact the Requester directly when an EFP is in “Conflict” with their existing facilities for resolution. In addition, any “Conflict” responses received by the OUC will be sent to the Requester for resolution with the Member. An EFP request will NOT be authorized for permit unless all outstanding “Conflicts” are resolved.
6. The OUC will manage the Member reviews/responses and notify the proposing entity when all responses have been received as “Permit Issuance Authorized” and/or “Not Involved””, (NOTE: as “Permit Issuance Authorized” and/or “Not Involved” DO NOT indicate that DIGGER has been notified. Please refer to the DIGGER section within this manual for process directions).
7. Upon OUC approval, a “Permit Issuance Authorization Letter” will be provided to the Requester, which is needed to obtain the “Opening and/or use in the Public Way” permit from CDOT.

NOTE: Any Deep Excavation projects require CDOT-Division of Infrastructure Management (CDOT/DOIM) review prior to project’s submittal to CDOT/OUC. CDOT/DOIM can be contacted at (312)742-3130.

The above criteria/guidelines are prerequisites to the issuance of a Public Way opening permit; without collaboration of completion of review by the manager (or his designate) or the Office of Underground Coordination, a Public Way opening permit shall not be issued.

The following is a listing of proposed projects requiring Existing Facility Protection

(EFP) Review. Note: the OUC retains its authority to request full OUC review for any proposed projects which may impact the City's surface and/or subsurface infrastructure, not shown in the listing below:

1. New Installations or Resolutions which parallels traffic flow including all street intersection areas when an excavation in the Public Way (street pavement, alleys, parkway or into vaulted sidewalk areas) is required.
2. Maintenance, Repair or Relocation of any existing facilities involving excavations or earth retention system penetrations deeper than twelve (12) feet within the Freight Tunnel System Area which is bounded by Cermak Road, Halsted Street, Chicago Avenue and Lake Michigan.
3. Maintenance, repairs or construction in existing vaults requiring demolition of or excavation beyond the existing floor, wall or roof.
4. Exploratory Borings and Excavations deeper than twelve (12) feet within the Freight Tunnel System Area as defined in above in item 2. This is applicable to all Public Way and private property.
5. Private and Public Developments which have excavations, foundations or earth retention system penetrations deeper than twelve (12) feet below adjacent Public Way grade or when excavations deeper than four (4) feet extend beyond the development's property lines and into the Public Way.
6. Any project which requires issuance of a Harbor Permit which involves below-grade excavation or penetrations.
7. Any directional boring installation under the Public Way and water ways. Directional boring installations under private property when penetration is deeper than twelve (12) feet (Note: directional boring installation in the Public Way are only allowed under sidewalks, parkways and alleys, and any installation under the street crossing must be installed by open cut trench method.
8. Any structural installations (manholes, handholes, catch basins, pull boxes, inlets, etc.)

Exhibit "1"
**DEPARTMENT OF TRANSPORTATION
OFFICE OF UNDERGROUND COORDINATION**
**PROCEDURE FOR OBTAINING INFORMATION
ON PUBLIC OR QUASI-PUBLIC UTILITIES WITHIN THE PUBLIC WAY
IN THE CITY OF CHICAGO**

- Address letter to:

Department of Transportation
Office of Underground Coordination
121 North LaSalle St., Room 905
Chicago, Illinois 60602

Attention: CDOT/OUC Manager

- Enclose a written request to determine whether there are any public or quasi-public utilities in existence at a particular location/site.
- Give reason for seeking utility information.
- Describe the location both by street address and street boundaries.
- Enclose One (1) small drawing, sketch or plat showing said location with corresponding dimensions and street boundaries and One (1) Disc with an Adobe PDF or Computer Aided Drafting Design (CADD) file of the drawing in DWF format.
- You can also email your request to OUC@cityofchicago.org. Include your electronic drawing and transmittal letter for processing.
- A service fee of fifty dollars (\$50.00) is required. Fee must be paid by check or money order payable to: **CITY OF CHICAGO** and forward to the above address.
- The Office of Underground Coordination will disseminate your request and compile utility information from the agencies listed below. Information received will be submitted to the requestor.

AT&T – Local Network Services	Department of Water Management
Bureau of Electricity	(Water & Sewer Sections)
Bureau of Forestry	JC Decaux North America
CDOT - Infrastructure Management	Lakeside Technology Center
CDOT - Project Development	Level 3 Communications
CDOT – Engineering	Looking Glass Networks
Chicago Park District	MCI WorldCom (ATS)
Comcast	MDE/Thermal Chicago Corporation
ComEd	Metropolitan Water Reclamation District
CTA – Facilities / Maintenance	Peoples Energy
CTA – Traffic	SBC / AT&T
	RCN

NOTE: **Please allow 30 days for utility information to be returned.**
For further information call (312) 744-4828

FORM:IR.REQ - REVISED 10/02/06

Exhibit "2"
CHICAGO DEPARTMENT OF TRANSPORTATION
OFFICE OF UNDERGROUND COORDINATION

PROCEDURE FOR EXISTING FACILITY PROTECTION REVIEW

- Enclose a written request detailing scope of work, name, telephone and fax numbers of contact person to:
Department of Transportation
Office of Underground Coordination
121 N. LaSalle St., Room 905
Chicago, IL 60602
Attention: CDOT/OUC Manager
- Enclose 1 copy of plan set. (Plans larger than 8" x 14" must be folded into an individual set).
One (1) Disc with Computer Aided Drafting Design (CADD) drawings published in DWF Format (Single file with multiple pages) or E-mail electronic plans to OUC@cityofchicago.org

Plans should include the following:

1. Cover Page

Company/Owner Name, Project Name or Description, Project Number assigned.
Site Location Map, Legends, DIGGER Information.

2. General Notes

All Contact Information (Contractor, Owner, Engineer Etc.), Scope of Work,
General Specification and Instructions, Existing Utility Notes, Materials Used.

3. Plan View

Exact Location of work showing all surface and subsurface utilities, property line, trees, etc. Show distance from Property Line to excavation location (Both North-South and East West Directions). Show what is being installed, including length and quantity of installation, North arrow, scale and all notes.

Protective System Installations must be shown for all excavations 5 feet or deeper.

4. All Details

Typical Trench, Manhole/Handhole, Profiles, Protective Systems, etc.

- A service fee of fifty dollars (\$50.00) is required. Fee must be paid by check or money order payable to: **CITY OF CHICAGO**.
- The Office of Underground Coordination will disseminate your request and compile utility responses from the agencies listed below. The OUC will issue a Permit Issuance Authorization Letter to OEMC/Traffic Management Authority at the completion of the review process.

AT&T – Local Network Services
Bureau of Electricity
Bureau of Forestry
CDOT - Infrastructure Management
CDOT - Project Development
CDOT – Engineering
Chicago Park District
Comcast
ComEd
CTA – Facilities / Maintenance
CTA – Traffic

Department of Water Management
(Water & Sewer Sections)
JC Decaux North America
Lakeside Technology Center
Level 3 Communications
Looking Glass Networks
MCI WorldCom (ATS)
MDE/Thermal Chicago Corporation
Metropolitan Water Reclamation Distr.
Peoples Energy
SBC / AT&T
RCN

Note: Please allow 30 days for member responses.

If your project involves any excavations deeper than 12 feet, contact Division of Infrastructure Management at (312) 742-3130 or (312) 744-4995, prior to OUC Submittal

Manhole Installation Requirements

All manhole/handhole installations in the public way must be reviewed by the Department of Transportation's, Office of Underground Coordination. Manhole/handhole placements in the public way will be denied without written confirmation that existing structures in and adjacent to the immediate area, are at capacity.

All request shall consist of , but, not be limited to the following information:

1. Provide "As Built" drawings of all existing manhole structures owned by your agency in and adjacent to the immediate area of the proposed installation.
2. Provide an utility composite drawing showing all existing manhole/handholes in and adjacent to the immediate area of the proposed installation. *(Note: The utility composite drawing will not be required if existing utility information is shown on your "As Built" drawings)*
3. Provide written documentation/proof of utilization of existing structures in and adjacent to the immediate area of the proposed installation.

Note: All photos must include location information for each manhole/handhole.

4. Provide the number of ducts currently in use for structures in and adjacent to the immediate area of the proposed installation.
5. Provide the number of ducts not in use for structures in and adjacent to the immediate area of the proposed installation.
6. Are there any manholes which can be abandon in and adjacent to the immediate area of the proposed installation?

Yes: Identify each manhole which could be abandon.

No: Provide documentation that abandonment of any existing structure(s) in and adjacent to the immediate area of the proposed installation, are not possible.

7. Has an attempt been made to utilize existing ducts with other Telecommunications, Cable or Utility companies in the immediate area of the proposed manhole/handhole installation?

Yes: Provide a list of the agencies contacted for use of their existing ducts.

No: Contact other Telecommunications, Cable or Utility companies in the immediate area of the proposed manhole/handhole installation?

8. Was your agency denied access to other Telecommunications, Cable or Utility companies facilities in and adjacent to the immediate area of the proposed manhole/handhole installation?

Yes: Provide a copy (s) of the denial/rejection letters from each agency.

No: Provide copies of the Access and/or Lease Agreements from each agency authorizing access to their structures.

Completed forms and attachments must be submitted to the Office of Underground Coordination for review.

Chapter 11

Review and Approval of Plans

11A. General

CDOT/DOPD is responsible for the review, approval, and permitting of all work in the Public Way. Thus, CDOT/DOPD should be the developers/contractor's first step before engaging in any work in the Public Way. Detailed below are the guidelines that must be followed by all parties (including, but not limited to: private developers, contractors, utility companies, government agencies, private companies) when planning for the installation of new infrastructure and/or the repair of the existing infrastructure in the Public Way.

11B. Plats of Subdivision / Dedication

In the event that a large tract of land is proposed for subdivision and new rights of way (streets and alleys) must be created, an Application for Plat of Subdivision must be filed with CDOT/DOPD's Maps and Plats Unit. At the same time, a Duty to Build agreement must be executed and notarized (See Appendix C). Both public and private streets within the subdivision must be built to the City specifications detailed in this publication.

11C. Site Plan Review / Plan Review Committee

CDOT's Plan Review Committee (PRC) meets every week to review large proposed development plans that may affect the public right of way. The PRC is comprised of representatives from several units and disciplines within CDOT. The PRC review constitutes a comprehensive, one-stop site plan examination and approval process.

Meetings of the PRC are scheduled every Tuesday between 10:00 am and 12:00 noon at 30 North LaSalle Street, Suite 500. Meeting time for each project is assigned, and confirmed with the applicants a few days in advance.

The deadline for submission of materials for each Tuesday meeting date is the prior Tuesday. In the event that the Tuesday date is a holiday, the deadline will be the prior business day. Please note that the agenda may close before deadline, if full. We encourage you to submit your materials as far as possible in advance.

11C.1. Plan Review Committee Submission Requirements

Please provide us **6 fully collated and bound packages** (no paper clips or staples) consisting of:

1. A letter of support for the proposed improvements from the local Alderman.

2. A cover letter with full contact information (telephone, fax number, email addresses) for both the applicant, and any involved attorney, architect, etc.
3. One (1) page general narrative describing proposed improvements on the site.
4. Please read this section carefully. Plans without the required information will be delayed.

One set of 11X17 sized, fully dimensioned plans showing: north arrow, 4 orienting street names, street traffic flow arrows, curb cuts, parking layout, alley access, balconies, location of bus stops, hydrants, light-poles, sidewalk dimensions, landscape plan, first floor layout and access, primary and emergency entrances/exits, proposed vacation/dedication/subdivision, elevation drawings, property lines, and curb cuts for driveways. Please note that commercial driveways in excess of 25 feet at the property line require PRC approval prior to the issuance of construction permit.

Larger sites (covering more that 1 City block) will require the submission of full sized drawing folded to -11X17.

NOTE: All plans are reviewed by staff prior to the meeting; revised plans will not be accepted on the meeting date and will be deferred until the next session.

5. One full-size 80-acre sheet with the site clearly outlined. 80-acre maps are available from Maps and Plats, City Hall, Room 905. 80-acre maps must be full size. We cannot accept the 80-acre map if the bar legals have been cut off the side. We will not accept Sidwell or Zoning maps for this purpose.
6. Survey of the site and surrounding public facilities (bus stops, sidewalks, crosswalks, hydrants, meters, etc.)
7. A traffic study may be required for new developments with greater than 100 parking spaces and in other situations as needed.

8. Optional: One set of full sized civil drawings. IMPORTANT: A conditional approval of the site plan cannot be issued without these; however, be aware that final departmental approval is dependant upon ultimate receipt of acceptable civil engineering drawings by the Developer Engineering Plan Review Unit (see next section).

For Information and to Submit Materials

Chicago Department of Transportation
Division of Project Development
30 North LaSalle Street, Room 500
Chicago, Illinois 60602
Phone No. 312-744-4996

11D. Engineering Review / Developer Engineering Plan Review Unit

Subsequent to the review by the Plan Review Committee (above) and prior to construction, all developments will initially require engineering approval from CDOT's Developer Engineering Plan Review Unit (DEPRU), and later from CDOT, for any construction activity planned within the public way. (Please note that the permits issued by the Department of Buildings, or the Department of Construction & Permits do NOT cover any work to be done in the Public Way). All designs must conform to City of Chicago Basic Design Criteria, and any relevant ordinances, standards and details described in these Regulations, and the Illinois Department of Transportation's Standard Specifications for Road and Bridge Construction (current edition and all addenda). Plans should include all standard construction details for streets, alleys, sidewalks, driveways, curbs, gutter, alley returns, ramp sidewalks, pavement restoration for streets and alleys, etc.

Elevations should be indicated every 50' along the back sidewalk, along the front edge of the sidewalk, when a parkway exists, for the top of curb and at the gutter line. In addition, summits and low points at drainage structures should be indicated for the gutter profile. Particular care should be taken to indicate the elevations at each sidewalk ramp.

11D.1. Developer Engineering Plan Review Unit Submission Requirements

Please provide one (1) package consisting of the following sheets labeled:

C-1 COVER SHEET should contain but not limited to the following:

Project title, and/or project information

Location map or Project site with north arrow

Title blocks for the architect, engineer, owner or developer, including business and e-mail addresses, telephone numbers, legend, plan sheet index, DIGGER and handicapped symbols, two City benchmarks, and Duty to Indemnify language (see Section 11F).

Please add the following notes to this sheet.

PRIOR TO UNDERTAKING ANY WORK IN THE PUBLIC WAY CONTACT:

Department of Transportation, 312-747-2210 relative to any City of Chicago signs (traffic or street).

Department of Finance relative to parking meters, 312-742-6978.

CTA, Prior to undertaking any work in the vicinity of a bus shelter, 312-681-4217.

CDOT/DEO, 312- 746-4656

All work in the Public Way requires a permit from CDOT, Room 905 City Hall.

Contractor Shall Notify the Owner, Engineer, and the DIGGER (City Utility Alert Network), at 312-744-7000, 48 hour in advance of performing any work.

C-2 PLAT OF SURVEY should indicate the property lines and the limits (outline) of the proposed construction, identify all streets, alleys, crosswalks, and sidewalks, also provide their widths. In addition identify the type of existing curb and gutter, driveways, parkways and ramp sidewalks, with existing elevations throughout. On occasions, the cover sheet will have a LEGAL DESCRIPTION of the site. In that case this sheet is identified as an EXISTING CONDITIONS PLAN in either case the end result is the same.

C-3 DEMOLITION PLAN typically this is a Plat of Survey background on which the limits or areas to be removed and/or reconstructed are defined. This would include not only the major structure but also all work in the Public Way; i.e.

sidewalks, curb and gutter, utility connections, alley, etc.

C-4 GEOMETRIC PLAN Provides dimensions for parking lots, medians, streets, alleys, sidewalks cul-de-sac, curb radii, driveways, pavement markings (i.e. crosswalks), etc.

C-5 GRADING PLAN provides proposed elevations for the top of the curb and back of sidewalk at 50' intervals (existing in 'faded', proposed in **bold** numbers). These are necessary to the vertical control of the site. It also allows us to verify the design relative to CDOT's Basic Design Criteria. Please note, the City of Chicago has a variable curb face, from 3" to 9". This allows the top of curb to remain fairly flat, unaffected by the gutter profile. When a fixed 6" curb height is used with a full sidewalk [no parkway] the edge of the sidewalk reflects the gutter profile.

The latest approved ADA construction standards: Sidewalk Ramp Details and Alley Return and Driveway Details are included in Appendix B and are on line at www.cityofchicago.org/departments/transportation. Please print full size sheets of these construction standards. Some of the plan notes and details are illegible on quarter size plan sheets.

Due to the importance of ADA compliance, all crosswalks must be indicated on the Plat of Survey and the GRADING PLAN sheets. The review of the subject plans can not be undertaken until this information has been provided to our office.

In addition, it will be necessary to provide a separate, large scale detail for each ramp and driveway, on which you must indicate the elevation at the top of the ramp, any intermediate breaks, gutter line, and also the slope of all surfaces of the ramps and driveways. See ADA Curb Ramp Design summary worksheets (See Appendix B).

C-6 UTILITY PLAN

C-7 EROSION AND DUST CONTROL PLANS

C-8 STORM WATER POLLUTION PREVENTION PLAN

C-9/10 DETAILS include all details from the City of Chicago Construction Standards for Work in the Public Way covering the design project.

Each of the above sheets will have specific Plan Notes relative to their designation. Please include the enclosed GENERAL NOTES FOR WORK IN THE PUBLIC WAY as a part of your PLAN NOTES. Submitted plans should be full size. In addition, the landscape plans should be included in your submissions (species not necessary).

11E. Controlling Elevations / Grades

There are a multitude of factors involved in establishing the controlling elevation for a new structure. Of ongoing concern to CDOT's Division of Infrastructure Management is the construction of high curbs and sidewalks with steep cross slope, etc. To prevent this problem, the project architect / engineer should familiarize himself with not only the City of Chicago Basic Design Criteria, but also with the Municipal Code Chapter 10-20 in its entirety, and in particular sections 500 to 550, which govern work on and under the Public Way. The cited sections of the Code specifically mandate that the established elevation be maintained. Prior to any work, a thorough review of both the plat of survey, and the elevations / grades beyond the proposed construction site must be made, in order to determine the final proper finished grade of the development.

Older buildings may have a five or six inch step at the entrance. The Municipal Code specifically prohibits the raising of the adjacent sidewalk to the elevation of the step in order to meet the ADA requirement. The solution to ADA accessibility cannot be accomplished by changing the elevation of a public sidewalk.

IMPORTANT: Be advised that the City can and will require the demolition and reconstruction of all public facilities (curbs, gutters, sidewalks, streets, etc.) that do not meet correct elevations / grades.

11F. Duty to Indemnify

All individuals requesting reviews, approvals, and permits shall defend, indemnify, keep and hold harmless the Municipality, owner and engineer, and their respective board members, representatives, agents and employees, in both individual and official capacities, against all suits, claims, damages, losses and expenses, including attorney's fees, caused by, growing out of, or incidental to the performance of the work under the contract by the contractor or its subcontractors to the full extent as allowed by the laws of the State of Illinois and not beyond any extent which would render these provisions void or unenforceable. The obligation includes, but is not limited to: the Illinois laws regarding structural work [IL. Rev. Stat Ch. 48, Par 60 at Seq] and regarding the protection of adjacent property landowners [IL Rev. Stat. Ch. 17-1/2 Par. 51 Et. Seq.]. In the event of any such injury (including death) or loss of damage, or claims therefore, the contractor shall give prompt notice to the owner. For additional guidelines and rules regarding indemnities, refer to Chapter 3 of this publication, section 3B.12: Indemnities.

For Information and to Submit Materials

Chicago Department of Transportation, Division of Project Development
30 North LaSalle Street, Room 500
Chicago, Illinois 60602; Phone No. 312-744-3039