

RIGHT-OF-WAY USE NOTICE TO APPLICANT

Form #FE189
Updated
2019

Physical Address:	Mailing Address:	Webpage & Email:	Phone & Fax:
Auburn City Hall Annex, 2 nd Floor 1 East Main Street	25 West Main Street Auburn, WA 98001-4998	www.auburnwa.gov aprice@auburnwa.gov	Phone: 253-931-3010 Fax: 253-931-3053

FOR OFFICE USE ONLY	
Permit #	Date Received

APPLICANT INFORMATION (All information related to this application will be sent to this contact)

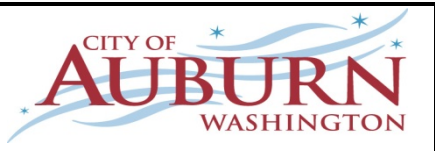
Company Name	
Contact Person	
Address	
City, State, Zip	
Phone Number	
Fax Number	
E-Mail Address	

I hereby certify and declare under penalty of perjury under Washington law that the statements furnished by me on this application are true and complete to the best of my knowledge and that I will comply with the provisions of the Auburn City Code in doing business in Auburn.

Date	Signature	Title
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Please read and initial your understanding next to each statement below and submit this form with the Right-of-Way Use Permit Application. If you have questions about this form please contact Amber Price, ROW Specialist at 253-804-3120 or aprice@auburnwa.gov.

Applicant Initials	Notice
	1. Applicant acknowledges receipt of "General Conditions for issuance of Right-of-Way Use Permits"
	2. Applicant acknowledges that Right-of-Way Use Permit application fees are non-refundable.
	3. Applicant is responsible for planning in advance of the requested permit to allow sufficient time for City review and determination that the application is complete and adequate for providing a staff recommendation and forwarding to the City Engineer for consideration.
	4. Applicant understands that submittal of an application and payment of the application fee does not guarantee approval of the permit or limit in any way the conditions the City may place on the permit, if approved.
	5. Applicant is solely responsible for providing all elements of the application as the City determines is necessary to provide a complete and adequate application.
	6. Applicant acknowledges full responsibility for any liabilities arising from their use of the right-of-way.



**RIGHT-OF-WAY USE
INDEMNIFICATION AND HOLD HARMLESS**

Form #FE166
Updated
2019

Physical Address:

Auburn City Hall Annex, 2nd Floor
1 East Main Street

Mailing Address:

25 West Main Street
Auburn, WA 98001-4998

Webpage & Email:

www.auburnwa.gov
aprince@auburnwa.gov

Phone & Fax:

Phone: 253-931-3010
Fax: 253-931-3053

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INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

Permit Holder releases and shall defend, indemnify and hold harmless Auburn, its heirs, successors, and assigns, and the respective directors, officers, employees, contractors, and agents of Auburn and its heirs, successors, and assigns (collectively referred to as the "Indemnitees") from any and all claims, losses, costs, liabilities, damages and expenses (including, but not limited to, reasonable attorneys' fees) arising (whether before or after termination of the Term) out of or in connection with performance of this right-of-way permit, the enforcement of this permit by Auburn, any default under or breach of this permit by the Permit Holder or the acts or omissions of the Permit Holder or any of its suppliers, contractors or subcontractors of any tier, the respective successors and assigns of the Permit Holder or any such suppliers, contractors or subcontractors, the directors, officers, employees and agents of each of the foregoing, or anyone acting on the Permit Holder's behalf in connection with this permit. To the fullest extent permitted by applicable law, the foregoing release, indemnity and hold harmless shall apply regardless of any act, omission, fault, negligence or strict liability of the Indemnitees; provided, however, that the Permit Holder shall not be required to so indemnify any Indemnitee(s) against any claim, loss, cost, liability, damage or expense to the extent the same is caused by or results from the sole negligence of any Indemnitee(s). In connection with any action to enforce this indemnification, the Permit Holder waives any immunity, defense, or protection under any workers' compensation, industrial insurance or similar laws (including, but not limited to, the Washington Industrial Insurance Act, Title 51, of the Revised Code of Washington). Auburn is willing to grant this permit only in consideration of and in reliance upon such release, indemnity and hold harmless. Consequently, such release, indemnity and hold harmless shall be construed broadly in favor of the Indemnitees.

DATED THIS _____ DAY OF _____, 20____.

SIGNATURE OF PERMIT HOLDER

COMPANY OR ORGANIZATION

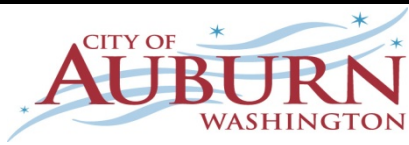
STATE OF WASHINGTON)
) ss.
County of _____)

On this day personally appeared before me _____, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that _____ signed the same as a free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF
WASHINGTON, RESIDING AT _____

MY COMMISSION EXPIRES _____



GENERAL CONDITIONS FOR ISSUANCE OF RIGHT-OF-WAY (ROW) USE PERMITS HAUL

Form #FE149

Updated

2019

Physical Address: Auburn City Hall Annex, 2 nd Floor 1 East Main Street	Mailing Address: 25 West Main Street Auburn, WA 98001-4998	Webpage & Email: www.auburnwa.gov aprice@auburnwa.gov	Phone & Fax: Phone: 253-931-3010 Fax: 253-931-3053
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ALL APPLICANTS

1. Must abide by insurance requirements below.
2. Must provide an initialed Notice to Applicant
3. Must provide Hold Harmless Agreement for the City.
4. Must submit a traffic control plan, consisting of turn by turn direction of route and a map of the area and indicating the route of the haul.
5. Must comply with any special conditions/provisions.

FEE SCHEDULE

Right-of Way Use Haul Permit Fee: *(Per Ordinance No. 6125)*

Type D - Hauling

\$106.00 (to be paid upon submittal of complete application)

Plus estimated staff time at \$54.00 per hour (to be paid prior to permit issuance)

The application fee for a right-of-way use permit shall be paid at the time the application is filed, provided however, bona fide governmental agencies of the federal government or the State of Washington or subdivisions thereof shall be exempt from payment of said fee.

REFUNDS

Right-of-Way Use Permit application fees are non-refundable.

APPROVAL and EXPIRATION

1. ROW Use Haul Permit Applications are required to be submitted a minimum of five (5) business days prior to the date intended to haul. Applicant is responsible for providing all traffic control, pilot cars, pole cars, police escort (if required) and ensuring that they are able to meet all height restrictions, turning movements and any other conditions the City deems necessary if the permit is approved.
2. All ROW Use Haul Permit Applications shall be reviewed by City staff and approved by the City Engineer.
3. The ROW Use Haul Permit shall expire upon the date and time indicated on the issued permit.

INSURANCE REQUIREMENTS FOR ROW USE HAUL PERMITS (unless otherwise noted in the special conditions for your permit)

The Applicant shall procure and maintain for the duration of the Permit, insurance against claims for injuries to persons or damage to property which may arise from or in connection with operations or activities performed by or on the Applicant's behalf with the issuance of this Permit.

No Limitation. Applicant's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Applicant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

Minimum Scope of Insurance

Applicant shall obtain insurance of the type described below:

1. Commercial General Liability insurance shall be written on Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover products liability. The City shall be named as an insured under the

Applicant's Commercial General Liability insurance policy using ISO Additional Insured-State or Political Subdivisions-Permits CG 20 12 or a substitute endorsement providing equivalent coverage.

2. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

Minimum Amounts of Insurance

Applicant shall maintain the following insurance limits:

1. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate and a \$2,000,000 products- completed operations aggregate limit.
2. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions for Commercial General Liability insurance:

1. The Applicant's insurance coverage shall be primary insurance as respect the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Applicant's insurance and shall not contribute with it.
2. The Applicant's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

Verification of Coverage

Applicant shall furnish the City with original certificates and a copy of the amendatory endorsements, including the additional insured endorsement, evidencing the insurance requirements of the Applicant before issuance of the Permit.

CONTACT INFORMATION

For questions regarding ROW Use Permit Applications please contact Amber Price, ROW Specialist, Engineering Services, at (253) 804-3120 or send an email to: aprice@auburnwa.gov .

Public Works, Engineering Services (253) 931-3010
Office hours are Monday through Friday, except holidays, 8:00am-5:00 pm.