

DRAINAGE TILE/COUNTY ROAD CROSSING AGREEMENT

WE THE UNDERSIGNED, do hereby request the County Board of Commissioners of Watonwan County, Minnesota to grant a permit allowing a _____ inch diameter drainage tile to be placed across the present right of way of County Road _____ (road number) in Section _____, Township _____, Range _____. **A map/sketch showing proposed location of tile crossing is attached to this permit.**

WE UNDERSTAND that the entire cost of the crossing shall be our responsibility including the cost of tile crossing materials. Drainage tile within the roadbed will be encased in a carrier pipe or be non-perforated industrial quality PVC with fused joints. In addition, we agree to pay to Watonwan County a sum of \$500.00 for an open-cut crossing (gravel roads only) and \$50.00 for boring under the roadbed.

If this permit is granted, we the undersigned do hereby agree to the following conditions:

WE AGREE the tile shall be placed at an elevation such that the distance from the top of the drainage tile to the lowest ground elevation in the ditch shall be not less than 4-1/2 feet, unless waived by the County Engineer.

WE FURTHER AGREE when crossing under a County roadway, inlets or inspection tees will be required on both sides of the road.

WE FURTHER AGREE any damage to the road ditches, culvert(s), and/or surfacing resulting from the construction or maintenance of the above described tile crossing, will be our responsibility to repair in a reasonable length of time to as good a condition as it was before said maintenance or construction; and if we fail to properly repair the roadway it is agreed that the County Engineer may have the work done and we will agree to pay for it upon receipt of a properly executed bill.

WE FURTHER AGREE to pay for all costs relating to the maintenance or construction of the above described tile crossing, including required boring or jacking under roads. All installations shall be done to County Specifications and in accordance with any special provisions attached to this permit

WE FURTHER AGREE to take all necessary precautions to maintain the safety of the operation and to be responsible for all liability for personal injury or property damage which may occur in connection with the work, to be responsible to contact representatives of and/or locate all other utilities buried in the road right-of-way and avoid disturbance of other utilities during placement of the above described tile, and we agree to hold the County of Watonwan harmless therefore.

WE FURTHER AGREE to be responsible for all traffic control during tile placement within the County Road right-of-way. Traffic control devices shall comply with the Minnesota Manual for Uniform Traffic Control Devices and be in accordance with the current Mn/DOT Field Manual for Temporary Traffic Control Zone Layouts.

WE FURTHER AGREE that all work within the roadbed must be completed within one day and completed during daylight hours. If work is suspended due to weather, all roadbed excavations must be re-filled such that the road can be re-opened to traffic, unless waived by the County Engineer.

WE FURTHER AGREE that Watonwan County in granting this permit is not responsible in any way for any damages resulting from the drainage of water through this tile crossing , nor does granting this permit in any way imply that Watonwan County has given consent to the transfer of water in any drainage pattern.

WE FURTHER AGREE to defend, indemnify, and hold Watonwan County, its employees and officials harmless from any claims, demands, actions or causes of action, including reasonable attorney's fees and expenses arising out of any act or omission on the part of the undersigned, or its subcontractors, partners or independent contractors or any of their agents or employees in the performance of or with relation to any of the work or services to be performed or furnished by the undersigned or the subcontractors, partners, or independent contractors or any of their agents or employees under the agreement.

WE ATTEST that we have insurance coverage adequate to cover the limits of exposure to Watonwan County, for which **we have attached said insurance certificate to this agreement.**

AGREED TO BY REQUESTING PROPERTY OWNER:

Signature: _____ Date: _____

Printed Name: _____

Address: _____

Phone: _____ e-mail: _____

Concurrence by Affected Property Owners:

(Printed Name) _____ (Signature) _____ (Date) _____

(Printed Name) _____ (Signature) _____ (Date) _____

(Printed Name) _____ (Signature) _____ (Date) _____

(Printed Name) _____ (Signature) _____ (Date) _____

Approved and executed this _____ day of _____ 20__

County of Watonwan

County Auditor

Chairman of the Board

Return to:
publicworks.permits@co.watonwan.mn.us

or

Watonwan County Public Works Department
1304 7th Avenue South
St. James, MN 56081

Ph: (507) 375-3393
Fax: (507) 375-1301

STANDARD CONDITIONS OF WORK IN COUNTY HIGHWAY RIGHT-OF-WAY

1. The permit holder must comply with all applicable laws and regulations, including Workers Compensation laws.
2. **The permit holder shall notify the County Highway Department (507-375-3393) at least 48 hours prior to the initiation of work within the county highway right-of-way.**
3. The permit holder is responsible for placing a **GOPHER STATE ONE CALL (811)** prior to any digging.
4. If work to be done lies within a city or platted town, permission must also be obtained from such city or town.
5. Where work on or near the traveled roadway is necessary, proper traffic signs, channelizing devices, warning lights, and barricades shall be erected to protect traffic, employees, and pedestrians. All traffic control devices and methods shall conform to the Minnesota Field Manual on Temporary Traffic Control Zone Layouts, Minnesota Manual on uniform Traffic Control Devices (MMUTCD), Minnesota Standard Sign Manual, and the appropriate provisions of Standard Specification 1710.
6. Unless adequately protected by a traffic barrier, there shall be no work within the clear zone, nor shall pipe materials, equipment or other objects be stored within the clear zone as determined by the Watonwan County and as defined by the latest edition of AASHTO's "Guide for Selecting Locations, and Designing Traffic Barriers".
7. Excavations must be cribbed when necessary, depending upon type of soil, in order to prevent cave-ins. All excavations, trenching and/or jacking and boring pits shall be shored or sloped in accordance with OSHA requirements.
8. No guys, stays, or any structures are to be attached to trees on county highway right of way. No poles, anchors, anchor braces, or other construction shall be placed on the roadway shoulder or within the prescribed clear zone.
9. Installation of pipe under concrete or bituminous pavements shall be done by jacking or boring or other approved methods.
10. When open trenching or excavating in existing roadways, all subgrade, base, and surfacing materials shall be replaced with the same type, depth, and density of materials which were removed.
11. All work that involves trenching, backfill, or compaction must be done to MnDOT's Standard Specifications for Construction. Depending on the construction work to be performed, use of one or more of the following specifications may be needed: Excavation and Embankment 2105, Aggregate Base 2211, Aggregate Shouldering 2221, or Structural Excavation and Backfills 2451, Subgrade Preparation 2112.
12. If pavement or roadway is inadvertently damaged by operations, same shall be restored to a condition as good as or better than the original condition. All pavements shall be replaced in accordance with applicable MnDOT specifications.
13. The permit holder is responsible for the complete restoration of the county right-or-way. This shall include excavation backfill, road patching, seeding, or anything else necessary to restore the area to pre-construction activities.
14. If settlement occurs or excavation caves in so that replaced materials settle (bituminous mat or concrete base), same shall be restored to a condition as good as or better than the original condition.
15. No lugs shall be used on equipment traversing the road which will damage the road surface.
16. No driving onto highway from ditch or driving on shoulders will be permitted where damage will occur.
17. No foreign material such as dirt, gravel, or bituminous shall be deposited or left on the road during any construction activities.
18. Roadside shall be cleaned to original status upon completion of work.
19. Underground construction must not harm or unnecessarily disturb the root growth of specimen trees.
20. Cutting and trimming of trees within the right of way and removal of resulting stumps require prior approval of the County Highway Maintenance Supervisor or his authorized representative.
21. If Watonwan County shall make any improvements or changes upon, over, under, or along the county highway, then and in every case, the applicant herein named shall, after notice from Watonwan County proceed to alter, change, vacate, or remove from county highway right of way said works necessary to conform with said changes without cost whatsoever to Watonwan County.
22. **After work on a project is completed, the permit holder must notify the County Highway Maintenance Supervisor or his authorized representative that such work has been completed and is ready for final inspection and acceptance by Watonwan County.**
23. The permittee is responsible for contacting all adjacent landowners for approximate location(s) of drainage tile and/or drainage appurtenance(s) within the County Highway right-of-way and shall take measures to avoid intersecting or damaging tile/drainage appurtenance(s). If tile and/or drainage appurtenance(s) are damaged, permittee shall take measures to restore tile/drainage appurtenance(s) to pre-damaged condition and **shall have the repair inspected by Watonwan County Maintenance Supervisor (Rick Bak 507-317-5586) before backfilling the repair.** If Watonwan County Personnel repair the damaged tile, Watonwan County will charge the permit holder for all costs associated with the repair.
24. **Manure pipe permits must be in accord with Chapter 168 of the 2016 Minnesota Session Laws, Subd. 12, 13, and 14 as attached.**