PWDS Appendix G

Construction Drawing Review, Public Works Permit, Construction Requirements & Procedures

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PWDS APPENDIX G
CONSTRUCTION DRAWING REVIEW, PUBLIC WORKS PERMIT, CONSTRUCTION REQUIREMENTS & PROCEDURES

G.1 GENERAL

a. These Public Works Construction Requirements and Procedures will be cited routinely in the text as the "Standards."

b. Wherever specific supplementary standards are indicated (ie. AWWA C-150, ASTM C-857), it shall be understood to mean the latest revision thereof.

c. Pronouns & Captions. In interpreting these Standards, it is understood that: (1) if the context so requires: (a) the singular pronoun shall be taken to mean and include the plural pronoun; (b) the masculine pronoun shall be taken to mean the feminine and the gender neutral pronoun as may be applicable; and (2) all captions used therein are intended solely for the convenience of reference and shall in no way limit any of the provisions of these Standards.

d. These Standards shall apply to all improvements within existing and proposed public right-of-way and City/public utility easements, to all improvements to be maintained by the City, and to all improvements for which the Development Code requires approval by the City, or which must be designed to meet the provisions of the Public Works Design Standards (PWDS). The provisions of these Standards are binding on contractors and developers in the performance of any work covered under the categories outlined above. Where minimum values are stated, greater values should be used whenever practical; where maximum values are stated, lesser values should be used whenever practical.

e. Requests for variances to these Standards shall be based on the criteria and procedures outlined in Section 1.13 of the Public Works Design Standards (PWDS).

f. In the case of conflicts between the text of these construction standards and the standard details in the PWDS, or between the provisions of these construction standards and the PWDS, the more stringent as determined by the Public Works Director shall apply.

g. All other utility improvements, including telephone, electrical power, gas and cable TV shall meet the current standards of the appropriate agency as well as City standards.

h. Traffic Control Devices shall meet the standards of the current Manual on Uniform Traffic Control Devices, including Oregon amendments.

i. All other work not covered by the above standards shall conform to the Oregon Standard Specifications for Construction (OSSC/ODOT/APWA), most recent edition.

j. Land Use Approval & Public Works Review Sequencing. Development code, zoning and related land use approval issues shall be satisfied prior to scheduling a Public

Works predesign meeting or submitting an application for a Public Works construction permit, as summarized below.

1) For projects where land use approval is required, scheduling a Public Works predesign meeting *(or submittal of drawings for detailed permit review by Public Works)* is typically not allowed until after issuance of the land use approval by the City or other applicable agency body, unless there are exceptional extenuating circumstances as determined by the City Public Works Director, at his sole discretion.

2) If land use approval is not required for a project, written verification from the City Planner that the proposed project layout and configuration meets all applicable planning and zoning criteria must be completed prior to scheduling a Public Works predesign meeting *(and prior to submittal of drawings for detailed permit review by Public Works)*.

3) In all cases, all land use approvals required *(or land use verification as may be applicable)* shall be completed prior final approval of any construction drawings by Public Works.

G.2 PURPOSE

a. The intent and purpose of these Standards is to provide a consistent policy under which certain physical aspects of public utility construction will be implemented. Most of the elements contained in this document are Public Works oriented and most are related to the development or platting process.

However, it is intended that they apply to both public and private work designated herein.

b. These Standards cannot provide for all situations. They are intended to assist but not to substitute for competent work by experienced contractors. The Standards are also not intended to limit unreasonably any innovative or creative effort which could result in better quality, cost savings without sacrificing quality, safety or stability, or both. Any proposed departure or variance from the Standards will be judged *(by the City Engineer and the Public Works Director)* on the likelihood that such variance will produce a compensating or comparable result, in every way adequate for the user and City resident.

c. The objective is to develop Standards which will:

1) be consistent with current City Ordinances and the PWDS.

2) set forth uniform material and workmanship standards under which all public works facilities shall be constructed within the City.

3) supplement and complete the requirements of the City's development

ordinances, PWDS, and other prevailing ordinances as they relate to the physical construction of public works facilities within the City.

4) clarify and streamline the administration and construction of public works facilities within the City.

5) provide public and private utility improvements constructed in a manner to allow economical future maintenance.

d. These Standards shall relate only to public works construction in the City and are not to be intended to replace building codes, development or zoning ordinances and other regulations for which procedures and standards have been established.

G.3 CONTRACTING POLICY

1) The policy of the City for construction or reconstruction of public infrastructure or public improvements covered under these standards or owned/maintained by the City requires that the contractor be registered and in good standing with the Oregon Construction Contractors Board.

G.4 DEFINITIONS AND TERMS

a. Unless otherwise defined in these Standards, the following definitions, terms and abbreviations shall apply whenever used.

1) City: The City of Jefferson, Oregon.

2) Construction drawings: For Type B Public Works Construction Permits, scaled drawings conforming to the requirements of the PWDS, prepared by a registered professional engineer, including site plans, plan and profile views of utilities, cross sections, detailed drawings, etc., or reproductions thereof, as reviewed and approved by the City Engineer, which show the location, character, dimensions and details for the work to be done. For Type A Public Works Construction Permits, scaled drawings prepared by a Contractor *(or other similarly qualified person)* clearly defining the scope of the proposed work to be completed *(as well as any applicable City standard details)* as reviewed approved by the Public Works Director.

3) Contractor: Any individual, firm, co-partnership, corporation or any combination thereof who has or have been named on a Public Works construction permit as the person responsible for the construction of the subject work, or who have entered into a Contract with the City for a particular project.

4) Cut Sheets: Construction submittals as required by Section G-01300 of these standards.

5) Definition of Words: Wherever, in these Standards, the words directed, required, permitted, ordered, designated or words of like importance are used, they shall be understood to mean the direction, requirement, permission, order or designation of the Public Works Director. Similarly, the words approved, acceptable, satisfactory, shall mean approved by, acceptable to, or satisfaction to the Public Works Director.

6) Design Engineer: The engineer licensed by the State of Oregon as a Civil Engineer under whose direction plans, profiles and details for work are prepared and submitted to the City for review and approval.

7) Developer. The individual, organization, business, partnership or joint venture who is responsible for submitting plans for review and obtaining a Public Works Type A or Type B site/street/utility construction permit as required by these standards, or the applicant for such construction drawing review and Public Works construction permits.

8) Director: The Director/superintendent of the Public Works Department of the City of Jefferson or his/her authorized representative *(Public Works Director)*.

9) Easement: Areas along the line of public utilities that are outside of dedicated right-of-way. Easements shall be prepared on City forms granting rights along the public utility line to the City.

10) Improvement: General term encompassing all phases of the work to be performed under the Public Works construction permit and is synonymous to the term project.

11) Inspector: The authorized representative of the City whose instructions and decisions shall be limited to the particular duties and responsibilities entrusted to him/her in making detailed inspections of any or all portions of the work or materials therefor.

12) Owner: The City of Jefferson for projects initiated and contracted by, and paid for by the City. For any other project, the owner is the individual, firm, co-partnership, corporation or any combination thereof who has hired a Contractor to complete any public works project subject to these standards.

13) Plans: See Construction Drawings.

14) PWDS: Jefferson Public Works Design Standards.

15) Right-of-Way: All land or interest therein which by deed, conveyance, agreement, easement, dedication, usage, or process of law is reserved for or dedicated to the use of the general public free of all encumbrances, within which the City shall have the exclusive right to install and maintain streets and public utilities.

16) Standard Details: The drawings of structures or devices commonly used on City work and referred to on the construction drawings. Also called Standard Plans. The Standard Details in these standards and in the PWDS shall apply to all public works construction within the City.

17) Survey Cut Sheets: Sheets of tabulated survey data, indicating stationing, structures, fittings, angel points, beginning of curve, points on curve, end of curves, staking offset, various elevations and offset utility cuts.

18) Work: All material, labor, tools, equipment, and all appliances, machinery, transportation, and appurtenances necessary to perform and complete the Contract, and such additional items not specifically indicated or described which can be reasonably inferred as belonging to the item described or indicated and as required by good practice to provide a complete and satisfactory system or structure.

G.5 PUBLIC WORKS PERMITS REQUIRED, TYPES OF PERMITS

a. The following requirements and procedures apply to City Public Works construction permits *(see also PWDS G.2.e regarding sequencing of land use approval where required)*.

1) Any reviews and/or permits required by the County, ODOT or railroads *(where applicable)* are the sole responsibility of the design engineer and/or the development team, including payment for any associated permit fees, bonds or insurance. The City does not coordinate with *(or submit plans to)* the County, ODOT or the railroads on the developer's behalf *(for public works related permits)*.

2) The development team is responsible to comply with any requirements imposed by the County, ODOT or the railroads. Where County, ODOT or railroad requirements conflict with City requirements, the more stringent shall apply.

b. No developer, person or organization *(other than the City of Jefferson)* shall begin to construct, reconstruct, cut, excavate, repair, modify, alter, or grade any sidewalks, curb, curb-cut, driveway, street, or begin to lay and install any sanitary sewer, water mainline, storm sewer, including appurtenances or service laterals, or other private or franchise utility within any public right-of-way or City/public utility easement within the jurisdiction of the City without first obtaining approvals from the Public Works Director and the City Engineer as required by these standards, paying any required plan review and construction permit fees, depositing any required performance security, and obtaining a Public Works street/utility construction permit therefor as provided herein.

c. Work for which a Public Works street/utility construction permit is required shall include, but not be limited to, the following. This list is not all inclusive. The intent

is that any work covered under the Public Works Design Standards (PWDS) will require either a Type A or Type B Site/Utility/Street Construction Permit prior to construction.

1) Streets. A Public Works permit shall be required for any work on a public street, dedicated fire lane, sidewalk, curb, curb-cut, driveways and driveway approaches within a public right-of-way, or within an existing or proposed public easement or fire lane, including signs, traffic markings and traffic control devices.

2) Storm Sewer. A Public Works permit shall be required for any work to lay and install any storm sewer and storm sewer appurtenances, detention systems, storm drainage improvements involving drywells or stormwater infiltration systems which require approval or permitting by DEQ, or storm drainage service lateral(s), or within any existing or proposed City/public utility easement.

3) Sanitary Sewer. A Public Works permit shall be required for any work to lay and install any sanitary sewer pipeline and appurtenances, including sanitary sewer service lateral(s), within any public right-of-way or within any existing or proposed City/public utility easement.

4) Water. A Public Works permit shall be required for any work to lay and install any water main and appurtenances, including water service lines and meter boxes, fire service lines or appurtenances, within any public right-of-way or within any existing or proposed City/public utility easement, or any other improvements attached to the City water system.

5) Parking Lots & Associated Driveway/Access Routes, Private Streets, Common Use Driveways, Fire Lanes: A Public Works permit shall be required for any work on a parking lot, private street or common use driveway that takes access from a public City street, that discharges storm drainage to a public storm drain system, or that overlies a public sanitary sewer or water line, or for fire lanes required by the Fire District. A Public Works utility/street construction permit is not required for the portion of single family residential driveways *(serving only a single residence or duplex)* that is outside the public right-of-way or City/public utility easements.

6) Site Grading and Filling. A Public Works permit shall be required for any site grading, filling or fill stockpiling operations as follows.

   a) Projects that require site grading, filling or fill stockpiling operations associated with development of the property other than those operations directly associated with the construction of fills directly under a structure for which a valid building permit application has been submitted to the City.

   b) Site grading, filling or fill stockpiling operations over existing public

sanitary sewer, storm drain or water distribution lines, or such operations within existing or proposed City/public utility easements.

7) Street Closure. In the event any of the above activities, or any activities related to the construction of a building, structure, or parking lot, which requires the temporary closure of a street, alley, lane of traffic, or sidewalk to vehicle or pedestrian flow, a Public Works permit shall be obtained from the City for said closure.

8) Franchise Utilities. A Public Works permit covering any work on underground franchise utilities within any improved area of any public street, including sidewalks, or within any existing or proposed City/public utility easements. Public Works permits will not be required for work on overhead or above grade franchise utilities which do not involve excavation within the areas specified herein *(although traffic control plans shall be provided to and approved by Public Works to the extent required for mitigation of traffic impacts due to the work)*.

d. Type A Public Works Permit

1) Work for which a Type A Site/Street/Utility Construction Permit is required shall include the following *(see PWDS 1.10.a for requirements as to the qualifications of the person preparing construction drawings submitted for review under a Type A Public Works Construction Permit)*.

a) Any sidewalk, driveway approach or utility service improvements to serve a single residence, duplex or business for which public street or mainline utility improvements are not required, AND which do not include construction or reconstruction of parking lots, private streets, fire lanes or common use driveways other than for duplexes.

b) Utility work by franchise utility companies that does NOT require pavement cuts or boring longitudinally along a public right-of-way shall require a Type A Public Works permit *(including installation by boring along or across a public right-of-way or City utility easement, unless the Public Works Director determines that the scope of the proposed installation requires review by the City Engineer, in which case a Type B permit will be required)*. Such work shall be exempt from permit fees to the extent provided by Section G.9(e) herein.

2) An improvements agreement and performance security shall be executed as specified in Section G.10 herein.

e. Type B Public Works Permit.

1) Work for which a Type B Site/Street/Utility Construction Permit is required shall include the following *(see PWDS 1.10.a for requirements as to the qualifications of the person preparing construction drawings submitted for review under a Type B Public Works Construction Permit)*.

a) Any street, sidewalk, utility improvement project or site development project which:

(1) serve more than a single residence, duplex or business, or for which public street or mainline utility improvements are required *(including fire hydrants or fire service lines serving fire sprinkler systems and/or private fire hydrants, per PWDS 5.19.d.2)*, or

(2) includes commercial/industrial/public/multi-family driveways, parking lots, private streets, fire lanes or common use driveways other than for duplexes, or

(3) includes public storm drainage improvements; or storm drainage improvements involving stormwater detention or stormwater treatment systems *(including the pipes/structure/channels between the detention system and the connection to the public system)*, drywells or stormwater infiltration systems, or

(4) serves more than a single residence, or

(5) serves commercial / industrial / public developments.

(6) includes installation of water, sewer or storm service laterals for multiple properties within a common trench, or

(7) includes installation of water, sewer or storm service lateral(s) across property other than that being served.

(8) requires site grading, filling or fill stockpiling operations associated with development of the property other than those operations directly associated with the construction of fills directly under a structure for which a valid building permit application has been submitted to the City.

(9) requires site grading, filling or fill stockpiling operations over existing public sanitary sewer, storm drain or water distribution lines, or

(10) requires site grading, filling or fill stockpiling operations

within existing or proposed City or public utility easements.

b) Utility work by franchise utility companies that requires pavement cuts or boring longitudinally along a public right-of-way or City utility easement *(ie. parallel with & within the R/W or easement)* shall require a Type B permit *(for subdivisions or other development which obtains a Type B permit for the overall project, a separate permit will not be required for franchise utility work directly associated with the issued Type B permit for the development)*. Work by franchise utility companies which is not associated with such a development project shall be exempt from permit fees to the extent provided by Section G.9(e) herein.

f. If there are classes of work not specifically covered herein but that are included under the scope of the Public Works Design Standards, the determination of the type of Public Works permit required shall be made by the City Administrator after consultation with the Public Works Director and the City Engineer.

g. Approval of Construction Drawings is required prior to obtaining a Public Works permit or beginning construction.

h. Approval of plans by the City Engineer or City Public Works for issuance of a City Public Works street/site/utility construction permit does not relieve the developer, contractor or engineer from obtaining any and all reviews and permits required under the building, plumbing or electrical codes that any portions of the work may be subject to, or from any requirements under County, ODOT or other agency permits or approvals required for the project.

i. Additional Insured Coverage, Bonding. Any permit or authorization to proceed with construction issued by the City is considered to be a "written contract" for purposes of triggering "additional insured" coverage of the City and City Engineer under the Contractor's required insurance policy(s) *(including insurance certificates provided by subcontractors)*, and for bonding purposes.

j. Split City Public Works Permits Option.

1) For any project, the City regards all required on-site and off-site grading, civil & utility improvements as a single project, for purposes of project completion, City approval, plat approval, etc., even if separate drawing sets are prepared or if separate Public Works permits are requested and issued for different portions of the work *(see PWDS 1.10.k.3.b for offsite easement acquisition requirements prior to issuance of split permits)*.

2) Any request by the development team to split the City Public Works construction permits shall be approved by the Public Works Director on a case-by-case basis, at his sole discretion *(for instance, a request to allow the mass grading work and/or subgrade preparation to be commenced while the*

detailed civil/site/utility construction drawings for the remainder of the improvements (offsite & onsite) are completed and reviewed).

3) It should be noted that any background improvements or utilities shown on the grading or similar preliminary drawing sets submitted will not be reviewed in detail. Therefore, any portion of the project improvements which are to be included in a subsequent drawing set will be reviewed and commented on when the final site design drawings are submitted for review *(ie. the review of preliminary drawing sets does not constitute an approval for the remaining site, street or utility work which may be shown as background on such grading or other preliminary plans).*

k. All work related to all construction segments must be completed and approved of by the City and other agencies with jurisdiction prior to acceptance of infrastructure by the City, approval of the final plat, etc.

G.6 PW APPROVAL OF CONSTRUCTION DRAWINGS REQUIRED

a. Site/street/utility/access/parking/fill/grading construction drawings *(plans)* and other engineering documents shall be submitted for review and be approved by Public Works and/or the City Engineer prior to issuance of Public Works permits required by these Standards, and prior to issuance of building permits for structures served by such required infrastructure improvements.

Type A Public Works Permits shall have the written approval of the Public Works Director or his/her designated representative prior to issuance of the Public Works permit.

In addition to written approval by the Public Works Director, Type B Public Works Permits shall have the written approval of the City Engineer.

b. For subdivisions and other developments requiring improvements to public streets and/or public utility systems, construction drawings for streets, sewer, water, storm drainage and franchise utilities *(as applicable)* shall be submitted simultaneously to facilitate checking for conflicts.

c. Construction drawings shall be subject to the standards, specifications, policies and procedures, construction drawing review, and permit fees of the Public Works Department in effect at the time the construction drawings are approved, subject to the update requirements in the following paragraphs if work is not commenced within the required timeframe.

d. Except as provided in Subsection (e) of this section, such construction drawing approval shall be void upon expiration of 6 months from the date of said written approval in Subsection (a) of this section if a Type A or Type B Public Works permit is not obtained and work commenced on the project.

Resubmittal of construction drawings, or a request for an extension of the construction drawing approval, will require that the drawings be updated to reflect current City standards *(including but not limited to updating all standard details included on or required by the construction drawings)*.

e. If a Public Works permit is not issued and/or substantial construction has not commenced *(as determined by the Public Works Director, at his sole discretion)* within 6 months from the construction drawing approval date, a new review of the drawings will be required except as follows.

1) Upon a written extension request and verification *(submitted prior to expiration of the 6 month drawing approval period)* that the facts upon which the construction drawing approval was based have not changed to an extent sufficient to warrant a new review of construction drawings, and a finding by the Public Works Director and the City Engineer that there have been no updates to City design standards or standard details which would apply to the project, then the construction drawing approval may be extended for a period not to exceed 6 additional months.

2) Written verification for Type A Public Works permits shall be provided by the Public Works Director, while verification for Type B Public Works permits shall be by both the Public Works Director and the City Engineer.

3) No more than two such 6 month extensions *(ie. new period during which substantial construction must be commenced)* shall be granted for any one development or project, resulting in a maximum time extension of one year.

f. Reapplication for construction drawing review must be made with the Public Works Director or his/her designated representative upon expiration of said 6 month period in Subsection (d) of this section, or extension periods provided herein, if the permit is not issued within said approval or extension period.

g. All construction drawings, reports, or documents for public utility improvements required by these standards or the City development ordinances or other City ordinances shall be prepared by and certified by a registered professional civil engineer licensed by the State of Oregon.

G.7 CONSTRUCTION DRAWING REVIEW PROCESS AND REVIEW FEES

a. All construction drawings *(plans)* for Type A or Type B permits shall be reviewed in general conformance with the procedures outlined in PWDS Section 1.9, including providing preliminary drawings and scheduling a pre-design meeting *(per PWDS 1.9.a)* between the developer's engineer and Public Works *(& City Engineer as applicable)* to receive input regarding design issues related to required improvements.

The submittal for construction drawing review shall be filed by the responsible party *(the design engineer for any public improvements)* with the Public Works Director for

any permit or permits required by these standards.

In addition to requirements, documents and information listed under PWDS 1.11.b *(full list is not reproduced here)*, such submittal for construction drawing review shall include the following as applicable.

1) Name and address of the owner or owners of the property;

2) Name and address of the developer of the property;

3) Name, address, and phone number of the designer *(design engineer for public improvements)*;

4) Description of the work area location, including addresses as applicable;

5) Construction Drawings for Review: After the pre-design meeting, one pdf set of complete full size construction drawings, drainage calculations and all associated documentation *(addressing all PWDS requirements in addition to issues noted in the pre-design meeting)* shall be submitted to the City for preliminary review *(or provide three (3) full size paper copies if pdf copies are not available)*.

   Complete Design Submittal Packages Required. In the case of public improvements OR infrastructure covered under the PWDS, construction drawings submitted for review shall include all applicable information, reports, forms, etc. outlined under PWDS 1.10 & PWDS 1.11 *(see completeness review procedures under PWDS G.7.b)*.

6) Cost Estimates. Estimated construction cost *(engineer's estimate, unit price bid results or contractor estimates)* of the proposed project, or estimates based on the construction cost estimate schedule approved by the Public Works Director or the City Engineer.

7) Fees. Construction drawing (plan) review fees as prescribed by the City *(for franchise utilities, see Section G.9e)*.

8) Review Fees Required Prior to Drawing Review. Review fees required in Subsection (7) of this section are nonrefundable, and are required to support Public Works permit plan review.

   a) A plan review fee payment based on a percentage *(to be set by resolution of the City Council)* of the initial engineer's estimate, unit price bid results or contractor estimates of all construction work related to the project *(ie. all work covered under the PWDS)* is due in conjunction with submission of the engineered construction drawings for review *(see also PWDS 1.11.b.18 for costs to be included in the estimate)*. See PWDS G.9.c regarding requirement for updated estimate based on final plans prior to PW permit issuance.

b) Monthly billings of any City costs exceeding the plan review fee payment, payable within 30 days.

c) Final reconciliation of project review and inspection costs, including City Engineer review & inspection costs and Public Works staff expenses, will be determined at project completion. Any final balance due the City must be paid before City approval and/or acceptance of the project.

9) Evidence that all federal and state laws and regulations have been complied with, including a copy of any permits required by federal, state, or county agencies.

10) A current title report(s) covering all property where utility construction will occur (*which includes a list of all existing easements, restrictions, and other encumbrances, including copies of deeds, easements or other restrictive documents referenced in that report*) [a pdf copy of each title report with embedded hyperlinks to the referenced documents may be provided in lieu of a hard copy].

11) Such other information as the Public Works Director shall find reasonably necessary for the determination of whether construction drawings should be approved for Public Works permit.

b. Completeness Determination of Drawing Review Package. The timeframe within which the local government must complete the review of final engineering plans *(for residential development)* once the application is deemed complete is 120 days *(SB 974, 2025 session)*. The criteria for the completeness determination are summarized herein.

1) The engineering plan submittal package must include final design drawings complying with the requirements under PWDS 1.10 & PWDS 1.11 *(including demonstration of compliance with all detailed PWDS requirements included in later PWDS sections)*, as well as including all applicable information, reports, documents, forms, etc. required under these PWDS sections.

2) PWDS Variance List & PWDS Variance Applications. In order to be considered complete, the final engineering plan must **EITHER** meet all requirements of the PWDS, **OR** must include a variance request for each design element which does not meet PWDS requirements.

The engineering plan review submittal package shall include a list of each requested variance to the PWDS requirements, and a complete justification for each such PWDS variance request.

3) Confirmation of Coordination with Other Agencies or Districts. Engineering plan submittal packages which include work in County or ODOT right-of-ways *(or which include work under the jurisdiction of a special district, or*

under the jurisdiction of a state or federal agency), shall include a summary of the discussions held *(including dates of such discussion)* by the design team with applicable County or ODOT reviewers, or with the applicable state/federal agency reviewer(s) *(including names, contact information and positions of said reviewers)*.

4) **Incomplete engineering plan submittal packages will be returned without a comprehensive review.** Engineering plan submittals which do not include all required drawings, OR which are submitted without all required information shown or noted on the applicable drawing sheet(s), OR which are submitted without all reports, documents, supplemental information, etc. required by the PWDS *(including the variance list noted above, if applicable)*, will be deemed incomplete and will be returned with only those preliminary comments which are determined to be necessary *(by the Public Works Director or the City Engineer)* for the completeness determination.

   Preliminary review comments provided by the City as part of the completeness review process do NOT constitute a determination that the engineering plan submittal application was complete.

5) If the applicant refuses to provide all information, documentation, forms, or bonds required by the PWDS or required by the completeness determination review comments noted above, this shall be considered grounds for Public Works to deny the application for a Public Works Construction Permit *(if the application is not in full compliance with applicable City standards)*, or if "the applicant states in writing that no additional materials are forthcoming" *(see SB 974, Section 1, paragraph (2)(b)(B))*.

   The 120 day plan review timeframe does not commence until the application is either deemed complete, or the applicant states in writing that no additional materials are forthcoming.

c. Grant of Access to Development Property. Submittal of construction drawings for review and/or application for a Public Works construction permit shall be evidence that the developer and property owner grants to the City, its employees, agents, contractors, consultants and assigns the right to access the property at any and all times, including access along driveways, walkways or other areas that must be crossed between the public right-of-way and the location of the proposed improvements, in order to examine conditions and evaluate the feasibility of the proposed design, as well as access during construction for purposes of observation and inspection as applicable.

G.8 PUBLIC WORKS CONSTRUCTION PERMIT APPLICATION, # PLAN SETS

a. Application Form. Following review and approval of the construction drawings by the City, an application for a Public Works construction permit as required by these standards shall be filed with the Public Works Director. Such applications shall be in the form prescribed by the City and shall include the following information as a minimum:

1) Name and address of the owner or owners of the property.

2) Name and address of the developer of the property.

3) Name and address of the designer *(design engineer for public improvements)*.

4) Name, address & CCB registration number of the party doing the work, including subcontractors.

5) Location of the work area, including addresses as applicable.

b. **Number of Final Drawing Sets Required for Approval Stamping**, Supplemental Information Required. After review & approval by the City Engineer & Public Works Director, the Developer shall provide the City with the following prior to issuance of the Public Works construction permits *(see also PWDS 1.10.j)*:

1) Copies of the final revised *(approved)* construction drawings for approval stamping by the City as follows:

- Type B Public Works permit, 5 sets
- Type A Public Works permit or franchise utility improvements, 4 sets

For Type B Public Works permits, the City will keep three (3) sets of approved construction drawings and return the remainder to the development team. Additional sets may be submitted for approval stamping at the Developer's request.

The development team may make additional copies of the stamped approved construction drawings for dispersal to their team members as applicable.

2) **Other information & documentation as summarized under PWDS 1.9.i**.

3) Any outstanding portion of PW permit fees required, as applicable *(based on final construction cost estimate as summarized below)*.

4) Such other information specific to the project as the Public Works Director or the City Engineer shall find necessary for the determination of whether a Public Works permit should be issued therefor, including evidence that all applicable City, County, state and/or federal laws and regulations have been or will be complied with.

G.9 PUBLIC WORKS CONSTRUCTION PERMIT FEES

a. Accompanying the application required by these standards shall be a Public Works construction permit fee as prescribed by the City.

b. Public Works permit fees required by these standards are nonrefundable, and are required to support Public Works permit issuance, testing, and inspection.

c. Cost Estimates Required Based on Final Approved Drawings. Updated engineer's unit price cost estimates, unit price bid results or unit price contractor estimates shall be submitted based on the final approval drawings, for use in establishing permit fees or warranty bond amounts as applicable *(see also PWDS 1.11.b.18 for costs to be included in the estimate)*. In computing the construction permit fees, the estimated value of proposed construction shall be comparable with current bid prices for City contract projects, and shall approved by the City prior to issuing the permit.

d. City Projects. Work being done under contract with the City shall be exempt from Public Works permit fees.

e. Franchise Utilities. Work being done by franchise utilities shall be exempt from Public Works permit fees to the extent provided by the franchise agreements with the City.

f. Work without Permits. Where work for which a Public Works permit is required by these standards is commenced or proceeded with prior to obtaining said Public Works permit *(or after said Public Works permit has expired or been suspended)*, the Public Works construction permit fees specified in Subsection (a) of this section shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of these standards and other applicable City codes, standards and ordinances in the execution of the work nor from any other penalties prescribed herein, nor shall it obligate the City to accept any work so performed without a valid Public Works permit.

g. Non-Transferability of PW Permits, Expiration and Reapplication. Public Works permits required by these standards shall be non-transferable. Any change in applicant, such as a subdivision sale, will require re-application for Public Works permit.

If 6 months has elapsed since construction drawing approval, reapplication for construction drawing review shall be made.

If previous construction drawing review payment provided by the applicant is insufficient to cover the costs of the new review, the City may assess an additional review fee which will, in the opinion of the City Administrator, cover the estimated cost for the new review.

G.10 CONSTRUCTION AGREEMENT & PERFORMANCE GUARANTEE

a. Except as otherwise provided below, a performance guarantee shall be provided for all work for which a Public Works Type A or Type B permit is required. Depending on the type of project, the performance guarantee may consist of a restriction on the issuance of a building permit(s), a restriction on the recording of a plat, or a financial security. Acceptable performance guarantees shall be as outlined below for the different classes of project listed.

b. Franchise Utilities. Work being done by franchise utilities shall be exempt from performance guarantee requirements *(including a developer-city construction agreement)* to the extent provided by the franchise agreements with the City.

c. Type A Public Works permit. The performance guarantee may consist of one of the following, and shall be in a form as required by the City.

1) An agreement with the City whereby building permits will not be issued until all improvements within the public right-of-way or utility easements are completed and approved by the City.

2) If a building permit is requested before all improvements within the public right-of-way or utility easements are completed and approved by the City, the developer shall provide a financial security acceptable to the City to guarantee the completion of all work covered under the Public Works permit. The financial security shall be 110% of the estimated construction cost, or $500, whichever is greater, and may consist of cash, or it may be a bond or irrevocable letter of credit as outlined in Subsection d(4) below. Occupancy of structures and permanent connection to City water and sewer service will not be allowed until all permitted improvements have been completed and approved by the City.

d. Type B Public Works permit. Before the issuance of a Type B construction permit, the applicant shall execute the City's standard Developer-City Construction Agreement that certifies that all improvements will be constructed in conformance with all City standards and ordinances and all conditions of Public Works construction permit approval will be satisfied *(ie. plan approval required prior to execution of the construction agreement)*. In addition to the construction agreement, the developer shall provide a performance guarantee consisting of one of the following in a form as required by the City.

1) Work Within Existing Improved Rights-of-Way, or Work on Existing Public Utilities. Except for work being performed under public contract for the City of Jefferson or Marion County, a financial security shall be provided to the City as outlined under Subsection d(4) below for all work within existing developed rights-of-way, unless otherwise approved by the City. The financial security shall specify a timeframe, acceptable to the City, by which the work shall be completed and the existing streets, facilities and

improvements are restored to pre-existing or better conditions.

2) Work Outside Existing Improved Rights-of-Way *(except Work on Existing Public Utilities)*.

a) Subdivisions. An agreement with the City that the final plat for the subdivision will not be approved nor recorded until all improvements have been completed and accepted by the City, or all improvements have been substantially completed and a financial security has been provided as outlined in Subsection d(4) below.

b) Partitions. An agreement with the City that no building permits for any structures within the partition will be issued until all improvements have been completed and accepted by the City, or all improvements have been substantially completed and a financial security has been provided as outlined in Subsection d(4) below.

c) Other than Subdivisions and Partitions. An agreement with the City whereby occupancy of structures and permanent connection to City water and sewer service will not be allowed until all permitted improvements are completed and approved by the City.

3) Upon provision of a performance guarantee as outlined herein, building permits for on-site private work can be obtained for commercial, industrial & multi-family projects. Permanent connection to City water and sewer service will not be allowed until all public improvements are completed, and all on-site improvements are completed or bonded to guarantee all improvements will be completed in accordance with the approved drawings, City Standards and specifications.

4) Financial Security. The financial guarantee for a Type B Public Works permit may consist of one of the following, and shall be in a form as required by the City. The amount of the security guarantee shall not be less than $500 or the amounts specified below, whichever is greater.

a) A surety bond executed by a surety company authorized to transact business in the State of Oregon, in a form approved by the City Attorney. The amount of the performance surety bond shall be as established by the Public Works Director, but shall not be less than 125% of the estimated construction cost of required improvements, as verified by the City. The performance surety bond shall ensure the full and faithful performance of all proposed work and shall guarantee that the applicant will conform to all provisions of the construction agreement, if any, and immediately upon the completion of work, remove all surplus earth, rubbish or other material, replace or restore all existing streets, utilities and landscaping to a condition as good as or better than existed prior to the work.

b) An irrevocable letter of credit assigned to the City of Jefferson in an amount equal to 125% the estimated construction cost of required improvements, as verified by the City. The letter of credit shall be subject to the same conditions as set forth above in the case of surety bonds.

5) If the applicant fails to complete all improvements for which a performance surety bond or letter of credit were provided, the City shall estimate the cost of completing any required improvement, call on the bond or letter of credit for the funds necessary to complete the improvement, and complete the improvement to the extent of the funds obtained upon call of the bond or letter of credit. If the amount obtained is insufficient to complete the improvement, the City may either hold the collected funds until additional funds are authorized for the improvement or expend the collected funds on a revised improvement or on a portion of the improvement as determined reasonable by the Public Works Director.

G.11 CONDUCT AND PROGRESS OF THE WORK

a. All work under said Public Works permits shall be completed in conformity with the provisions of these standards, the terms of the applications and Public Works construction permits, and under the supervision and subject to the approval of the Public Works Director. Immediately upon completion of work, all surplus earth, debris, rubbish or other materials shall be removed immediately and the street and utilities restored to a condition as good as or better than existed prior to the work.

b. Timeframe for Restoration of Existing Street Surfaces.

1) Unless authorized in writing by the City Administrator prior to the start of the work, no work within any existing public roadway shall disrupt traffic flow for more than 14 consecutive days.

2) Unless authorized in writing by the City Administrator prior to the start of the work, trenching within existing paved streets shall be backfilled and repaved within 14 days of the start of excavation unless the trenches are plated or repaired with cold patch. In addition, trenching within existing major streets *(arterial, collector or commercial-industrial streets)* shall be plated or repaired with cold patch at the end of each work day. This requirement shall apply to work within existing paved streets that are will later be reconstructed as part of the project. Failure to maintain any temporary cold mix trench patching in a smooth condition will result in the City requiring the cold mix to be removed and replaced with hot mix AC for temporary patching. Such replacement shall occur within 4 working days of written notice by the City.

3) Unless authorized in writing by the City Administrator prior to the start of the work, the timeframes specified herein shall apply independently and separately to each block or intersection where trenching work occurs. In all

cases, trenches within each block or intersection shall be permanently repaved within 21 days of the start of excavation, except where the street will be reconstructed as part of the project.

c. The contractor is responsible for the coordination with the various utilities and agencies during construction.

d. Weekly Construction Schedule. By close of business each week, the Contractor shall also submit a weekly work schedule for the following week to the City, summarizing the class of work and areas where work will occur during the following week, and any anticipated inspection requirements.

G.12 ADHERENCE TO AND EXHIBITION OF PUBLIC WORKS PERMITS

a. No work shall be undertaken other than that specified in the application and Public Works permit for the particular cut or excavation. Upon demand of the Public Works Director or his/her designate or any city police officer, the Public Works permits shall be produced at the place where the work is in progress, or such work will be stopped until the Public Works permit is obtained.

G.13 EXPIRATION OR SUSPENSION OF PUBLIC WORKS PERMIT; STOP WORK ORDER; APPEAL

a. Expiration of Permit

1) A Public Works Type A or Type B site/street/utility construction permit shall lapse if construction for which the Public Works permit was issued has not commenced within ninety (90) days of the date of issuance. All construction under a Public Works Type A or Type B site/street/utility construction permit shall be completed within 12 (twelve) months of issuance of the Public Works permit or execution of the Developer-City Construction Agreement, whichever is earlier.

2) To reinstate the Public Works permit, the applicant shall submit a written request for reinstatement to the Public Works Director giving the reasons for failure to begin construction, pay a reinstatement fee and provide a date when construction will be commenced.

3) In reinstating the Public Works permit, the Public Works Director and/or the City Engineer may impose additional requirements or conditions deemed necessary for the project to conform to current City standards.

b. Suspension of Public Works Permit (Stop Work Order)

1) At any time after the issuance of a Public Works construction permit required by these standards, the Public Works Director may suspend the permit upon a finding that any of the following grounds exist:

a) False, misleading, or erroneous data or information submitted by the applicant in connection with securing the Public Works permit, or false, misleading, or erroneous statements, data or information provided or submitted by the Contractor during construction.

b) Materials or workmanship do not meet specification for the construction or installation of the permitted improvement; or construction or installation varies from the approved plan or design of the improvements without written authorization by the City.

c) Violation of any of the provisions of the City development ordinances or these PWDS governing the work being done under the Public Works permit.

d) Failure by the Contractor and his personnel to at all times be civil and courteous around private citizens and property owners, as well to the City staff and inspectors. Foul or abusive language, obscene gestures, use of obscenities, or rudeness directed to private citizens *(or to the City staff or inspectors)* will not be tolerated.

e) Failure by the Contractor to:

(1) notify the Public Works prior to work which must be inspected by Public Works staff *(including keeping the work open until such inspections are completed)*, or

(2) have any and all connections to existing City utilities witnessed by Public Works staff while the connections *(taps or cut-in connections)* are made, and also inspected by the Public Works staff after all pipework is complete and prior to backfilling, or

(3) notify the City prior to performing testing which is required to be witnessed by City staff, or

(4) provide copies of all test reports to the City in a timely manner, or

(5) follow all local and State rules regarding locating, potholing and exposing existing utilities marked in the field or shown on

the drawings which cross or closely parallel new facilities *(or which are otherwise in close proximity to new facilities)* or

(6) comply with any other directives from Public Works staff or the City Engineer which are issued to ensure compliance with City standards.

2) Upon verbally notifying the Contractor of suspension of a Public Works construction permit as provided above, the Public Works Director shall cause to be issued a written "stop work order" which will be sent to all parties via email, following which one copy of which shall be sent by regular mail to the permittee at the address shown on the Public Works permit application, one copy of which shall be sent by regular mail to the permittee's engineer overseeing the work, if known, and one copy of which shall be personally delivered to the person in charge of any work in progress.

3) It shall be unlawful for any person to cause, suffer, or permit any work to be done for which a Public Works permit is required by these standards after a "stop work order" has been verbally issued as provided by this section.

a) The City will not accept any work performed after verbal notification of the "stop work order" to the person in charge of work in progress at the project site, or after delivery of the written stop work order by email or by regular mail, whichever occurs first.

4) An applicant whose Public Works permit has been suspended may appeal such action to the City Administrator through the City's established appeal process. Notwithstanding the provisions for appeal to the City Administrator, the filing of an appeal shall not stay the effect of a "stop work order" issued under this section.

5) In reinstating the Public Works permit *(upon adequate assurances that subsequent work and/or conduct will be in accordance with City standards)*, the Public Works Director and/or the City Engineer may impose additional requirements or conditions deemed necessary for the project to conform to current City standards.

G.14 NOTICE OF COMPLETION OF WORK, FINAL INSPECTIONS

a. Within 3 business days of completion of the work for which a Public Works permit was required under these standards, all in accordance with the approved construction drawings and City standards, the person or organization to whom the Public Works permit to do such work was issued shall cause to be submitted a written notice to the Public Works Director *(Type A Public Works permits)* or the City Engineer *(Type B Public Works permits)* stating that the work has been completed and give such other information as may be required by the City, and request a preliminary final inspection of the work *(also see requirements relating to notice from the engineer-of-record*

under PWDS 1.15.c.3.q).

b. As a minimum, the following must be submitted to the Public Works Director or the City Engineer as applicable prior to the preliminary final inspection.

1) All exterior property pins and street monumentation set *(partitions & subdivisions).*

2) All set property pins exposed and all property corners marked with lath *(partitions & subdivisions).*

3) All easement limits *(except PUEs parallel with r/w)* marked with labeled lath.

4) Paper copy of as-built drawings submitted to City Engineer a minimum of 48 hours prior to final inspection, including distance ties to all utility stub ends.

5) Written copies of all required utility test reports *(compaction, mandrel, pressure, vacuum, etc.)*, as well as video tapes of any required pipeline TV inspections.

6) Completion report from design engineer including written copies of all utility test reports *(compaction, mandrel, pressure, vacuum, etc.)*, as well as inspection reports of any required TV inspections. Submitted compaction tests shall include certification of engineered fills, baserock and AC pavement tests for streets and trench patching, as well as soil compaction results for all lots with fills.

7) Certification that the areas within the building envelopes of all lots conform to compaction requirements of the applicable Oregon Building Code.

c. Any corrective work items identified during the preliminary final inspection *(ie. punchlist items)* shall be completed prior to the City's conditional acceptance of any of the public streets or utilities. Failure by the City to include items on the preliminary punchlist shall not, in any way, relieve the contractor from any obligation to perform the work in strict compliance with the approved plans and City standards. Additional items discovered during subsequent inspections must be corrected prior to provisional acceptance of the improvements by the City.

d. Upon completion of all corrective work to the satisfaction of the Public Works Director and the City Engineer, including a final inspection by the City, the developer shall provide the following prior to provisional acceptance of the public improvements by the City.

1) Full-size hard copy as-built drawings (*based from an as-built survey as applicable*) for Type B Public Works permitted improvements, as well as full sets of as-builts in electronic format *(pdf)* as summarized under PWDS 1.17.

Full-size hard copy paper as-built drawings for Type A Public Works

permitted improvements.

2) Acceptable Warranty/Maintenance Bond *(or other security acceptable to the City)* valued at a minimum of twenty percent (20%) of the estimated construction costs for the public portion of the improvements constructed under the Public Works permit, as well as portions of the private improvements as noted under G.15.

   a) Bond periods shall conform with the minimums noted under G.15.d, unless longer periods are required by the City as noted under G.15.d.5.

   b) The warranty period shall not commence until after the City has received recorded copies of all required easements and agreements, or prior to provisional acceptance of the public improvements by the City.

   c) For reference, the City does not dictate which member of the development team must provide the required maintenance bonds *(ie. developer or contractor)*, as this is a contract issue between the parties involved with the development project.

      However, as noted below, the warranty period for improvements constructed in conjunction with the development will not start prior to receipt of acceptable maintenance / warranty bonds *(and other required documentation)* by the City.

      In addition, regardless of who provides the warranty bond, any deficiencies or defects in the constructed improvements during the warranty period shall be promptly corrected by the contractor, upon notification by the City of the warranty issue.

3) Photocopies of any recorded easements required in conjunction with the improvements, except for on-site easements that will be recorded after the plat is recorded.

4) Other items required as conditions of the land use planning approval, where applicable.

e. In no case shall the City issue written provisional acceptance of the work until recorded copies of all required easements & agreements, as-built drawings *(for public improvements)* and warranty/maintenance bonds *(if required)* are submitted to and accepted by the City. Final acceptance by the City shall not occur until the end of the warranty period.

G.15 CITY POLICY FOR ACCEPTING NEW OR RECONSTRUCTED STREETS AND PUBLIC UTILITIES

a. The City will accept developer-built public street, sanitary sewer, storm sewer and water distribution improvements constructed in conformance with the City Public Works Construction Standards subject to the following procedures.

b. City Final Approval of Civil Construction & Acceptance of Public Improvements. **(A)** After construction of the total project has been completed *(including completion of all roadways & access lanes as required by City standards in order to provide maintenance access to water, sewer & storm system improvements, but excluding any punchlist work that the City has allowed in writing to be deferred for a specified time period)*, and **(B)** after all final inspections have been completed, and **(C)** after all required warranty/maintenance bonds and final as-builts have been submitted and accepted by the City, and **(D)** after any outstanding plan review or permit fees have been paid *(and **(E)** after other items under G.14 have been provided, including **(F)** recorded copies of all required easements & agreements)*, the Public Works Director or the City Engineer will provide a memo or email to the City Administrator recommending that the City provisionally accept the public street, sanitary sewer, storm drainage and/or water system improvements, with final acceptance to occur at the end of the warranty period *(note: unless a different date is stated in the memo, the warranty period will start on the date of the memo or email)*.

c. 20% Warranty/Maintenance Bonds.

1) Warranty/Maintenance Bonds *(or other security acceptable to the City)* shall be provided by the Contractor or the Developer for the public portion of the improvements constructed under the Public Works permit, as well as portions of the private improvements as noted below, valued at a minimum of twenty percent (20%) of the applicable construction costs.

d. Warranty/Maintenance Bond Scope/Periods/Coverage.

1) Warranty/Maintenance Bond periods shall commence upon the date of the notice of provisional acceptance by the City, with final acceptance to occur at the end of the warranty period. The warranty/maintenance bond periods and scope of work covered shall be as summarized below.

2) Work Covered Under One Year Warranty Period & Bond. One (1) year from provisional acceptance by the City of the applicable public sanitary sewer, storm drainage and/or water improvements including fire hydrants and water meters *(as well as detention systems including the detention discharge and/or overflow pipes/structures/channels between the detention system and the connection to the public system, water quality facilities & structures, private fire hydrants, the portion of fire service lines located within the public right-of-way or City utility easements or serving private fire hydrants, fire service backflow assemblies & appurtenances, FDCs, etc.)*, but excluding any other

improvements which are listed by the PWDS as "special items" for design *(see PWDS 2.3, 3.3, 4.3 & 5.3),* which require a longer warranty period *(2 year minimum as noted below).*

3) Work Covered Under Two Year Warranty Period & Bond. Two (2) years from provisional acceptance by the City of the applicable public street/public sidewalk/street light improvements *(excluding street lights owned/maintained by the power company),* as well as box culverts, trench paving, driveway approaches, designated fire lanes, common use driveways, common use private streets, private common sewers & private manholes, private sewer pump stations, metering/monitoring manholes, maintenance access lanes for public water/sewer/storm drainage improvements, etc., and also including other improvements which are listed by the PWDS as "special items" for design *(see PWDS 2.3, 3.3, 4.3 & 5.3).*

4) Two Year Warranty Period for Work in ODOT R/W. Two (2) years from provisional acceptance by the City for any utilities or work within an ODOT right-of-way which required pavement cuts and/or pavement restoration *(warranty covering both utilities and/or paving/surface restoration).*

5) Repairs/Corrections During Warranty Period. In order to ensure that infrastructure improvements accepted by the City at the end of the warranty period are free from damage, any damage to such infrastructure improvements during the warranty period shall be corrected prior to final acceptance by the City and release of the warranty and/or bonds, regardless of the cause of the damage *(repair of such damage is the responsibility of the development team, regardless of whether or not the damage is determined by the bonding company to be a covered event).*

6) Extended Warranty Period. The required warranty and bond period may be extended at the discretion of the City Administrator if the Public Works Director or the City Engineer identify construction materials or methods that differ from City standards, but which the City does not require to be removed and replaced.

   a) This authority granted to the City Administrator shall in no way obligate the City to accept any work that is not constructed in full conformance with the approved plans and these standards, nor shall it be construed as establishing a precedent.

e. Warranty Inspections. Prior to the end of the warranty and bond period, Public Works *(and/or the City Engineer if requested by Public Works)* will make warranty inspection(s) and investigations as deemed necessary by the City to identify any defective work that must be corrected prior to final acceptance of the improvements by the City. The developer will be notified in writing of any required corrective work.

   1) All required corrective work shall be completed by no later than 21 days from

the date of such written notification.

2) Any delay in correcting the identified deficiencies will result in a delay in final acceptance by the City, and release of any warranty or bonds.

G.16 PENALTY; CONTINUING VIOLATIONS

a. Failure to comply with any provision of these standards, or with any restrictions or conditions imposed hereunder, or failure to comply with the conditions of a Public Works construction permit issued by the City, shall subject the person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with any of the provisions of these standards to civil penalties as prescribed herein.

b. Offenses defined in these standards shall be punishable by a fine not to exceed $250 per violation. Each and every day a violation is permitted to exist shall constitute a separate offense.

c. A violation of the provisions of these standards is declared to be an offense, but not a crime. It is intended to be an offense which can be disposed of in all respects as a civil proceeding and not governed by procedural, evidentiary, substantive, and constitutional rules applicable to criminal charges and proceedings. A person adjudged responsible for an infraction shall not be deemed "guilty" of the infraction and a judgment of responsibility shall not be deemed a "conviction" for any purpose.

d. Notwithstanding anything in this section or any other ordinance to the contrary, no greater penalty shall be imposed for any violation of city ordinance than the maximum penalty prescribed under Oregon statute for the same act or omission.

G.17 PRECONSTRUCTION CONFERENCE

a. Requirements relating to the Preconstruction Conference are outlined in Section 1.14 of the Public Works Design Standards (PWDS).

G.18 VARIANCES TO CONSTRUCTION STANDARDS

a. Requests for variances to these Standards shall be based on the criteria and procedures outlined in Section 1.13 of the Public Works Design Standards (PWDS).

G.19 CONSTRUCTION INSPECTION & ENGINEER-OF-RECORD RESPONSIBLIITIES

a. Construction inspection and responsibilities of the Engineer-of-Record shall generally conform to the procedures outlined in Section 1.15 of the Public Works Design Standards (PWDS).

b. Design or Drawing Revisions or Modifications. During construction, any revisions, modifications or changes proposed to the approved drawings and/or design must be requested in writing by the engineer-of-record, as summarized in PWDS 1.15.c.3.p.

G.20 CONSTRUCTION SUBMITTALS BY CONTRACTOR

a. Construction submittals for materials & equipment incorporated into the work shall be submitted by the Contractor, and shall generally conform to the requirements outlined in Section G-01300 attached hereto.

SECTION G-01300
CONTRACTOR CONSTRUCTION SUBMITTALS

PART 1: GENERAL

1.1 SCOPE

a. Construction submittals for review by the City are required for all material & equipment which is incorporated into work covered under the PWDS or which will be turned over to the City for operation and maintenance, including but not limited to streets/sidewalks, water/sewer/storm drainage improvements, pump stations, treatment facilities (water, sewer or storm), storage reservoirs, bridges, etc.

b. Delivery prior to approval of any material or equipment for which submittals are required will be at the Contractor's risk. Material or equipment for which submittals are required shall not be incorporated into the work until after the submittals have been reviewed and approved.

c. Construction Submittal Format & Number of Copies.

1) Contractor will be allowed to provide electronic/pdf copies of highlighted/marked-up submittals and associated submittal cover sheet, conditional upon submittals being complete and configured in accordance with the requirements of this section.

2) If the Contractor fails to provide submittals in full conformance with this section, the Public Works Director and/or City Engineer may require all subsequent submittals to be submitted in hard copy format (three copies minimum).

1.2 GENERAL SUBMITTAL REQUIREMENTS

a. Review by Engineer-of-Record Required.

1) Unless otherwise approved in writing by the Public Works Director, all submittals to the City (*with the exception of the laboratory and test reports*) shall be first reviewed by the Engineer-of-Record, who is responsible to verify that the submittals conform with the approved design and with PWDS requirements before they are forwarded to the City for review. Direct submittals from contractors, subcontractors or suppliers will not be accepted by the City unless otherwise noted herein.

2) Prior to submitting to the Engineer-of-Record, the Contractor shall carefully review the correctness and thoroughness of the material, verify all field measurements, and coordinate all aspects of each item being submitted.

3) The Contractor shall carefully review and ensure that all submittals are tailored to the project by high lighting appropriate information and/or deleting or crossing out non-applicable information, and that all options and equipment furnished are indicated, and ensure that the submittal is otherwise organized and marked as required herein or in the individual specification sections as applicable.

4) The Contractor shall verify his/her review by affixing his/her stamp of approval and signature to the front page of each submittal package.

b. Direct Supplier/Subcontractor Submittals Not Accepted. All submittals to the City, with the exception of the laboratory test certificates, shall be made only after review by the Engineer-of-Record. Submittals from subcontractor or suppliers will not be accepted.

c. Sequential Numbering. All submittal reports shall be numbered sequentially. Resubmittals shall be designated with the same number as the original submittal followed by a designation letter (ie. Submittal "5A" for the first resubmittal of submittal 5, Submittal "5B" for second, etc.).

d. Specified Cover Sheet. All submittals shall be accompanied by a completed copy of the submittal report cover sheet included under Part 4 of this section.

1) A separate submittal report cover sheet shall be prepared for each submittal. Generally, items under a single PWDS division can be included on the same submittal report. Each submittal report shall clearly designate the PWDS division & section(s) that apply to the material or equipment being submitted on.

2) A single submittal report shall not be used for items under different PWDS divisions.

3) All submittal report cover sheets shall reference the item(s) that it covers, the applicable PWDS division & section(s), the Contractor's name, the Project title and location, and the date of submission. Submittal shall also indicate whether the information is for review and approval by the City, for record purposes or for the fulfillment of the operation and maintenance requirements.

e. The Contractor shall provide copies of each submittal as follows unless otherwise directed by the City:

1) Material and Equipment Construction Submittals – Four (4) copies provided to City if pdf submittals are dis-allowed as noted above.

2) Quality Control Submittals – The Contractor or the laboratory shall submit one copy of all test certificates, and calibration certificates directly to the following; Public Works Director and City Engineer.

3) Informational Submittals – The Contractor shall submit one copy of all licenses and permits directly to the following; Public Works Director and City Engineer.

f. Substitutions. Manufacturers submitting proposals for equipment which will require changes to the design shown on the Drawings or specified herein shall also include detailed information on structural, electrical, mechanical and other miscellaneous changes or modifications required to adapt their equipment to the design shown, or as specified below. Provision of such information or acceptance for review shall not be construed as approval of such substitute.

g. Highlighting and/or Marking. All submittals shall be tailored to the project by highlighting appropriate information and/or deleting or crossing out non-applicable information *(as well as being marked, labeled or identified with where the product will be used, as applicable)*. All options and equipment furnished shall be so indicated.

h. Complete Submittals Required. Failure to provide complete submittals, or failure to follow the instructions outlined in this section *(including but not limited to highlighting applicable information and/or crossing out non-applicable information)*, will result in the incomplete submittal being returned to the Contractor without review, at the discretion of the City Engineer or the Public Works Director.

1.3 MATERIAL AND EQUIPMENT SUBMITTALS:

a. All Variances, Exceptions and/or Substitutions Shall be Noted.

1) If the proposed material or equipment includes modifications from standard requirements, features or options in the PWDS or on the drawings, these shall be clearly noted on the submittal.

a) Failure to note variances from the PWDS or drawing requirements may result in the submittal being returned to the Contractor without review, if the discrepancy is discovered by the City.

2) Required Summary. At the front of each submittal package, the Contractor shall clearly indicate and list all exceptions, variances or substitutions from the requirements in the PWDS or on the Drawings *(any proposed changes, substitutions or differences of any kind)*. as well as marking these on the applicable submittal page(s).

a) Contractor Responsibility. If the Contractor fails to clearly indicate all exceptions or variances from the requirements in the PWDS or on the Drawings as noted above, and these differences, exceptions or variances are not discovered by the City during submittal review, the Contractor shall remain fully and completely responsible for correcting such discrepancies, regardless of when they are ultimately discovered, at no cost to the City.

b. Material & Equipment Submittals. Submittals for all materials and equipment used by the Contractor in the performance of the work shall include the following as applicable.

1) Manufacturers' Literature: Literature indicating the compliance of the product with the Specifications shall be included with all submittals. This shall include catalog sheets and other descriptive bulletins. Manufacturer's literature shall also include, but not be limited to the following:
   a) Manufacturer's catalog data
   b) Materials of construction
   c) Manufacturer's name and model number
   d) Installation instructions and drawings

2) Manufacturers' or Suppliers' Certificates: Certificates shall state that the products have been sampled and tested in accordance with the proper industrial and governmental standards and meet the requirements of the approved design and the PWDS. An authorized agent of the manufacturer shall sign certificates.

3) Design Data: Design data shall include the calculations, supporting theories, safety factors and assumptions used in designing the product.

4) Samples: Samples shall be provided as required by this section or if noted on the drawings. Samples shall be of the precise material proposed to be furnished. The number of samples and sample size shall be of the industry standard unless otherwise stated.

5) Shop Drawings: Shop drawings shall include the following as applicable to the equipment or system along with any special requirements listed in the PWDS, approved drawings or directive from the Public Works Director:
   a) Scaled details
   b) Scaled dimensional drawings
   c) Sectional assembly drawings
   d) Fabrication information
   e) Wiring schematics with termination point identification if applicable.
   f) Motor information if applicable.
   g) Piping schematics if applicable.

1.4 SUBSTITUTIONS

a. Substitute items of material or equipment are those items which are determined by the Public Works Director NOT to qualify as an "or equal", or which require any level of redesign work to incorporate into the project.

b. Submittals for substitute materials or equipment shall include but not be limited to manufacturer's literature, design criteria, dimensions and installation instruction.

c. The submittal shall include any certifications or test results required to demonstrate that the proposed materials or equipment meets the requirements of the specifications and is equivalent or better than the specified materials or equipment.

d. If the substitution requires a change in the design *(including dimensional changes to any structure or other component)*, the submittal shall include all pertinent design information and details for the required design change, with supporting documentation.

1.5 QUALITY CONTROL SUBMITTALS

a. Quality Control submittals are defined as those required by the PWDS to present documentary evidence to the City that the Contractor has satisfied certain requirements of the approved drawings or the PWDS. Such submittals may include but are not limited to:

1) Laboratory Certificates: Certificates shall include the results of tests by an independent laboratory for comparison to Specification requirements, mix design data and approval, plan inspection reports and certification, and other required information from the laboratory. All information submitted shall be signed by an authorized agent of the laboratory.

2) Installation and Calibration Certificates: Certificates shall be submitted for equipment as indicated in the individual sections. These certificates shall indicate manufacturer's satisfaction with the installation, the accuracy of calibration and alignment, and the operation of the equipment. An authorized agent of the manufacturer must sign such certificates.

1.6 INFORMATIONAL SUBMITTALS & SUBMITTALS FOR RECORD

a. Informational submittals formalize the flow of information between the Contractor and the City. Such submittals may include but are not limited to:

1) Construction Schedules: Unless otherwise specified, the Contractor shall submit construction schedules as required in the PWDS.

2) Licenses and Permits: The Contractor shall obtain all licenses and permits required by Local, State and Federal laws and submit copies of them to the City, including but not limited to the following.

a) Copies of all construction permits and licenses required by all approving agencies, including as applicable cities, counties, state agencies, utility service districts, etc.

b) Copies of all structural, electrical, mechanical, and plumbing permits (as appropriate) required by all approving agencies.

c) Copies of County, ODOT and/or railroad right of entry permits (as applicable), including copies of permit conditions.

1.7 CITY REVIEW OF SUBMITTALS

a. Except as may otherwise be indicated, the City will review the submittals with reasonable promptness for their compliance with the design concept and the PWDS and return each submittal to the Contractor with comments noted thereon. The City's maximum review period for each submittal or resubmittal will be 21 days.

b. If the review indicates that the material or equipment is in general conformance with the design concept and complies with the Drawings and Specifications, submittal copies will be marked "REVIEWED". In this event the Contractor may begin to incorporate the material or equipment covered by the submittal.

c. If the review indicates that limited corrections are required, the submittal will be marked "FURNISH AS CORRECTED". The Contractor may begin incorporating the material and equipment covered by the submittal in accordance with the noted corrections.
   1) Unless otherwise approved in writing by the City, the Contractor shall provide a written summary *(letter, memo or email)* confirming how each such "FURNISH AS CORRECTED" review comments will be addressed. A separate letter/memo/email shall be provided for each submittal *(subject line referencing the submittal number and title)*, with confirmation of each applicable submittal review comment from the submittal review by the City, with numbering to match the applicable submittal review comment.
   2) If the requirement for written confirmation of "FURNISH AS CORRECTED" review comments is waived in writing by the City, no further action is required by the Contractor.

d. If a submittal is returned marked "REVISE AND RESUBMIT", the Contractor shall revise it and shall resubmit the required number of copies to the City for review.
   1) Resubmittal of only portions of multi-page or multi-drawing submittals will not be allowed unless specifically requested or allowed by the City (in the submittal review). For example, if a Shop Drawing submittal consisting of 10 drawings contains one drawing noted as "REVISE AND RESUBMIT", the submittal as a whole is deemed "REVISE AND RESUBMIT", and 10 drawings are required to be resubmitted.
   2) However, if a submittal includes numerous different items, each of which was reviewed and commented on separately, only those noted as "REVISE AND RESUBMIT" need to be resubmitted.

e. If a submittal is returned marked "REJECTED", it shall mean either that the proposed material or product does not satisfy the specification or the submittal is so incomplete that it

cannot be reviewed. In such cases, copies will be returned to the Contractor for correction. The Contractor shall then resubmit the required number of copies of the corrected submittal.

1) Any material or equipment on-site which is rejected by the City shall be removed from the job site by the Contractor within two (2) working days of notification of rejection of the submittal.

f. Except at its own risk, the Contractor shall not undertake work covered by submittals marked as "REVISE AND RESUBMIT" or "REJECTED" until a new submittal is made and returned without exceptions.

g. The City's review of submittals is only for general conformance with the design concept of the project and general compliance with the information given in the approved design and the PWDS. Corrections or comments made on the submittals or shop drawings during this review (or absence of such corrections or comments) do not relieve the Contractor from compliance with the requirements of the plans and specifications. Approval of a specific item shall not include approval of an assembly of which the item is a component. Contractor is responsible for dimensions to be confirmed and correlated at the job site; information that pertains solely to the fabrication processes or to the means, methods, techniques, sequences and procedures of construction; coordination of his or her work with that of all other trades; and for performing all work in a safe and satisfactory manner.

h. In the event that multiple reviews are performed on the same submittal (*or portions of the same submittal*) due to revisions, clarifications, duplicate submittals or other reasons, all submittal review comments are complementary and what is noted by any submittal review iteration shall be as binding as if noted on all.

PART 2: PRODUCTS

None.

PART 3: EXECUTION

None.

PART 4: SPECIAL PROVISIONS

4.1 SUBMITTAL REPORT FORM

a. See following pages:

WESTECH ENGINEERING INC. SUBMITTAL REPORT

PROJECT: _____

FROM (Contractor): _____

TO: Public Works Director

COPIES: 1 for pdf submittals, or three (3) if hard copies are required by Public Works Director

SUBMITTAL NUMBER _____ *(to be numbered sequentially by Contractor)*

Category of Information being Submitted:

( ) EQUIPMENT/MATERIAL SUBMITTALS/SHOP DWGS ( ) MANUFACTURER'S DATA
( ) REPORTS ( ) METHOD STATEMENT ( ) INFORMATION FOR RECORD
( ) SAMPLES ( ) OTHER ( ) OPERATIONS&MAINTENANCE INFO

DESCRIPTION: _____

PWDS Division & Section: _____

CONTRACTOR:
I hereby certify that the material submitted has been checked for compliance with the approved drawings and any exceptions have been clearly noted.

_____ _____
Signed *(Contractor's authorized representative)* Date

_____ _____
Printed Name Title

ENGINEER-OF-RECORD:
I hereby certify that I have reviewed this submittal, and it is in compliance with the design concept, the approved drawings and PWDS requirements, except as clearly noted.

_____ _____
Signed *(Engineer of Record)* Date

****

RESPONSE TO SUBMITTAL (by City):

( ) REVIEWED ( ) FURNISH AS CORRECTED ( ) REJECTED
( ) REVISE AND RESUBMIT ( ) SEE ATTACHED LETTER, _____/____

Checking is only for general conformance with the design concept of the project and general compliance with the information given in the approved design and the PWDS. Corrections or comments made on the submittals or shop drawings during this review (or absence of such corrections or comments) do not relieve the contractor from compliance with the requirements of the plans and specifications. Approval of a specific item shall not include approval of an assembly of which the item is a component. Contractor is responsible for dimensions to be confirmed and correlated at the job site; information that pertains solely to the fabrication processes or to the means, methods, techniques, sequences and procedures of construction; coordination of his or her work with that of all other trades; and for performing all work in a safe and satisfactory manner.

_____ _____
Signed Date

_____
Printed Name