



**TOWN OF MERRIMACK, N.H.  
DEPARTMENT OF PUBLIC WORKS**

PERMIT #

DATE:

**RIGHT OF WAY PERMIT**

PERMIT FEE:

**ARTICLE I: AUTHORITY**

Pursuant to the State of New Hampshire RSA 236:9 (Supp) and RSA 236:14 and the Town of Merrimack Sub-Division Regulations permit is issued to perform work in the **RIGHT OF WAY** at the following location for the purpose of:

(location):\_

(purpose):\_

**ARTICLE II: GENERAL CONDITIONS**

- A. Construction procedures for Town highways are a part of this permit and are available at the Department of Public Works.
- B. In areas where pavement is to be excavated, it shall be cut and removed to produce clean, uniform edges without damage to remaining pavement. Any area of undermined remaining pavement, unintentionally occurring as a result of the work, shall be cut and removed to produce clean, uniform vertical edges on existing base material. Any pavement damaged by blasting, excavation or other construction related activity, will be cut and removed to provide clean, uniform, vertical edges with no damage to undisturbed pavement.
- C. The Contractor shall put in place sheeting/shoring as may be required to support the sides of the excavation and to prevent the movement of earth other than that intended to be disturbed for the excavation.
- D. All water pumped or drained from the work site shall be disposed of in a manner suitable to the Department of Public Works and without damage to pavements, other surfaces or property.
- E. Where ledge is to be removed by blasting, all laws of state and federal agencies will be complied with along with any additional instruction of the Fire Chief. No blasting will be performed without twenty four (24) hours notice being given to the Fire Chief, and the issuance of a blasting permit.
- F. All backfill material in excavations will be compacted at near optimum moisture content, in layers not exceeding 12 inches in compacted thickness, using either pneumatic or vibratory compactors. The material will be compacted to at least 98% of the maximum density of soil determined by current tests for Moisture-Density Relationship of Soils, ASTM, D1557, Method D.
- G. Backfill material will be material excavated during the course of construction, but excluding pieces of pavement, frozen material, organic matter, top soil, muck, peat or clay, rocks over six inches in the largest dimension.  
Class "A" crushed gravel, (as described in NH Standard Specifications) equal to a depth of the existing gravel base course or 12 inches, whichever is greater, will be placed in layers not exceeding 6 inches loose depth and thoroughly compacted.  
Cold mix or cold patch will be immediately placed in the trench area as temporary pavement. The temporary patch shall be placed at a slightly higher grade than the adjacent pavement to allow for settlement, material will be placed to a full depth of existing pavement or 3 inches, whichever is greater. After suitable exposure of temporary patch to traffic compaction, permanent pavement will be placed in accordance with ARTICLE VI of this permit.

- H. Daily notification of work to Highway Division Construction Inspection (423-8551) will be required as will the minimum notification of twenty-four hours in advance of making the temporary and permanent pavement repairs.
- I. Hours of work, Monday through Friday, 7:00 A.M. to 7:00 P.M. unless otherwise noted in ARTICLE VI Sec. E

### **ARTICLE III: SECURITY REQUIRED**

For any work that will temporarily alter any portion of any **Town Right of Way** or related feature, but not limited to roadside vegetation or related feature, the contractor shall post security in an amount approved by the Director of Public Works in a form approved by the Finance Administrator prior to the issuance of a permit.

### **ARTICLE IV: INSURANCE REQUIRED**

The contractor will submit current insurance certificates, indicating the Town as an additional insured, of coverage of the following types of insurance and in the following amounts:

COVERAGE	LIMITS
Workers Compensation	Statutory
Employer Liability	\$100,000 Each Occurrence
Public Liability	\$2,000,000 Combined Single Limit
Automobile Liability	\$1,000,000 Combined Single Limit

### **ARTICLE V: TRAFFIC AND SAFETY**

- A. The maximum length of trench to be open at any time shall be no more than 300 feet. Suitable entrance and exit to properties abutting the street will be maintained at all times. Two-way traffic will be maintained nights, weekends and holidays.
- B. Traffic must be maintained during the performance of the work. **NO** street closure will be allowed without prior permission from D.P.W. and Police upon approval of traffic control / detour route plan submitted by contractor. Work zones will be protected by suitable barricades, warning signs, cones and flag persons during the day and proper lighting at night. Certified ATTSA or equivalent flag persons will be provided by the contractor whenever two-way traffic cannot be maintained, or at the request of the D.P.W. during any time that the D.P.W. deems them necessary.
- C. For any work involving the placement of construction, equipment, vehicles or personnel within any travel way. The contractor will submit three copies of a traffic control plan prepared in accordance with Part VI of the **Manual on Uniform Traffic Control Devices**, latest edition, and Section 619 of the **Standard Specifications for Road and Bridge Construction**, latest edition.
- D. Uniformed Officers will be required for any work to be performed in the following R.O.W. locations unless waived by the Merrimack Police Department. Additional locations may require Officers as deemed necessary by the Police Chief.

Amherst Rd.	Continental Blvd.	Naticook Rd.	Turkey Hill Rd.
Baboosic Lake Rd.	Daniel Webster Hwy.	Peaslee Rd.	Wire Rd.
Back River Rd.	Joppa Rd.	Seaverns Br. Rd.	
Bedford Rd.	Manchester St.	Tinker Rd.	

## **ARTICLE VI: SPECIAL CONDITIONS**

- A. Contractor will be responsible to notify **DIG SAFE** per state law requirements prior to any type of excavation in the R.O.W. As Merrimack Village Water District (water) and Merrimack Waste Water Treatment Facility (sewer) are not part of N.H. dig safe, contractor is responsible to notify them separately.
- B. Contractor will not trim, cut or in any way disturb any trees or shrubbery within the R.O.W. without the approval of the D.P.W.
- C. Contractor will be responsible to in a reasonable amount of time, restore any disturbed area to equal or better condition to than prior to commencement to work.
- D. This permit may be rescinded at any time by the Merrimack D.P.W. at its discretion or for noncompliance with any and/or all provisions of said permit.
- E. By Case Conditions:

## **ARTICLE VII: RESPONSIBILITY**

The contractor agrees to hold harmless the Town of Merrimack from any and all claims arising from the construction of the work.

The contractor agrees to assume such additional cost as the Department of Public Works may incur by reason of failure to perform this work in the prescribed required manner. Duration of responsibility will be two (2) years from completion of permanent repair.

Permission for the requested work within the Merrimack R.O.W. is granted, subject to the instruction, regulations and condition of the agreement. The undersigned hereby acknowledges receipt of copy of permit and agrees to comply with requirements.

Permit effective date:\_\_\_\_\_ Permit expiration date:\_\_\_\_\_

Contractor:\_\_\_\_\_ Business Phone:\_\_\_\_\_

Authorized Agent Signature:\_\_\_\_\_ Date:\_\_\_\_\_

Emergency Contact Person:\_\_\_\_\_ \_Phone # \_

Permit Issued By:\_\_\_\_\_ Permanent Repair Date:\_\_\_\_\_

**Distribution: Original - D.P.W. Copy - Permittee, Police Dept.**

(The contractor will be responsible to maintain a copy of this permit on work site at all times of operations.)