

Recording Requested by:
Marc Regelbrugge

When recorded, mail copy to:

Golden West Community Services District
P.O. Box 448
El Dorado, CA 95623

(this space reserved for Recorder use only)

ORDINANCE 2022-07 UTILITY PERMIT

GOLDEN WEST COMMUNITY SERVICES DISTRICT

WHEREAS, the Golden West Community Services District (“District”) has authority pursuant to Government Code Section 61060(b) to adopt and enforce rules and regulations for the administration of the District; and

WHEREAS, the District is organized under the Community Services District Law (Government Code Sections 61000 et. Seq.); and

WHEREAS, Government Code Section 61045(f) requires the District to establish rules or bylaws for the conduct of its business; and

WHEREAS, at its meeting on June 1, 2021, the Board read and reviewed the GWCS District Utility Permit; and

WHEREAS, at its meeting on September 7, 2021, the Board read and reviewed the GWCS District Utility permit;

NOW THEREFORE, be it ordained by the Board of Directors of the Golden West Community District as follows:

All work to be performed by public and private utilities within District Rights of Way shall conform to the conditions and requirements listed herein.

1. The Permit:

The work shall be performed in conformance with the project drawings, the Golden West Community Services District Encroachment Ordinance and Standards, the special conditions of this encroachment permit, and the current Caltrans Standard Specifications. The Encroachment Permit or a copy thereof shall be kept at the site of the work and must be shown to any representative of Golden West Community Services District on demand. **WORK SHALL BE SUSPENDED IF PERMIT IS NOT AT JOB SITE AS PROVIDED.**

2. Joint Trench Coordination

Joint trench applicants shall cooperate with the other joint trench utilities (Cable, Gas, Electric, and Telecommunications) to share trench space in order that additional street cuts will not be necessary for the next few years. Documentation of this coordination is required.

3. Notification

The Permittee shall notify General Manager 24 hours prior to the following:

- A. Initial start of work
- B. Restarting work when work has been interrupted

4. Inspection and Approval by the General Manager

All work shall be subject to inspection and approval by General Manager. The Permittee shall notify GM when the work has been completed.

5. Public Convenience and Signing

The Permittee, or Permittee's Contractor, shall place warning signs and devices and take other safety measures as necessary, including flaggers, to warn persons of the excavation, obstruction and equipment operations to prevent injury to persons or damage to property. The use of flaggers, barricades and construction signing shall conform to the California Manual of Uniform Traffic Control Devices for Streets and Highways (FHWA's MUTCD current edition, as amended for use in California) and to current Caltrans Standard Plans T-11, T-12, and T-13.

Traffic Control measures and working hours will be assessed on a case-by-case basis. In worst case areas with heavy traffic, no work will be allowed during commute times. A traffic control plan may be required before starting work. If, after work starts, traffic control measures are not satisfactory for existing traffic conditions, then revisions will be necessary.

The fact that rain or other causes, either within or beyond the control of the Contractor, may force delay of the work shall in no way relieve the Permittee of his responsibility for maintaining traffic through the project and providing local access as specified herein. At all times there shall be kept on the job such material, force, and equipment as may be necessary to keep roads, shoulders and driveways within the project open to traffic and in good repair and shall expedite the passage of traffic using such force and equipment as may be necessary.

The approach end of temporary railing (Type K) shall be offset a minimum of 15 feet from the edge of the traffic lane open to public traffic. The temporary railing shall be installed on a skew toward the edge of the traffic land of not more than one foot transversely to 10 feet longitudinally with respect to the edge of the traffic lane. If the 15 foot minimum offset cannot be achieved, the temporary railing shall be installed on the 10-to-1 skew to obtain the maximum available offset between the approach end of

the railing and the edge of the traffic lane, and an array of temporary crash cushion modules shall be installed at the approach end of the temporary railing.

Whenever work is performed or vehicles/equipment are operated in the following work areas, the Contractor shall close the adjacent traffic lane unless otherwise provided in the specifications or on the plans.

Approach speed of public traffic:

<u>Posted Limit in Miles/Hour</u>	<u>Work Areas</u>
25	Within 100 feet of work being performed or indicated

The lane closure provisions of this section shall not apply if a permanent or temporary railing or barrier protects the work area.

When traffic cones or delineators are used to delineate a temporary edge of traffic lane, the line of cones or delineators shall be considered to be the edge of traffic lane; however, the Contractor shall not reduce the width of an existing lane to less than 10 feet without written approval from General Manager.

The work shall be in an expeditious manner so as to cause as little inconvenience to the traveling public as possible. The Permittee or Permittee's Contractor shall be responsible for maintaining a free and clear travel way for any and all emergency vehicles. Private driveways may only be closed between 8 AM and 4 PM and all private driveway closures must be coordinated with residents to allow for reasonable resident use of the driveway during construction. Driveways shall be open for use at night and during other periods when work is not in progress. Commercial driveways shall not be closed during business hours. Road closures, if allowed, require General Manager approval.

6. Earthwork

- A. Where an excavation consists of trenching parallel to the centerline of the road, the total length of open trench shall not exceed 200 feet at any time. All open trenches crossing the travel way or running parallel within six feet of the edge of pavement must be backfilled and temporarily patched at the end of each work day. All other open excavations shall be backfilled or protected with chain link fence and covered at the end of each work day. Steel plate bridging is required over open trenches in private driveways during working hours.
- B. Facilities installed under this Permit shall have a minimum separation of one foot from drainage culverts and other utilities, unless greater separation is required by the adjacent utility company facility.
- C. Backfill and compaction of trench must immediately follow the placement of the utility. In the west slope compaction testing will be performed by Contractor at Permittee expense. Not more than 500 feet of trench may be backfilled without passing compaction tests.

- D. Where a trench excavation is made within an existing paved area, backfill shall consist of pipe zone material, and two sack sand slurry or controlled low strength material (CLSM). Roadway structural section Class II Aggregate Base and Pavement shall match the existing section

E.2 Trench depth exception to E.1 above: In circumstances where a trench excavation is made within an existing paved area and the trench cut exceeds six feet (6') in depth; three inch (3") minus native material or Class II Aggregate Base may be used as intermediate backfill provided the trench is widened to a minimum of eight feet (8') in width, and material is placed in one foot maximum lifts, and compacted to 95% using self-propelled compaction equipment. Roadway structural section Class II Aggregate Base and Pavement shall match the existing section.

- F. Backfill within County right of way, off pavement, shall be compacted to 90% or greater.
- G. Backfill within County right of way, in the drivable shoulder area, shall be AB compacted to 95% or greater.
- H. Controlled low strength material shall consist of a workable mixture of aggregate, cementitious materials and water, and shall conform to the provisions in Section 19-3, Structure Excavation and Backfill, of the Standard Specifications and these special provisions.

When controlled low strength material is used for structure backfill, the width of the excavation shown on the plans may be reduced so that the clear distance between the outside of the pipe and the side of the excavation, on each side of the pipe, is a minimum of 12". This minimum may be reduced to 6" when either the height of cover is less than or equal to 20 feet or the pipe diameter or span is less than 3.5 feet.

Controlled low strength material in new construction shall not be permanently placed higher than the basement soil. For trenches in existing pavements, permanent placement shall be no higher than the bottom of any existing pavement permeable drainage layer. If a drainage layer does not exist, permanent placement in existing pavements shall be no higher than 1" below the bottom of the existing asphalt concrete, or no higher than the top of base below the existing Portland cement concrete pavements. The minimum height that controlled low strength material shall be placed, relative to the pipe invert, is 0.5D (Diameter) for rigid pipe and 0.7D for flexible pipe.

When controlled low strength material is proposed for use, the Contractor shall submit a mix design and test data to the General Manager for approval prior to excavating the trench for which controlled low strength material is proposed for use. The test data shall demonstrate that the mix design provides:

1. For pipes having a height of cover of 20 feet or less, a minimum 28-day compressive strength of 50 psi is required; for height of cover greater than 20 feet, a minimum 28-day compressive strength of 100 psi is required. Compressive strength shall be determined by ASTM Designation: D4832 Preparation and Testing of Soil-Cement Slurry Test Cylinders.
2. When controlled low strength material is used as structure backfill for pipe culverts, the section of pipe culvert in contact with the controlled low strength

material shall meet the requirements of Chapter 850 of the Highway Design Manual using the minimum resistivity, pH, chloride content, and sulfate content of the hardened controlled low strength material. Minimum resistivity and pH shall be determined by California test 422 and the sulfate content shall be determined by California Test 417.

3. Cement shall be any type of Portland cement conforming to the provisions of ASTM Designation: C 150; or any type of blended hydraulic cement conforming to either ASTM Designation: C 595M or the physical requirements of ASTM Designation: C 1157M. Testing of cement will not be required.
 4. Admixtures may be used in conformance with Section 90 of the current Standard Specifications. Chemical admixtures containing chlorides as C1 in excess of one percent (1%) by mass of admixture, as determined by California Test 415, shall not be used.
- I. Unpaved shoulders shall be returned to a firm, stable condition, and the disturbed area surfaced with a layer of AB or crushed rock.
 - J. Structure backfill for all manholes in streets shall conform to the current Caltrans Standard Specifications for grading, S.E., and compaction (95%). The backfill shall be checked for compliance and compaction tests taken every 2-3 feet vertically.
 - K. All areas where apparent water pumping or seepage exists due to disruption of subsurface conditions encountered during excavating in the County right of way shall be addressed and corrected by means of an approved subsurface drainage system.

7. Temporary Steel Plate Bridging – Non-Skid Surface

When backfilling operations of an excavation in the traveled way, whether transverse or longitudinal, cannot be properly completed within a work day, steel plate bridging with a non-skid surface and shoring may be required to open the road to public traffic. In such cases, the following conditions shall apply.

- A. Steel plates may only be utilized when parallel or perpendicular to the travel way.
- B. Steel plates used for bridging must extend a minimum of 12” beyond the edges of the trench.
- C. Steel plate bridging shall be installed to operate with minimum noise.
- D. Utility company or Contractor shall supply the General Manager with documentation that complies with the California Construction Safety Orders demonstrating that the shoring system is adequate for the soil type and surcharge loading to support bridging and traffic loads. Use Caltrans Permits Manual – Section 629 “Trenching and Shoring” and the California Trenching and Shoring Manual for design of trenching and shoring protective systems.
- E. Steel plate bridging shall be secured against displacement by using adjustable cleats, shims, or other devices and plates shall be tack welded together.

- F. Signing and warning devices are required. Flashing barricades, “Bump” signs, and reflective cones may be needed depending on the location of the project.
- G. Steel plate bridging and shoring shall be installed as follows:
- Steel plate bridging shall be recessed into the surrounding pavement by cold planing to a depth equal to the thickness of the plate and to a width and length equal to the dimensions of the plate.

The Contractor is responsible for maintenance of steel plate bridging and shoring. Unless specifically noted in the provisions of the Permit, steel plate bridging shall not exceed four (4) consecutive working days in any given week. Prior to opening the roadway to public traffic, excavations shall be covered with a minimum 3” temporary paving.

Plate thickness to be a minimum of 1 inch.

Note: For spans greater than four (4) feet, a structural design shall be prepared by a registered Civil Engineer.

Steel plate bridging shall be steel plate designed for HS20-44 truck loading per Caltrans Bridge Design Specifications Manual. The Permittee shall maintain on the steel plate a non-skid surface having a minimum coefficient of friction equivalent to 0.35, as determined by California Test method 342. If a different test method is used, the Permittee may utilize standard test plates with known coefficients of friction available from each Caltrans District Materials Engineer to correlate skid resistance results to California Test Method 342.

8. **Roadway Surfacing and Base Materials**

When the Permit authorizes installation by the open cut method, surfacing and base materials and thickness thereof shall be as specified in the Permit.

Where a utility crossing is to be installed within an existing paved area the utility shall be placed as near as perpendicular to centerline as possible, and in no case at an angle less than a 45-degree angle to the centerline of the roadway.

Temporary repairs to pavements shall be made and maintained upon completion of backfill until permanent repairs are made. Permanent repairs to pavements shall be made within one week of completion of backfill. **Before final trench paving, trenches shall be maintained to a smooth surface with hot mix asphalt concrete on collector roadways and cold mix on minor roadways.** Temporary pavement patches shall be placed and maintained in a smooth riding plane, free of humps or depressions suitable for pedestrian, bicycle, and vehicle traffic.

Pavement: On the West Slope, **all AC Binder will be PG 64-16 (for AC dike use PG 70-10). Thickness of new pavement shall match existing pavement or be a minimum of three inches whichever is greater.**

Any damage to existing adjacent pavements caused by construction activity will require repair or AC overlay as determined by General Manager.

Prior to permanent paving, the trench area to be paved shall be cut or cold planed to neat straight lines. The cut lines shall exceed the excavated trench width by 12" (min.) on each side per the conditions outlined below:

- 8.1 When the roadway has a speed limit of 35 mph or less (un-posted residential streets have a speed limit of 30 mph) and is classified as a Local road or Minor Collector, the existing pavement shall be cold planed two inches (2") in depth, and replaced with HMA, perpendicular to centerline of the roadway a minimum distance of ten feet (10") on both sides of the trench excavation for the full width of the affected travel lanes, or the full width of the roadway if the excavation affects more than one half (1/2) of the total width of the roadway.
- 8.2 Where new utility crossings are installed within 50' of an existing utility crossing (asphalt patch, the utility shall be placed perpendicular to the centerline. The existing pavement shall be cold planed two inches (2") in depth, and replaced with HMA a minimum distance of 10' from the outside edge of both the new trench and existing patch(s), and in-between the trench and existing patch(s) for the full width of the affected travel lanes, or the full width of the roadway if the excavation affects more than one half (1/2) of the total width of the roadway.
- 8.3 Where a utility is to be installed longitudinally within an existing paved area, the utility shall be placed parallel to the centerline. The pavement shall be cold planed two inches (2") in depth and replaced with HMA for the full width of the affected travel lane, or the full width of the roadway if the excavation affects more than one half (1/2) of the total width of the roadway.

Finish pavement surfacing shall have a straight uniform appearance without numerous jogs and placed level with the adjacent paving after compaction. If new surfacing is too high, it shall be cold planed to grade, and a Type 1 slurry seal applied. If new surfacing is too low, it shall be removed and repaved.

A fine seal coat or slurry seal in accordance with Section 37, "Bituminous Seals" of the current Caltrans Standard Specifications shall be applied to the finished paved trench, overlapping the adjacent existing pavement by 6" (on both sides). The type of bituminous seal required is specified in the Permit or shall be as directed by DOT. Asphaltic Emulsion used for fine seal coat shall be CRS-2H, applied at a rate of 0.29-gal. / square yard (or as adjusted by County).

If a chip seal is required by the Permit, rubber tire rolling shall begin immediately after spreading of the chips. On large chip seal jobs, a standard pneumatic-tire roller shall be used. Loose chips shall be swept off the pavement early next day or within 24 hours.

9. Care of Drainage

Roadside ditches, cross culverts and other drainage facilities pertinent to the County roads shall be protected from damage. Those facilities disturbed or damaged shall be returned to their original conditions or replaced to the satisfaction of the General Manager.

Facilities under or below ditches shall have a minimum cover of 18" from top of pipe to bottom of ditch draining the road.

10. Obstructions

Above ground obstructions shall be placed outside of the roadway cross section (pavement, shoulder and roadside ditch) fifteen feet clear from the edge of travel way, and shall not obstruct corner sight distances or interfere with drainage. Air release valves, splice boxes etc., shall be placed underground in vaults or manholes.

Valves, blow-off, or any other structure or obstruction shall not be placed in roadside ditch. If they are located between edge of pavement (EP) and ditch, they shall be recessed 3/8" directly adjacent with EP and surrounded with 5' of A.C. Valve boxes shall have a concrete collar placed beneath the final 3" of asphalt concrete.

Service pedestals/risers shall be taken to the property line or taken to just beyond top of cuts and toe of fills, whichever is further from centerline. (If slopes are 3:1 or flatter, take to property line).

11. Clean-Up of Right of Way

Upon Completion of the work, all debris and material shall be entirely removed and the right of way left in a presentable condition as before work started.

12. Locator Wire

All runs of non-metallic pipe shall have No. 12 gauge, solid insulated soft-drawn copper wire taped along the top of the pipe. The wire shall be stubbed up inside each valve box and dead-end blow-off assembly.

13. Horizontal Directional Drilling

- A. The Permittee shall ensure that all drilling fluids are disposed of in a manner acceptable to the appropriate local, state or federal regulatory agencies.
- B. Restoration of damage to any highway or non-highway facility caused by escaping (frac-out) drilling fluid, or the directional drilling operation, shall be the responsibility of the Permittee
- C. The Permittee shall, prior to and upon completion of the directional drill, establish a Survey Grid Line and provide monitoring as outlined in their submitted detailed monitoring plan.

- D. Subsurface monitoring points shall be utilized to provide early indications of settlement as large voids may not materialize during drilling due to pavement bridging.
- E. Should pavement heaving or settlement occur, saw cutting and replacement of the asphalt would be the responsibility of the Permittee. To prevent future settlement, should the drilling operation be unsuccessful, the Permittee shall ensure the backfill of any void(s) with grout or backfilled by other means.
- F. Construction Plan Requirements (to be submitted by Contractor):
 - 1. Pipe size and depth (minimum 4' deep for pipes 6" and less)
 - 2. Location and pitch of entry and exit pits (including test pits or boreholes undertaken during the soil investigation)
 - 3. Working areas and their approximate size
 - 4. Proposed pipe fabrication and layout areas
 - 5. County right of way lines, property lines, easement lines
 - 6. All existing utilities (both horizontal and vertical)
 - 7. Construction method including diameter of pilot hole, number and size of pre-reams
 - 8. No materials are to be placed on pavement. Spoils will be loaded directly into trucks.
- G. Prior to Beginning Project:
 - 1. Call "811" to locate underground utilities
 - 2. Location of all "USA" identified lines pot-holed if within 10' of proposed project line to verify depth of all lines
 - 3. Visually check surrounding area for other possible underground utilities not marked (storm drain manholes, fire hydrants, pedestals within the vicinity)
 - 4. Pre-job meeting, construction schedule, and traffic control plan are required
 - 5. Need Certificate of Insurance from Contractor prior to any work in County right of way
- H. Drilling Fluid Management Plan (to be submitted by Contractor):
 - 1. Submit mix design of drilling fluid
 - 2. Method of slurry containment
 - 3. Method of recycling drilling fluid and spoils (if applicable)
 - 4. Method of transporting drilling fluid and spoils off-site
- I. Safety
 - 1. The drilling unit must be equipped with an electrical strike safety package. The package should include warning sound alarm, grounding mats (if required for that specific rig), and protective gear.
 - 2. Drilling unit and bore pit hole shall be fenced. All potholes, entry pits, and exit pits are to be barricaded. An additional condition may occur if the bore pit is closer than 12 feet from the travel lane, K-Rail shall be placed with a 10:1 longitudinal taper. If the leading end of the rail is within 15 feet of the travel way, crash cushions shall be placed.

14. Fugitive Dust and Water Quality Regulations

County, State and Federal air and water quality regulations shall be strictly adhered to.

• Fugitive Dust and Asbestos Dust Controls

Fugitive and asbestos dust shall be mitigated in accordance with El Dorado Air Quality Management District (AQMD) **Rule 223-1, Fugitive Dust – Construction Requirements** and/or **Rule 223-2, Fugitive Dust – Asbestos Hazard Mitigation**.

The Permittee shall be responsible for checking and following the most current procedures and regulations of the AQMD prior to beginning project. These are available at:

www.edcgov.us/airqualitymanagement

Fugitive Dust and/or Asbestos Dust Mitigation Plans if required by AQMD's Construction Project Applicability Flow Chart must be approved by AQMD and submitted to DOT prior to beginning project.

If no Fugitive dust Plan is required by the AQMD's Construction Project Applicability Flow Chart, the project must still comply with the provisions of AQMD's Rule 223-1.

• Storm Water Quality Controls

Permittee shall comply with the State of California Water Resources Control Board's (SWRCB) rules, regulations, policies and orders as applicable to the project.

Permittee shall provide a **Storm Water Pollution Prevention Plan (SWPPP)** to the General Manager upon request if required by the SWRCB.

Permittee shall provide a **Qualified SWPPP Developer (QSD)** and a **Qualified SWPPP Practitioner (QSP)** if required by the SWRCB.

Permittee shall comply with the **Storm Water Management Plan (SWMP) for Western El Dorado County** and the **County Grading, Erosion and Sediment Control Ordinance**.

For projects that do not require a permit from the SWRCB, Permittee shall implement Best Management Practices for Erosion and sediment Control to reduce or eliminate discharge of sediments and other pollutants to any natural or man-made drainage course.

For projects that do not require a permit from the SWRCB, erosion and sediment control measures are to be in place prior to any storm event, and in place and in operable condition by October 15. Site inspections must be conducted by the Permittee before and after each storm event to identify areas that contribute to erosion and sediment problems or any other pollutant discharges. During each inspection, determine if additional Best Management practices are needed and implement those practices as soon as possible. Maintenance and repair of control measures shall be routinely conducted.

The Permittee shall be responsible for fines, penalties and damages, whether proposed, assessed, or levied against the Permittee or Contractor, or the County (including employees, agents and assigns of the County), including those levied under the Federal clean Water Act and the State Porter-Cologne water quality Act by governmental agencies or as a result of citizen suits. Penalties shall also include payments made or costs incurred in settlement for alleged violations of the Federal, State or County laws. Costs incurred include sums spent in lieu of penalties, such as settlement agreements, mitigation or remediation.

Permittee shall complete re-vegetation and stabilization of all disturbed soils, both within and outside of County right of way, as required by the County.

Permittee is required to comply with Section 404 of the Clean Water Act regulating dredging and filling of Waters of the U.S. and shall provide evidence of such to the County upon demand.

Permittee is required to comply with Section 1600 of the State of California Fish and Wildlife Code regulating work in streambeds and shall provide evidence of such to DOT upon demand.

15. Safety and Health Provisions

In addition to other specifications, definitions and provisions, the Permittee is also hereby categorized and designated as the following types of employer for this project:

- Exposing Employer – the employer whose employees are exposed to a hazard
- Creating Employer – the employer who actually is creating a hazard
- Controlling Employer – the employer who is responsible and who has the authority for ensuring that a hazardous condition is corrected
- Correcting Employer – the employer who has the responsibility for actually correcting a hazard

The Contractor's Safety Officer(s) shall be certified as a competent person for controlling this project's workplace safety. A Contractor's Safety Officer shall be on the site, at a minimum each and every day that work is in progress or periodically, when work is not active, and shall have the authority to correct any safety violation. In addition, the Contractor is required to develop a Safety Program specifically for this project, which will be available on site, at all times, and updated periodically during the project.

16. Relocation of Facilities-Section 1463, Streets & Highway Code

In the event the future improvement of the highway necessitates the relocation of this encroachment, the Permittee (public agency or a public utility having lawful authority to occupy the highways) will relocate the same as its sole expense. In said event, the General Manager shall serve on the Permittee his written demand specifying the place of relocation, and specifying a reasonable time within which the work of relocation must be commenced. The Permittee must commence such relocation within the time specified.

17. Trees

Any underground work within the drip line of any trees on County right of way or easement shall conform to the following requirements:

- No trees shall be removed unless specifically authorized by the County.
- No roots over two inches in diameter shall be cut.
- Hand trenching and tunneling will be required when excavation exposes roots two inches in diameter or larger
- Roots two inches in diameter or larger which are exposed to the air shall be kept moist.
- Roots two inches in diameter or larger which are accidentally damaged shall be treated with material approved by the County Transportation Division.
- If roots two inches in diameter or larger are cut or broken, the tree shall be trimmed to compensate for the decreased root system. Such trimming shall be done to the satisfaction of DOT.
- Manholes or boring pits shall not be installed within 20 feet of any tree trunk.

18. Tree Removal and Trimming

- Job plans should be submitted for tree removal/trimming contracts that are not for routine maintenance
- General Manager is to be notified 24 hours in advance of any tree trimming or removal. Notification is to include the name of the tree contractor.
- Trees are not to be felled on County roads.
- Stumps that are a hazard for public traffic and snow removal operations will be ground to six inches below grade. Other stumps are to be cut flush with ground.
- All debris from tree trimming and cutting shall be removed from the County right of way and disposed of by the Permittee.
- Logs, limbs, poles etc., shall be located so as to not infringe upon sight distance or present a roadside obstruction and be removed from drainage ditches at the end of each workday.

19. Indemnity

To the fullest extent of the law, the Permittee shall defend, indemnify and hold the G.W.C.S.D. harmless against and from any and all claims, suits, losses, damages and liability for damages, including attorney's fees and other costs of defense brought for or on account of injuries to or death of any person, including but not limited to, workers and the public, or on account of injuries to or death of County employees, or damage to property, or damages proximately resulting from Permittee's work, operations, or performance hereunder, to the extent consistent with Permittee's El Dorado Franchise Agreement, regardless of the existence which are claimed or which shall in any way arise out of or be connected with Permittee's work, operations or performance hereunder, regardless of the existence or degree of fault or negligence on the part of the County, the Permittee, the

contractors, subcontractors or employee of any of these, except the active, or sole negligence or willful misconduct of the County, its officers, employees, contractors, subcontractors or employee of any of these where expressly prescribed by statute.

The duty to indemnify and hold harmless the County specifically includes the duties to defend set forth in Section 2778 of the Civil Code. The insurance obligations of the Permittee, and/or Contractor are separate independent obligations under the permit, and provision of this defense and indemnity are not intended to modify no should they be construed as modifying or in any way limiting the insurance obligations set forth in the Permit documents.

20. Insurance

GENERAL REQUIREMENTS – The Permittee or, its contractor shall provide proof of a policy of insurance satisfactory to the GWCSO and documentation evidencing that the Permittee maintains insurance that meets the following requirements:

1. Full Workers Compensation and Employers Liability Insurance covering all employees of the Permittee as required by law in the State of California.
2. Commercial General Liability (CGL) Insurance of not less than One Million dollars (\$1,000,000.00) combined single limit per occurrence for bodily injury and property damage, including but not limited to endorsements for the following coverage: Premises, personal injury, operations, products and completed operations, blanket contractual, and independent contractors' liability. Automobile Liability Insurance of not less than \$1,000,000.00 is required in the event motor vehicles are used by the Permittee in performance of the permit.
3. In the event Permittee is a licensed professional and is performing professional services under this contract, professional liability is required with a limit of liability of not less than One Million Dollars (\$1,000,000.00) per occurrence.
4. Explosion, Collapse and Underground coverage is required when the scope of work includes XCU exposures. For the purpose of this permit, XCU coverage is required.

21. Proof of Insurance Requirements

1. Permittee shall furnish proof of coverage satisfactory to the GWCSO as evidence that the insurance required herein is being maintained. The insurance will be issued by an insurance company acceptable to the Risk Management Division, or be provided through partial or total self-insurance likewise acceptable to the Risk Management Division. Before beginning work the Permittee shall provide the name, address, and telephone number of the nearest claims adjusting office of the company which has issued his liability insurance.
2. The GWCSO are included as additional insured, but only insofar as the operations under this agreement are concerned. This provision shall apply to General Liability only. Proof that the GWCSO is named additional insured shall be made by providing a

certified copy, of other acceptable evidence, of an endorsement to Permittee's insurance policy naming the GWCSO additional insured.

3. In the event Permittee cannot provide an occurrence policy, Permittee shall provide insurance covering claims made as a result of performance of this Permit for not less than three (3) years following completion of performance of this Permit.
4. Any deductibles or self-insured retentions must be declared to and approved by the GWCSO.

22. Insurance notification Requirements

1. Permittee shall provide at least thirty (30) days prior written notice to the GWCSO of any cancellation or material reduction in coverage under any policy not otherwise replaced by another policy.
2. Permittee agrees that the insurance required herein shall be in effect at all times during the term of this permit. In the event said insurance coverage expires at any time or times during the term of this contract, Permittee agrees to provide at least thirty (30) days prior to said expiration date, a new certificate of insurance.

23. General Manager

The General Manager of the GWCSO may add to or modify requirements of this procedure as he deems necessary based on the scope of work.

24 Permit Fine

Failure to comply with the requirements of this procedure can result in a fine of \$500 per day until the discrepancies have been corrected.

Signature of utility applying for permit

GWCSO President

GWCSO General Manager

PASSED AND ADOPTED this 1st day of March 2022 by a majority vote of the members of the Board, as follows:

AYES: *Regelbrugge, Williams, Keebler, Neilman, Atkinson*

NOES: *—*

ABSTAIN: *—*

ABSENT: *—*

By: *Janie Kelly*

President, Board of Directors
Golden West Community Services District

Attest: *Cassie Neilman*

Secretary, Board of Directors
Golden West Community Services District