

APB

ENCROACHMENT PERMIT

TR-0120

Permit No. 0406-NSN1245	
Dist/Co/Rte/PM 04-Ala-262-0.65/0.82	
Date March 13, 2007	
Fee Paid \$	Deposit \$
Performance Bond Amount (1) \$	Payment Bond Amount (2) \$
Bond Company	
Bond Number (1)	Bond Number (2)

In compliance with (Check one):

- Your application of July 13, 2006
- Utility Notice No. \_\_\_\_\_ Of \_\_\_\_\_
- Agreement No. \_\_\_\_\_ Of \_\_\_\_\_
- R/W Contract No. \_\_\_\_\_ Of \_\_\_\_\_

TO:  CITY OF FREMONT,  
 Transportation & Operations Department  
 39550 Liberty Street  
 Fremont, CA 94538  
 Attn: Allen E. Chan  
 Phone: (510) 494-4749  , PERMITTEE

and subject to the following, PERMISSION IS HEREBY GRANTED to:

Install redlight violation cameras on State Highways 04-Ala-262, Post Miles 0.65/0.82, at intersections Mission Boulevard and Warm Springs Boulevard, and Mission Boulevard and Mojave Drive, in the City of Fremont.

A minimum of one week prior to start work under this permit, notice shall be given to, and approval of construction details, operations, public safety, and traffic control shall be obtained from State Representative Norm Freitag, 600 Lewelling Avenue, San Leandro, CA 94579, 510-614-5951, weekdays, between 7:30 A.M. and 4:00 P.M.

All permitted work requires the Permittee to apply for and obtain a work authorization number prior to start of work. See the attached "Encroachment Permit Project Work Scheduling Procedures" and the attached "Permit Project Work Scheduling Request Form". Additional time beyond the minimum seven-day advanced notice required in the above paragraph may be required for obtaining the traffic control approval.

<p>The following attachments are also included as part of this permit (Check applicable):</p> <p><input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    General Provisions</p> <p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    Utility Maintenance Provisions</p> <p><input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    Storm Water Special Provisions</p> <p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    A Cal-OSHA permit required prior to beginning work: # _____</p>	<p>In addition to fee, the permittee will be billed actual costs for:</p> <p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    Review</p> <p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    Inspection</p> <p><input checked="" type="checkbox"/> Yes    -----    Field Work</p> <p>(If any Caltrans effort expended)</p>
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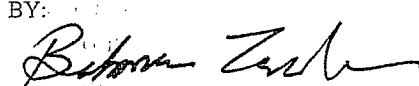
Yes     No    The information in the environmental documentation has been reviewed and considered prior to approval of this permit.

This permit is void unless the work is completed before December 31, 2007

This permit is to be strictly construed and no other work other than specifically mentioned is hereby authorized.

No project work shall be commenced until all other necessary permits and environmental clearances have been obtained.

APB  
 CC: MMc(2), NF, Elec. Perm.-A. Sojuaco,  
 DTM.-J.Richardson, P.Chan,

APPROVED:  
 BIJAN SARTIPI, District Director  
 BY:   
 MICHAEL D. CONDIE, District Permit Engineer

**Immediately following completion of the work permitted herein, the permittee shall fill out and mail the Notice of completion attached to this permit.**

All Permittee's personnel shall wear appropriate personal protective equipment, including hard hats and bright colored vests, shirts, or jackets with retro-reflective material while on State highway right of way.

The site of the work shall be enclosed by suitable barricades, signs and lights, as approved by State's representative, to warn and protect traffic effectively.

All utility work shall be performed in accordance with the Department of Transportation Encroachment Permit Utility, and Tree Trimming Special Provisions dated May 2006, located on the world wide web at [http://www.dot.ca.gov/hq/traffops/developserv/permits/guidelines\\_and\\_booklets/index.html](http://www.dot.ca.gov/hq/traffops/developserv/permits/guidelines_and_booklets/index.html)

Traffic control is restricted to closure of one lane and/or shoulder, authorized only between 9:00 P.M and 5:00 A.M., Sunday through Thursday, holidays excluded.

When approved traffic control performed under this permit shall be in accordance with the appropriate State Standard Plans T-10 through T-14. Where required by the plan, the use of flashing arrow-board is **MANDATORY**. (See attached Standard Plan T-11).

Any damage to existing facilities, landscaping or irrigation within the State's Right of Way shall be replaced in kind by the permittee at permittee's expense.

Sidewalk shall be broken and removed to the closest scoremark and shall be reconstructed with Portland Cement concrete placed to a depth of 100 mm (4").

No excavation shall be left open overnight without written permission from the Caltrans representative or unless otherwise specified herein.

At least five working days before starting work on any signal or lighting facilities under this permit, State's Electrical Engineer A. Sojuaco shall be contacted at (925) 313-8847 for approval of construction and operational details.

Proposed Traffic System device shall not receive electrical power from Caltrans Service Cabinet. The City Reflex Traffic System shall obtain separate power from PG&E.

Notwithstanding General Provision # 4, your contractor is required to apply for and obtain an encroachment permit prior to starting work. A fee/deposit of \$ 820.00 is required at the time of application, together with four sets of signed drawings dated 3/12/07.

City of Fremont shall be responsible for the operation and maintenance of proposed improvement.

City of Fremont  
04-Ala-262-0.65/0.82  
0406-NSN1245

In case significant traffic congestion or other incidents (related to or not related to the permitted activity) occur within, or close to the permitted activity, the permittee shall immediately stop work and remove traffic controls from the highway unless public health, welfare and safety is endangered by unfinished work. Only traffic control to protect open excavations may remain in place. After free traffic flow is restored, work in accordance with the conditions of the permit may be resumed.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**STANDARD ENCROACHMENT PERMIT APPLICATION**  
TR-0100, (REV. 05/2006)

NSN Page 1 of 4

Permission is requested to encroach on the State highway right-of-way as follows:  
(Complete all BOXES [write N/A if not applicable])

~~This application is not complete until all requirements have been approved.~~

FOR CALTRANS USE	
PERMIT NO.	0406-NSN 1245
DIST/CO/RTE/PM	04-ALA-278
SIMPLEX STAMP	NSN 061245
DATE OF SIMPLEX STAMP	
JUL 19 2006 04 570-5N	

1. COUNTY Alameda		2. ROUTE 238		3. POSTMILE	
4. ADDRESS OR STREET NAME Mission Blvd			5. CITY Fremont		
6. CROSS STREET (Distance and direction from site) Warm Springs Blvd			7. PORTION OF RIGHT-OF-WAY Pavement and sidewalk		
8. WORK TO BE PERFORMED BY <input type="checkbox"/> OWN FORCES <input checked="" type="checkbox"/> CONTRACTOR		9. EST. START DATE September 1, 2006		10. EST. COMPLETION DATE September 15, 2006	
11. EXCAVATION	MAX. DEPTH 3'	AVG. DEPTH 2'	AVG. WIDTH 30"	LENGTH 3'	SURFACE TYPE Asphalt, concrete
12. EST. COST IN STATE R/W	Approx. \$25,000				
13. PIPES	PRODUCT TYPE		DIAMETER	VOLTAGE / PSIG	14. CALTRANS PROJECT E.A. NUMBER N/A

15.  Double Permit Parent Permit Number \_\_\_\_\_  
Applicant's Reference Number / Utility Work Order Number \_\_\_\_\_

16. Have your plans been reviewed by another Caltrans branch? NO  YES  (If "YES") Who? \_\_\_\_\_

17. Completely describe work to be done within STATE highway right-of-way :  
Attach 6 complete sets of FOLDED plans (folded 8.5" x 11"), and any applicable specifications, calculations, maps, etc.  
All dimensions shall be in U.S. Customary (English) Units.

install photo red light camera system at Caltrans intersection at Mission Blvd. (S.R.238) and Warm springs Blvd. The photo red light camera system consists red light cameras, poles, housings, controller cabinet, new-bored conduits and wirings, and new PG&E service point with separate pedestal. The vehicle approaches for the photo red light camera system are east bound (Mission blvd.) left + through and north bound (Warm Springs Blvd.) left + through.

*Handwritten signature and date: 7/19*

18. Is a city, county, or other agency involved in the approval of this project?

YES (If "YES", check type of project and attach environmental documentation and conditions of approval.)

COMMERCIAL DEVELOPMENT  BUILDING  GRADING  OTHER City will issue permit after Caltrans permit.

CATEGORICALLY EXEMPT  NEGATIVE DECLARATION  ENVIRONMENTAL IMPACT REPORT  OTHER Traffic signal related.

NO (If "NO", please check the category below which best describes the project, and complete page 4 of this application.)

DRIVEWAY OR ROAD APPROACH, RECONSTRUCTION, MAINTENANCE, OR RESURFACING  FENCE

PUBLIC UTILITY MODIFICATIONS, EXTENSIONS, HOOKUPS  MAILBOX

FLAGS, SIGNS, BANNERS, DECORATIONS, PARADES AND CELEBRATIONS  EROSION CONTROL

OTHER \_\_\_\_\_  LANDSCAPING

19. Will this project cause a substantial change in the significance of a historical resource (45 years or older), or cultural resource?  YES  NO  
(If "YES", provide a description)

20. Is this project on an existing highway or street where the activity involves removal of a scenic resource including a significant tree or stand of trees, a rock outcropping or a historic building?  YES  NO (If "YES", provide a description)

21. Is work being done on applicant's property?  YES  NO (If "YES", attach site and grading plans.)

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**STANDARD ENCROACHMENT PERMIT APPLICATION**

TR-0100 (REV. 05/2006)

PERMIT NO. \_\_\_\_\_

22. Will this proposed project require the disturbance of soil within highway right-of-way?  YES  NO

If "YES", estimate the area in square feet AND acres: \_\_\_\_\_ (sq ft)  
 \_\_\_\_\_ (acres)

23. Will this proposed project require dewatering?  YES  NO

If "YES", estimate daily volume in gallons per day: \_\_\_\_\_ (gpd)

24. How will any storm water or ground water be disposed of from within or near the limits of this proposed project?

- Storm Drain System     Combined Sewer / Storm System     Storm Water Retention Basin  
 Other (explain): N/A

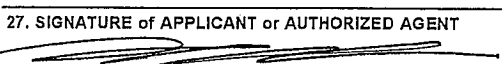
PLEASE READ THE FOLLOWING CLAUSES PRIOR TO SIGNING THIS ENCROACHMENT PERMIT APPLICATION.

*The applicant, understands and herein agrees to that an encroachment permit can be denied, and/or a bond required for non-payment of prior or present encroachment permit fees. Encroachment Permit fees may still be due when an application is withdrawn or denied, and that a denial may be appealed, in accordance with the California Streets and Highways Code, Section 671.5. All work shall be done in accordance with Caltrans rules and regulations subject to inspection and approval.*

*The applicant, understands and herein agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the State, its officers, directors, agents, employees and each of them (Indemnitees) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the State and its officers, directors, agents and employees, the Indemnitees, and the public; and 2) damage to property of anyone. Except as provided by law, the indemnification provisions stated above shall apply regardless of the existence or degree of fault of Indemnitees. The Applicant, however, shall not be obligated to indemnify Indemnitees for Claims arising from conduct delineated in Civil Code Section 2782.*

**DISCHARGES OF STORM WATER AND NON-STORM WATER:** Work within State highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with the Department's Encroachment Permits Manual and encroachment permit. Compliance with the Departments NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the start of any work. Information on the requirements may also be reviewed on the Department's Construction Website at:

<http://www.dot.ca.gov/hq/construc/stormwater1.htm>

25. NAME of APPLICANT or ORGANIZATION (Print or Type) City of Fremont, Transportation & Operations Department		E-MAIL ADDRESS aechen@ci.fremont.ca.us	
ADDRESS of APPLICANT or ORGANIZATION WHERE PERMIT IS TO BE MAILED (Include City and Zip Code) 39550 Liberty St. Fremont, CA 94538			
PHONE NUMBER 510-494-4749	FAX NUMBER 510-494-4751		
26. NAME of AUTHORIZED AGENT / ENGINEER (Print or Type) Allen E. Chen	IS LETTER OF AUTHORIZATION ATTACHED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	E-MAIL ADDRESS aechen@ci.fremont.ca.us	
ADDRESS of AUTHORIZED AGENT / ENGINEER (Include City and Zip Code) Same as above			
PHONE NUMBER Same as above	FAX NUMBER Same as above		
27. SIGNATURE of APPLICANT or AUTHORIZED AGENT 	28. PRINT OR TYPE NAME Allen E. Chen	29. TITLE Assoc. Transp. Engr	30. DATE 07-07-2006

PERMIT NO.

**INSTRUCTIONS**

for completing page 4

This page needs to be completed when the proposed project DOES NOT involve a City, County or other public agency.

Your answers to these questions will assist departmental staff in identifying any physical, biological, social or economic resources that may be affected by your proposed project within the State highway right-of-way. And, to determine which type of environmental studies may be required to approve your application for an encroachment permit.

It is the applicant's responsibility for the production of all required environmental documentation and supporting studies, in some cases this may be costly and time-consuming. If possible, attach photographs of the location of the proposed project.

Please answer these questions to the best of your ability. Provide a description of any "YES" answers (type, name, number, etc.)

1. Will any existing vegetation and/or landscaping within the highway right-of-way be disturbed?
2. Will the proposed project involve any soil disturbance within highway right-of-way (trenching or excavation)?
3. Are there waterways (river, creek, pond, natural pool or dry streambed) adjacent to or within the limits of the project or highway right-of-way?
4. Is the proposed project located within five miles of the coast line?
5. Will the proposed project generate construction noise levels greater than 86 dBA (i.e. jack-hammering, pile driving)?
6. Will the proposed project incorporate land from a public park, recreation area or wildlife refuge open to the public?
7. Are there any recreational trails or paths within the limits of the proposed project or highway right-of-way?
8. Will the proposed project impact any structures, buildings, rail lines, or bridges within highway right-of-way?
9. Will the proposed project impact access to any businesses or residences?
10. Will the proposed project impact any existing public utilities or public services?
11. Will the proposed project impact existing pedestrian facilities, such as sidewalks, crosswalks, or overcrossings?
12. Will new lighting be constructed within or adjacent to highway right-of-way?