

Emmet County Engineer's Office

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RESOLUTION #2019-12

EMMET COUNTY, IOWA PRIVATE DRAINAGE TILE CROSSING ROAD RIGHT-OF-WAY PERMIT

In accordance with Emmet County Board of Supervisors, application for crossing the road right-of-way of a public road with private drainage tile must be approved by Emmet County Engineer's Office.

This policy applies to only those roads to which Emmet County has complete jurisdiction. City/County roads, state line roads, and road along county lines shall require separate approval.

Emmet County Agrees to:

- 1). Supply materials used to cross road right-of-way, installed to Emmet County's specifications, inclusive of tile, road surfacing material, roadway backfill material. Contractor may choose to supply own materials. If so, all materials must comply with County Specifications. Payment for contractor provided materials will be based on set pricing. Prices of materials to be updated yearly and available at engineer's office.
- 2). Pay \$500 for the labor and equipment expense of private drainage tile crossing through gravel roads when trenching method is approved.
- 3). Pay \$1,000 for labor and equipment expense of private drainage tile crossings through paved roads when trenched method is approved.
- 4). At the discretion of the Engineer, County may require road right-of-way to be bored. If Engineer requires boring, landowner shall supply two quotes for work. County will pay 90% of cost of lowest quoted price. If county finds prices to be exorbitant, county reserves right to obtain additional quotes for boring or perform the work themselves. If landowner wishes to bore tile and County permits trenching method, County will only reimburse amount for trenched crossing.

TERMS OF AGREEMENT

- Construction shall begin no earlier than one week after submittal of application and no later than 90 days after application is processed by Engineer's Office.
- If contractor must enter onto adjoining landowner's property in order to properly connect to existing tile, prior consent must be obtained. All adjoining landowner's signatures are required for permit.
- Contractor is responsible for closing roadway and associated signing. All signs and barricades must be in accordance with MUTCD.
- No crossings will be permitted from November 15 and April 1, unless authorized by County Engineer.
- All tile is to be properly connected on both ends to existing field tile.



- Tile intakes shall not be placed in road right-of-way, unless authorized by County Engineer. If tile intakes are requested, County will reimburse for cost of installation agreed to prior to completion of work.
- Roadway shall not remain closed overnight.
- Contractor shall construct, backfill, replace road stone and other aspects of roadway to specifications supplied by Engineer's Office.
- Contractor must notify Engineer's Office 48 hours prior to construction.
- The applicant or applicant's contractor will be responsible for contacting Iowa One Call (1-800-292-8989) for utility locates.
- Applicant will be paid for expenses as agreed to by this agreement after proof of payment to contractor has been provided. If funds are not available in Emmet County Secondary Road Fund for payment of said costs, it is understood that applicant will be reimbursed at such time as funds are available in Emmet County Secondary Road Fund. Payments will be made in chronological order.
- Applicant shall hold Emmet County, Iowa harmless for any damages resulting from the Applicant's operations. The contractor performing the work must submit, or have on file, a valid Certificate of Insurance for \$1,000,000 of liability coverage prior to approval of the permit. The Certificate of Insurance must show Emmet County, Iowa as an additional insured party.

If any terms of agreement are violated, Emmet County will not pay for tile crossing road right-of-way. Further, County will assess cost of repairs to road right-of-way contractor.

Passed and Adopted this 28th day of May, 2019.



Chairperson, Emmet County Board of Supervisors

Attest:



Amy Sathoff, Emmet County Auditor