

**License No.** \_\_\_\_\_

**THIS LICENSE** is hereby granted to \_\_\_\_\_ (hereinafter, "Licensee"), by the City of Clive (hereinafter "City") a license to install and operate a fiber optic cable within public right of way, subject to all the general terms and conditions attached hereto, and the following special terms and conditions, if any, on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Location: \_\_\_\_\_

**SPECIAL TERMS AND CONDITIONS:**

1. Licensee shall place facilities within established PUEs when available.
2. No fiber/conduit shall be install within the same public right of way as the City's Water distribution network.
3. As defined in the General Terms and Conditions, Page 4 Section 10 LIABILITY AND INDEMNIFICATON, Licensee shall provide the City with a Contractors Proof of Insurance in the amount of \$1,000,000.00. This proof of insurance shall also name the City as an additional insured. If not already of file.
4. Licensee shall identify proposed route with white flags and paint before obtaining utility locates. After locates have been completed the Licensee and its contractor shall schedule a field observation to insure proper alignment and utility conflicts with the City. City of Clive contact will be Jerry Freestone. Jerry can be reached at 515-223-6231.
5. Provide contractor with this license and all associated documents attached hereto.
6. Licensee shall require the contractor to provide City with afterhours emergency contact number.
7. Any handholes utilized within the public right of way shall not be larger than a Type II precast polymer-concrete not to exceed a dimension of **24" x 36" x 30"** deep. Box and cover shall sustain a minimum vertical test load of 7,500 lbs over a 10" square.
8. All handholes shall be installed flush with the existing grade unless the City requires something different.
9. All above ground equipment shall be level and plumb at the completion of the project.
10. Any conduit that is installed within the right of way or private property that has newly installed sod or existing sod cannot be done using the plow method.
11. Licensee shall maintain a vertical clearance of 3' and a 4' horizontal clearance from all City utilities.
12. Licensee shall not exceed 5'in depth within 10' of a traffic control cabinet or traffic signal pole.
13. Licensee shall maintain 2' horizontal clearance from all traffic control signs.
14. Crossing City owned utilities or roadways shall be done between sixty and ninety degrees (60°-90°).
15. The City will not locate private water, sanitary or storm sewer service lines. City staff will flag and paint water stop boxes only. Licensee and or its contractor will be responsible for any damage to these facilities.
16. It will be the responsibility of the Licensee to work with those property owners to identify location of any existing lawn irrigation system within the public right of way. Any damage to these systems is the responsibility of the Licensee to repair.

17. Only equipment used for the installation of conduit and fiber can sit on the right of way. Large trucks must stay on a hard surface at all times. No equipment can be left on the right of way overnight.
18. Work **cannot** take place during snow fall events or when 4” of snow or greater has accumulated on the right of way.
19. Any water or drilling mud that is spilled on the street or sidewalk shall not create an icing hazard.
20. As outlined in the General Terms and Conditions of Fiber-Optic License, Licensee shall ensure that all trenches and filled excavations area to be restored to as good a condition as before the work commenced.
21. All trenches and filled excavations shall be compacted with vibratory compaction equipment, backhoe buckets **ARE NOT** an acceptable compaction method.
22. All disturbed or damaged ROW shall be hydro-seeded, seeded with erosion mat or replaced with sod as soon as completed.
  - a. If seeding or hydro-seeding, prepare the area by hand raking to a depth of 3-4 inches and proper grade. When hydro-seeding, scarify the seedbed to facilitate lodging and germination of the seed.
  - b. If sodding, sod shall be rolled immediately after laying to create firm contact with the ground.

Areas shall be maintained by the permittee until satisfactory growth is established. Permittee shall water all seeded or sodded areas once per day for the first 15 days and as needed until established growth and signed off by the city. Any day that there is ¼” or more rainfall in that 24 hr. period, watering does not need to take place.
23. All needed traffic control shall comply with the most recent version of the Manual on Uniform Traffic Control Devices.
24. Any needed lane closures on arterial roadways shall not start before 9:00 A.M. and end no later than 3:00 P.M.
25. The City reserves the right to deny any future projects with the Licensee if the General Terms and Conditions or Special Provisions of this License have not been stratified.

ACCEPTED BY:

LICENSEE

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Date

APPROVED BY:

CITY

\_\_\_\_\_  
Signature

Steve Landhuis  
Public Works Operations Administrator

\_\_\_\_\_  
Date