Town of Raynham Highway Department

Application for Street Opening and MGL c. 82A Trench Permit

- ☐ Application fee of $50, payable to the Town of Raynham
- ☐ Street Opening Bond, if applicable, payable to the Town of Raynham **View Fee Schedule**
  - ➢ The application fee and the bond must be separate checks.
- ☐ Copies of licenses of all people performing excavation
- ☐ Certificate of Liability Insurance, certificate holder listed as Inhabitants of the Town of Raynham
  - ➢ Sent directly from insurance company to csaunders@town.raynham.ma.us
- ☐ W-9 Form (December 2014 version only) **View W-9 Form**
- ☐ Plan or sketch of work to be done **Print Graph Paper**

Applicant Name: _____ Contractor Name: _____

Phone Number: _____ Email address: _____

Job Details

Proposed start date: _____ Proposed completion date: _____

Dig Safe Number: _____ Trench size: (WxLxD) _____

PWCL number: _____ - _____ -PWCL Reason for opening: _____

Emergency Contact: _____ Emergency Phone #: _____

Trench location: _____

Raynham, MA 02767 Please attach a diagram of the work to be done.

Primary Excavator	Secondary Excavator
Name: _____	Name: _____
Address: _____	Address: _____
Phone: _____	Phone: _____
License Numbers: _____	License Numbers: _____
Please attach copies of all licenses	Please attach copies of all licenses

Insurance Information

Company Name: _____ Phone: _____

Address: _____ Insurance Certificate #: _____

_____ Expiration Date: _____

Insurance Rep: _____ Please attach the Certificate of Insurance.

Over ➔

Office use only

☐ Dec 14 W-9 App Fee: $ ✓_____ Bond: _____ $ ✓ _____ _____-_____-SOTP

Date: _____ SC per: _____ _____

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By signing this form, the applicant/excavator and owner, acknowledge and certify that they are familiar with, or, before commencement of the work, will become familiar with, all laws and regulations applicable to work proposed, including OSHA regulations, G.L. c. 82A, 520 CMR 7.00 et seq., and any applicable municipal ordinances, by-laws and regulations and they covenant and agree that all work done under the permit issued for such work will comply therewith in all respects and with the conditions set forth below.

The undersigned owner authorizes the applicant/excavator to apply for the permit and the excavator to undertake such work on the property of the owner, and also, for the duration of construction, authorizes persons duly appointed by the municipality to enter upon the property to monitor and inspect the work for conformity with the conditions attached hereto and the laws and regulations governing such work.

The undersigned applicant/excavator and owner agree jointly and severally to reimburse the municipality for any and all costs and expenses incurred by the municipality in connection with this permit and the work conducted thereunder, including but not limited to enforcing the requirements of state law and conditions of this permit, inspections made to assure compliance therewith, and measures taken by the municipality to protect the public where the applicant owner or excavator has failed to comply therewith including police details and other remedial measures deemed necessary by the municipality.

The undersigned applicant/excavator and owner agree jointly and severally to defend, indemnify, and hold harmless the municipality and all of its agents and employees from any and all liability, causes or action, costs, and expenses resulting from or arising out of any injury, death, loss, or damage to any person or property during the work conducted under this permit.

Conditions and requirements pursuant to G.L.C.82A and 520 CMR 14.00 et seq. (as amended)

By signing the application, the applicant/excavator understands and agrees to comply with the following:

i. No trench may be excavated unless the requirements of sections 40 through 40D of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76D of chapter 164 (DIG SAFE);

ii. Trenches may pose a significant health and safety hazard. Pursuant to Section 1 of Chapter 82 of the General Laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the Department of Public Safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.

iii. Persons engaging in any in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et.seq., entitled Subpart P “Excavations”.

iv. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the Department of Public Safety pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;

v. By applying for, accepting and signing this permit, the applicant hereby attests to the following: (1) that they have read and understands the regulations promulgated by the Department of Public Safety with regard to construction related excavations and trench safety; (2) that he has read and understands the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CMR 1926.650 et.seq., entitled Subpart P “Excavations” as well as any other excavation requirements established by this municipality; and (3) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of the permit application, complied with the requirements of sections 40-40D of chapter 82A.

The permit shall be posted in plain view on the site of the trench.

By signing in the space provided below the Applicant/Contractor acknowledges the benefit conveyed by receipt of this Street Opening Permit, hereby covenants and agrees to defend, indemnify and hold harmless the Awarding Authority and all of its officers, employees and agents of and from any and all claims, demands, suits or other proceedings and from any and all liabilities arising or claimed to have arisen out of, or to be in any way related to: (1) This application, (2) any Street Opening Work as defined in the Street Opening By-law or (3) any action or failure to act by Applicant/Contractor, its officers, employees, agents in connection with any work performed or failed to be performed by or on behalf of Applicant/Contractor in or under any Public Way in the Town.

_____	_____	_____
Applicant Signature	Printed Name	Date
_____	_____	_____
Excavator Signature	Printed Name	Date