

## APPLICATION FOR MINOR EXCAVATION (X) PERMIT

Only a licensed professional or authorized agent may complete this application. Current telephone and email are required to process application.

<b>Provide related permit numbers:</b> PX / SL / B / GR / X / others _____		
<b>Site Address:</b>		
<b>Applicant's Name</b>	<b>First:</b>	<b>Last:</b>
<b>Telephone / Email</b>	<b>Phone:</b>	<b>Email:</b>
<b>Are you the Contractor or the Agent?</b> <input type="checkbox"/> Contractor <input type="checkbox"/> Agent		
<b>Business Name:</b>		
<b>Contractor Information</b>	<b>License #:</b>	<b>City Business License #:</b>
	<b>Class:</b>	
<b>USA #</b>	<b>Date:</b>	

<b><u>Check Type of Excavation Permit</u></b>	
1. Are you obstructing a traffic lane?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Are you providing 5'6" of sidewalk clearance?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. If you answered "yes" to item 1 and "no" to Item 2: traffic control plans are attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Note:</b> A traffic control plan is required if you obstruct a traffic lane or do not provide 5'6" of sidewalk clearance.	
<input type="checkbox"/> Soil Boring	<input type="checkbox"/> Potholing
<input type="checkbox"/> Underground Storage (UGS) Tank Excavation	<input type="checkbox"/> Water Meter Repair (property side of meter)
<input type="checkbox"/> Monitoring Well Installation/Destruction	<input type="checkbox"/> Gas Meter Repair (property side of meter)
<input type="checkbox"/> Other (please specify) _____	
<b>Performance Bond Submitted?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
Bond Amount \$ _____    Bond Number _____    Surety: _____	

<b>APPLICANT HAS READ AND ACKNOWLEDGES THE FOLLOWING:</b>	
1) Permit fee(s) owed per City of Oakland Current Master Fee Schedule. 2) Licensed Professional certifies that they have adequate Workers' Compensation Insurance. 3) Licensed Professional has a valid Oakland Business License. 4) State law requires that Licensed Professional call Underground Service Alert, USA, two working days before excavating to have below ground utilities located. This permit is not valid unless applicant has secured a USA Inquiry Identification Number. Call: 811 or visit <a href="http://www.usanorth811.org">www.usanorth811.org</a> 5) By signing below, applicant certifies that all information provided herein is true and correct to the best of their knowledge.	
<b>Applicant's Signature</b>  _____ Date _____  Print name:  _____	<div style="text-align: center; border: 1px solid black; padding: 2px;"><b>THIS BOX FOR OFFICE USE ONLY</b></div> <hr/> Staff Preparing Permits _____ Date _____ <hr/> <div style="text-align: center; border: 1px solid black; padding: 2px;"><b>X2</b> _____</div>

## MINOR EXCAVATION PERMIT SUBMITTAL CHECKLIST

Complete the Checklist below and submit with your application.

<u>Item</u>	<u>Description</u>	<u>Check</u>
<b>1</b>	Complete set of legible, detailed site plan(s) which detail proposed excavation locations.	Yes ___ No ___
<b>2</b>	Certificate of Insurance that complies with the City’s Standard Insurance Requirements. Minimum acceptable is to include City of Oakland as “additionally insured or “other interest(s).”	Yes ___ No ___
<b>3</b>	<p>Performance Bond package (if required). <i>A performance bond is required when the minor excavation work is not related to a signed and recorded Indenture Agreement with the City.</i></p> <p><i>Performance bond package shall include a signed and completed Surety Bond cover page, Power of Attorney document verifying the individual signing the bond on behalf of the Surety is an appointed representative of the Surety company, and notary All-Purpose Acknowledgement forms from both the Owner and Surety signing the Performance bond package.</i></p> <p><i>Note that the wet-signed originals of the performance bond package should be mailed to:</i></p> <p><i>City Engineer, DOT-ROW, 250 Frank H. Ogawa Plaza, Suite 4314, Oakland, California 94612</i></p>	Yes ___ No ___
<b>4</b>	<p>Traffic Control Plan and Application (if required) <i>A traffic control plan and application is required if the minor excavation work will obstruct a traffic lane or does not provide 5’6” of sidewalk clearance..</i></p>	Yes ___ No ___
<b>5</b>	<p><b><u>REQUIRED:</u></b> Email electronic copies to or link to download to: <a href="mailto:DOTOnlinePermits@oaklandca.gov">DOTOnlinePermits@oaklandca.gov</a> (Include address and permit type in subject line)</p>	Yes ___ No ___

## Frequently Asked Questions (FAQ's) for Minor Excavation (X) Permits

### 1. What is an Excavation (X) Permit?

*Answer:* Excavation (X) Permit allows a contractor with the appropriate contractor's license (see question 3 below) to excavate in the City right of way for installing private underground utilities. Applicant must request for inspections at least 48 hours in advance of scheduled work. City Inspector will inspect the material, construction method, connections, paving, and requests compaction test results.

Note that the City provides two types of Excavation Permit applications. One that can be applied for by any contractor with the appropriate contractor's license (minor excavation), and a separate application that only utility companies or franchisees and contractors that work with utility companies with approved utility plans may apply for (utility excavation).

Examples of scopes of work matching a minor excavation permit include soil borings, underground storage (UGS) tank excavations, monitoring well installation/destruction, potholing, water meter repair, and gas meter repair. Examples of scopes of work matching a utility excavation permit include new water meter installation, new gas meter installation, and utility trenching. If you have questions regarding which type of excavation permit is appropriate for your work, you may contact OakDOT at [DOTOnlinePermits@oaklandca.gov](mailto:DOTOnlinePermits@oaklandca.gov) or (510) 238-3199.

### 2. How much does a Minor Excavation (X) permit cost?

*Answer:* Rates are shown in "How Fees Are Calculated For Minor Excavation (X) Permits" in Page 4.

### 3. Who can apply for a Minor Excavation (X) permit?

*Answer:* The following contractor licenses are allowed to perform excavation work:

Scope of Work	Contractor License Classifications
City Right-of-Way	A, C-42, C-57

In addition, contractor must have current valid Oakland Business License. If a homeowner wants to be a permit runner for the contractor, a signed company letter authorization from the contractor is required to allow the homeowner to obtain the permit under the contractor's license.

### 4. When should I provide a bond?

*Answer:* For minor excavation work, a bond is not required if the minor excavation work is related to a signed and recorded Indenture Agreement made between a Property Owner and the City. Otherwise per OMC 12.12.022, the bond shall be in the sum of \$25,000 or as determined by the Director of Public Works. This is interpreted as either \$25,000 or the approved engineer's estimate, whichever is greater, and which may be added as cash to the permit. Alternatively, a security bond may be submitted to the City's cashier. Cash bond and securities will be released to the Applicant when permit is finalized. A processing fee will be due.

**5. What are the City’s Standard Insurance Requirements?**

*Answer:* The City’s Standard Insurance Requirements include:

The permittee/property owner shall maintain fully in force and effect at all times that the encroachment occupies the public right-of-way good and sufficient public liability insurance in a face amount not less than \$300,000.00 for each occurrence, and property damage insurance in a face amount not less than \$50,000.00 for each occurrence, both including contractual liability, insuring the City of Oakland, its officers, agents, employees, and volunteers against any and all claims arising out of the existence of the encroachment in the public right-of-way, as respects liabilities assume under this permit, and that a certificate of such insurance and subsequent notices of the renewal thereof, shall be filed with the City Engineer of the City of Oakland, and that such certificate shall state that the insurance coverage shall not be canceled or be permitted to lapse without thirty calendar (30) days written notice to the City Engineer. The permittee/property owner also agrees that the City of Oakland may review the type and amount of insurance required of the permittee/property owner annually and may require the permittee/property owner to increase the amount of and/or change the type of insurance coverage required.

The foregoing endorsements and the following endorsement must be specified in the certificate of insurance:

“Notwithstanding any other provision in this policy, the insurance afforded hereunder to the City of Oakland shall be primary as to any other insurance or reinsurance covering or available to the City of Oakland, and such other insurance or reinsurance shall not be required to contribute to any liability of loss until and unless the appropriate limit of liability afforded hereunder is exhausted.”

**6. If I don’t need the Excavation (X) Permit(s), can I request a refund?**

*Answer:* A refund request form must be reviewed by the City inspector(s) and approved by the supervisor. Refund requests are available on the City Cashier, second floor of 250 Frank Ogawa Plaza.

**7. How to request inspections for Excavation (X) Permits?**

*Answer:* Please request for inspections *two business days prior* to start of work or else subject to fine. To schedule an inspection, please see below:




<b>X permits</b>	<a href="http://oaklanddot.com/projects/search.html">http://oaklanddot.com/projects/search.html</a>
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**8. How can I contact USA (Underground Service Alert)?**

*Answer:* USA is Underground Service Alert (USA) and 811 is the phone number to call before digging to protect yourself and others from unintentionally hitting underground utility lines. USA numbers are required in X permit applications.



**9. I want to see the existing utilities within my site area, where can I access this information?**

*Answer:* Please visit <http://oakbec.s3.amazonaws.com/MapLanding/maps/DEC.html> and type in your site address to view existing utilities. Click on the  icon. Scroll down and click on “sewer sheets” to see existing utilities. You may also click on the   **Parcels** icon to see location of your parcel in relation to existing utilities. Please note that the sewer sheets are for *reference* only, and deviations may exist from the *actual* utility location.

### How Fees Are Calculated For Minor Excavation (X) Permits

The fees for Minor Excavation (X) Permits are calculated based upon the approved Oakland Master Fee Schedule. The tables below show fees based on the 2022/2023 Fiscal Year Master Fee Schedule effective February 21, 2023.

#### EXCAVATION PERMIT

No.	Description	Amount	
1	Permit (Includes 2 hours of Inspection)	468.29	Permit
2	Additional Inspection Hours		
	a. Normal Operating Hours	228.25	Hour
	b. Not During Normal Operating Hours	341.81	Hour
	c. Inspection by Consultant	Actual Cost	Hour
3	City Performed Repairs Mandatory per OMC 12.12 et. al		
	a. Repair Cost	Actual Cost	Repair
	b. Collection Surcharge	2%	Repair
	c. Administrative Fee	2,011.59	Repair
4	Violation of Mandatory Completion Notice	745.50	Each Occurrence
5	Emergency Surcharge	14.00	Each
6	Excavation Permit Review Fee		
	a. Exceeding 300 ft.	1,295.64	Each
	b. Shorter than 300 ft. or Within One City Block	468.29	Each
	c. Review by Consultant	Actual Cost	Hour
7	Extension of Excavation permit	228.35	Each

See Current City of Oakland Master Fee Schedule Q-4/Q-5

#### ADMINISTRATION \*\* Non-Refundable per Master Fee Schedule added to all permits

1	Application Fee	76.00	Each Permit
2	Record Management and Technology Enhancement Fee	14.75%	Permit Total

**Surety Bond  
Performance (or Payment)  
Department of Transportation  
Excavation Permit**

**BOND No.** \_\_\_\_\_

**ADDRESS :** \_\_\_\_\_ **OWNER :** \_\_\_\_\_  
**PARCEL No. :** \_\_\_\_\_ **PRINCIPAL :** \_\_\_\_\_  
**PERMIT :** \_\_\_\_\_ **AMOUNT :** \_\_\_\_\_

As required by the Oakland Municipal Code for approval of the permit referred to above and made a part hereof, the City of Oakland ("City"), a California municipal corporation, and \_\_\_\_\_ ("Principal"), a California \_\_\_\_\_ (no. \_\_\_\_\_) have entered into an Agreement whereby said Principal will construct certain improvements as specified in said permit. Before commencing said work, said Principal is required to furnish a good and sufficient instrument to secure its **faithful performance of (or payment of labor and materialsmen for)** said work.

The Principal and \_\_\_\_\_, as their Surety and a California corporation, authorized to transact such business, are held and firmly bound unto the CITY, in the penal sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) lawful money of the United States, for the payment of which sum well and truly to be made, we bind our heirs, ourselves, successors, executors and administrators, jointly and severally, firmly by these presents. for the **performance (or payment)** of said work.

The condition of this obligation is such that if said Principal and its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the Agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Oakland and its officials, officers, employees, representative, agents, and volunteers as therein stipulated, then this obligation shall become null and void. Otherwise, it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fee, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Said Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement or to said work to be performed there under or the plans and specifications accompanying the permit referred to above shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the plans and specifications.

*add the following for **payment bond**:* It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

**IN WITNESS WHEREOF**, this instrument has been duly executed by said Owner and said Surety named above, on the dates indicated below:

OWNER

SURETY

By \_\_\_\_\_

Bv \_\_\_\_\_

Name \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

(notary seal)

(corporate authorization)