

Permit No: \_\_\_\_\_

Date: \_\_\_\_\_

City of Michigan City, Indiana  
**APPLICATION FOR A PERMIT TO CUT INTO A CITY STREET OR ALLEY**

To the CITY ENGINEER of the City of Michigan City:



**Applicant Name:** \_\_\_\_\_

**Applicant Address:** \_\_\_\_\_

Applicant hereby makes application for a PERMIT to cut into Pavement at the following location:

Street Name: \_\_\_\_\_ At Lot/Block No. \_\_\_\_\_

Securely Attach [Aerial Photo of Location](#) :

The type of street surface where the cut is to be made is:

- Brick     Asphalt     Concrete     Stone

**Size of opening to be made:** -- The opening to be made will be \_\_\_\_\_ ft long and \_\_\_\_\_ ft wide \_\_\_\_\_ square feet.

Draw a sketch on the back of this sheet showing the exact location, depth and dimensions or submit a blue print or other drawing securely fastened hereto.

**Further description of the Pavement Cut, if any:** \_\_\_\_\_

**Reason for the Pavement Cut:** \_\_\_\_\_

**Timeframe of the Repair Work:** \_\_\_\_\_

By submission of this Application for Pavement Cut Permit, Applicant specifically and expressly AGREES as follows:

**FEES:** Applicant shall pay the fee as determined and set forth in the "Schedule of Costs" on page 4 of this Application. Applicant's check shall be made payable to the "City of Michigan City" and immediately paid upon approval of this Application. If upon completion of the work set forth herein, a wider cut is made to the roadway surface than originally specified herein, the Applicant shall immediately submit the additional fee to the City.

**SECURITY DEPOSIT/PERFORMANCE BOND:** At the discretion of the City Engineer, the Applicant shall submit with this Application EITHER 1) a certified check made payable to the "City of Michigan City" in the amount of One Thousand Dollars (\$1,000.00); OR, 2) A performance bond in an amount not less than One Thousand Dollars (\$1,000.00). Amount to be set by the City Engineer after review of the Application.

The purpose of the Security Deposit or Performance Bond is to ensure repair of the roadway back to its preexisting condition. The City Engineer will inspect the roadway after pavement cuts have been made and remedial measures have been completed to ascertain compliance. Upon approval of the City Engineer, the Security Deposit herein shall be returned to the Applicant OR the Performance Bond shall be released. If Applicant has failed to comply with any terms of this Application or failed to repair the roadway back to its preexisting condition, the Security Deposit may be retained by the City of Michigan City to cover any expenses or damages caused by Applicant's actions OR a claim may be made against the Performance Bond.

**WAIVER, INDEMNIFICATION AND HOLD HARMLESS:** Applicant hereby waives, releases and discharges on behalf of himself/herself, or by any other person or entity acting on his/her behalf or on their own behalf, including but not limited to assignors, heirs, executors, and administrators, the City of Michigan City, its officials, officers, agents, and employees (hereinafter collectively referred to as "City"), from any and all claims or demands therefor on account of injury, loss, or damage to person or property, wrongful death actions, future claims, demands, liens, rights, costs, expenses, and other related items of damage or actions of any kind on account of,

growing out of, or which may result from the Applicant's Pavement Cut, or which arise or may arise in the future. The Applicant expressly agrees to indemnify and hold the City harmless from any and all claims or demands therefore on account of injury, loss, or damage to person or property, wrongful death actions, future claims, demands, liens, rights, costs, expenses, and other related items of damage or actions of any kind by the Applicant, or by any other person or entity acting on his behalf or on their own behalf, including but not limited to assignors, heirs, executors, and administrators, on account of, growing out of, or which may result from the Pavement Cut, which arise or may arise in the future. It is expressly intended that such indemnification and hold harmless obligation shall extend to and include attorney fees and costs incurred by the participation by the City in defending any claim, cause of action, wrongful death cause of action, or demands related to actions taken by the Applicant, its employees, contractors, or agents.

**MINIMUM INSURANCE REQUIREMENTS:** Prior to the issuance of a permit, Applicant shall provide commitments for Commercial General Liability Insurance on an occurrence form, Workers' Compensation Insurance, Employer's Liability Insurance, Comprehensive Automobile Liability Insurance, Umbrella Liability and other such insurance as the City of Michigan City may require. The insurance must be underwritten with companies having an A.M. Best Rating of A-VII or greater and be registered to do business in the State of Indiana. Applicant's insurance shall provide the following coverages and minimum limits unless applicable law requires additional coverage:

**Commercial General Liability (Occurrence Form)**

General Aggregate (other than Prod/Comp Ops Liability)	\$2,000,000
Products/Completed Operations Aggregate	\$2,000,000
Personal & Advertising Injury Liability	\$1,000,000
Each Occurrence	\$1,000,000

- Independent Contractor's Liability; Broad Form Contractual Liability; and Explosion, Collapse & Underground Coverage (XCU) shall be included.
- The City of Michigan City and the Department of Water Works of Michigan City and the Michigan City Sanitary District must be listed as Additional Insured for Ongoing Operations and Products/Completed Operations (CG2010 10/01 & CG2037 10/01 or equivalent)
- Primary and Non-Contributory Basis
- Waiver of Subrogation in favor of the City of Michigan City, Michigan City Water Department, and the Michigan City Sanitary District
- 30-day notice of cancellation

**Workers' Compensation and Employer's Liability**

Workers' Compensation	Indiana Statutory Limits
Employer's Liability	

- |                           |                         |
|---------------------------|-------------------------|
| Bodily Injury by Accident | \$500,000 each accident |
| Bodily Injury by Disease  | \$500,000 policy limit  |
| Bodily Injury by Disease  | \$500,000 each employee |
- Waiver of Subrogation in favor of the City of Michigan City, Michigan City Water Department, and Michigan City Sanitary District
  - 30-day notice of cancellation

**Comprehensive Automobile Liability**

Combined Single Limit	\$1,000,000 each accident
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- The City of Michigan City, the Department of Water Works of Michigan City, and the Michigan City Sanitary District must be listed as Additional Insureds
- Waiver of Subrogation in favor of the City of Michigan City, Michigan City Water Department, and Michigan City Sanitary District
- 30-day notice of cancellation

**Umbrella Liability**

Aggregate	\$4,000,000
Each Occurrence	\$4,000,000

- Umbrella "Follow Form" to primary policies of employer's liability, commercial general liability, and commercial auto liability.

**CERTIFICATE OF INSURANCE:** Prior to commencing the work, the Applicant shall provide to the City of Michigan City a Certificate of Insurance evidencing ownership of each policy of Applicant's insurance and endorsements and, as requested by City of Michigan City, certified copies of the policies. The certificate and endorsements shall demonstrate that the insurance coverage shall not be cancelled, reduced, or the interests of the insured or additional insureds be materially altered without thirty (30) days written notice to the City of Michigan City by registered or certified mail. The City of Michigan City shall not be deemed to have waived any term or condition of insurance by either (1) the failure of the Applicant to provide insurance as herein required; (2) the City of Michigan City failure to require evidence of insurance; (3) the City of Michigan City's failure to notify the Applicant of any breach by Applicant of the requirements of insurance; or (4) by the City of Michigan City issuing a permit to the Applicant.

**APPLICANTS'S RESPONSIBILITIES:** Applicant shall have the following responsibilities:

- 1) Backfill the trenches of any opening by thoroughly tamping and backfilling in a layer not to exceed 4 inches deep.
- 2) Tamp in the top part of said trench, which is in the travel roadway, with a layer of coarse aggregate or crushed stone to a depth of not less than 10 inches.
- 3) Repair of the roadway to the preexisting conditions.
- 4) Maintain the roadway surface for a period of 26 weeks after traffic is again permitted to pass upon the filled trench, unless provided otherwise by special provision.
- 5) Replace any sod that has been removed to the satisfaction of the Board of Public Works and Safety OR the City Engineer.
- 6) Erect and maintain all necessary barricades, detour signs and warning lights required to safely direct traffic over or around the part of the road where the above-described work is to be done so long as the work in any way interferes with traffic.
- 7) Move or remove any structures installed under this Permit, at Applicant's expense, should future traffic conditions or road improvements necessitate and when directed to do so by the Board of Public Works and Safety OR City Engineer.
- 8) Applicant's work shall not interfere with any existing structure along or across any City street or alley, without written permission from the Owner of said structure.
- 9) Applicant shall stop any work herein at any time upon direction from the Board of Public Works and Safety OR the City Engineer.
- 10) Any pipe used in connection with Applicant's work will meet the standard specifications of the American Association of Street Highway and Traffic Officials (AASHTO) and the Indiana Department of Transportation (INDOT) for the class of pipe being used.
- 11) Applicant agrees to notify the City Engineer upon commencement of the work herein.

This \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_\_.

\_\_\_\_\_  
Name of Applicant or Name of Company

BY: \_\_\_\_\_

Signature of Applicant or Authorized person

**SCHEDULE OF COSTS CHARGED FOR PERMIT TO CUT INTO SURFACE OF STREET OR ALLEY**

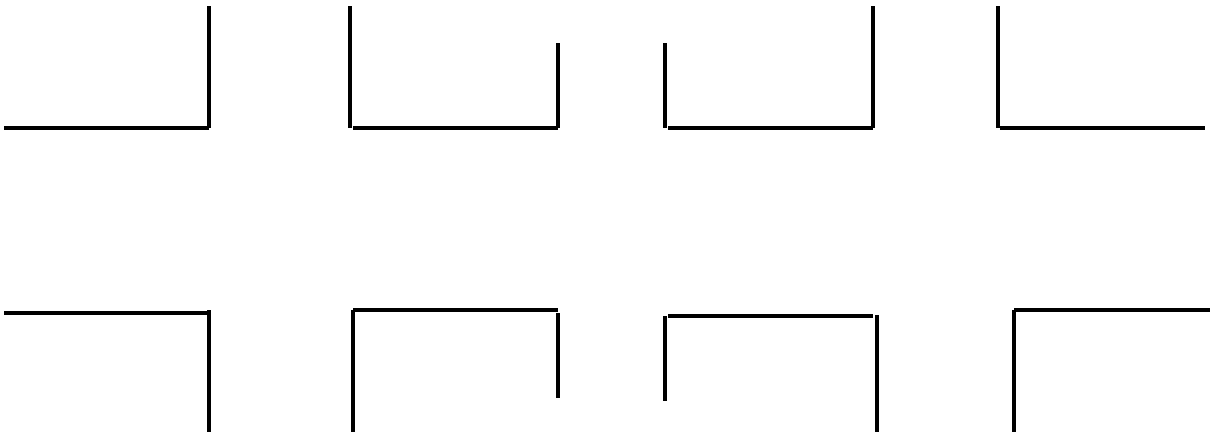
TYPE OF SURFACE	DESCRIPTION OF UNITS	UNIT PRICE	EXTENDED AMOUNT
BRICK CONCRETE ASPHALT STONE	For each square feet cut into or tunneled under pavement Minimum Charge \$50.00 Maximum Charge \$100.00	\$ 2.00	
Macadam Surface		\$ 2.00	
Sidewalk		\$ 2.50	
TOTAL FEE DUE:			\$ _____

Application Approved:

\_\_\_\_\_ DATE: \_\_\_\_\_ City  
 Engineer of Michigan City

SKETCH OF LOCATION:

Indicate nearest North South Streets and nearest East West Streets. Show a North Arrow



SKETCH