

Application Package – MTA Work Permit / License

This is Maine Turnpike Authority's Application for a Work Permit or License to Locate Facilities on MTA Land.

- A Work Permit is required for work on MTA property of a temporary nature where no permanent facility will be installed.
- A License is required for work on MTA property when a facility will be installed on MTA property which is designed to remain when the applicant's work is complete.

The requirements of the documents are very similar. The MTA will determine which document is appropriate given the nature of the application. Depending on the nature of the work, a contractor may be issued a work permit while the eventual owner / operator of the facility will be issued a license for the facility.

Please review the attached application and the requirements of the sample documents. Any questions on these requirements may be directed to Ben Bolduc of the MTA's Right of Way Department.

Submit application and all related materials to:

Ben Bolduc
Maine Turnpike Authority
Right of Way Department
2360 Congress Street
Portland, ME 04102
Tel: (207)871-7771 x355
Fax: (207)879-5567
BBolduc@maineturnpike.com

MAINE TURNPIKE AUTHORITY

WORK PERMIT / LICENSE

The **Maine Turnpike Authority** grants permission to _____ (Permittee) to enter upon the property of the Maine Turnpike in _____, Maine for the purpose of conducting the following work.

Description of Work (and/or plan reference):

All work shall be subject to the following conditions:

1. Approval of Plans: The MTA may require that Permittee supply it with plans & specifications of the proposed work prior to any entry onto MTA property. If required, Permittee shall not proceed with any work until said documents have been reviewed and approved in writing by the MTA.

Required _____ Not Required _____ Special (see below) _____

2. Dig Safe: If earthwork is a component of the work, proof of location of all utilities in the vicinity of the work must be obtained through Dig Safe, for public utilities, **and** DigSmart of Maine for private utilities (which includes existing MTA installations that may be present). Proof of utility location from **both** DigSafe and DigSmart must be provided to the MTA and approved before any work will be allowed under this permit.

3. Entry onto Land: Permittee must provide the MTA with a work plan, including schedule, traffic control plan, and any other documentation requested by the MTA. This documentation must be provided at least two weeks in advance of any work on MTA property. The MTA must approve the documentation, and may decide to have an MTA Inspector present while the work is being completed. Restrictions may be imposed based on MTA operational considerations, including but not limited to time of day restrictions based on time of year and peak travel flow. Weekly schedule updates shall be provided by noon on Thursday for the

following Saturday to Sunday period. Permittee must notify the MTA Traffic Management Control Center (TMCC) (871-7701) each day regarding traffic control installed on the roadway, and must notify the TMCC each time any traffic control device is set up, dismantled, on relocated on the roadway or shoulder.

4. Indemnification: Permittee indemnifies and holds the MTA harmless from any liability or third party claims related to Permittee's presence on MTA land, regardless of Permittee's negligence or lack thereof. This includes all losses or expenses related to any third party claim, including attorney's fees, and specifically includes, but is not limited to, claims that are brought by employees or agents of Permittee. Nothing contained herein is intended to waive any defenses or immunities available to the MTA with respect to third parties including, but not limited to, the defenses and immunities provided under the Maine Tort Claims Act.

Any damages to MTA real or personal property caused by Permittee shall be repaired promptly by Permittee or the MTA shall undertake said repairs, in which case Permittee shall reimburse the MTA for all costs incurred.

5. Insurance & Bonding: Prior to any entry onto MTA land, Permittee will file with the MTA certificates of insurance evidencing general liability insurance, automobile insurance, and workers' compensation insurance with such limits as the MTA shall require, which in all cases shall be a minimum of one million dollars per occurrence. The amount required, if higher, shall be noted below. Permittee shall maintain this insurance coverage for so long as work continues on MTA property.

The MTA shall be covered as an Additional Insured under the general liability and automobile insurance policies. The workers' compensation policy shall include an endorsement waiving subrogation in favor of the MTA for all claims relating to work on MTA land. Copies of the endorsements providing this coverage and waiver of subrogation will be provided to the MTA along with the insurance certificates.

The MTA may require performance and/or payment bonds depending on the nature of Permittee's project. Bonding requirements, if any, will be noted below.

6. Maine Tort Claims Act: Any endorsement adding the MTA as Additional Insured shall include the following provision. An endorsement that does not contain said provision, including endorsements that generally provide additional insured status when required by contract, shall be interpreted as if it did:

“Without limiting in any way Insurer's obligation to defend, coverage under this policy for actions seeking tort damages pursuant to provisions of the Maine Tort Claims Act is governed by the immunities and limitations on damages contained in the Maine Tort Claims Act.”

7. Costs: Permittee shall fully and promptly reimburse the MTA for any costs incurred by the MTA, including but not limited to the cost of personnel involved in reviewing Permittee’s plans and specifications or supervising Permittee’s work. There is a non-refundable application fee of \$250 made payable to the Maine Turnpike Authority for all applications (this application fee does not apply to non-profits or municipalities).

8. Safety & MTA Operations: Permittee must abide by all applicable laws and regulations pertaining to workplace safety, and must also comply with the requirements of the most current MTA Supplemental Specification for construction contracts

(<http://www.mainturnpike.com/Projects/Construction-Contracts.aspx>).

Median openings shall not be used and U-Turns at toll plazas shall not be permitted. Traffic stoppages require MTA approval and must be conducted with participation of the Maine State Police. Shoulder and lane closure times on the turnpike must be approved in advance.

When the speed limit has been reduced to 45 mph due to weather or other conditions, Permittee must remove temporary traffic control devices, stop work, and return the roadway to passable condition. Permittee shall not be allowed to reestablish traffic control devices until speed is restored. During this time, Permittee will not be able to work adjacent to the turnpike unless the work area is protected by concrete barrier.

Permittee shall comply with all other specific instructions of MTA personnel and take all other steps required to avoid or minimize disruption to MTA operations.

9. Contacts: The following are the formal contact persons responsible for administration of this Work Permit. All material that Permittee is required to provide under this Permit must be provided to the MTA Contact listed below. When approval of the MTA is required under this permit, the MTA contact listed below is the only person authorized to grant said approval. Communications and direction addressed to Permittee’s contact below will be binding upon Permittee.

MTA: _____

Address: 2360 Congress Street _____

Phone: _____

E-Mail: _____

Permittee: _____

Address: _____

Phone: _____

E-Mail: _____

10. Special Conditions or Requirements:

A. Work requiring a stoppage of traffic on the mainline will require Maine State Police and due to police staffing considerations work requiring a stoppage shall not be permitted unless a request for such work is submitted to the MTA two weeks in advance of the work.

B. The following day and time restrictions are in place for this Work (*but are subject to change at discretion of MTA*):

Insert Other Special Conditions / Requirements:

11. Revocation: The MTA reserves the right to revoke this permit in the event of any breach of its conditions as well as for any reason whatsoever that, in the sole judgment of the Authority, warrants such a revocation.

Maine Turnpike Authority	Permittee
_____ Stephen R. Tartre, PE Director of Engineering Maine Turnpike Authority	_____ Name _____ Title _____ Company Name