CDOT UTILITY/RELOCATION/SPECIAL USE PERMIT STANDARD PROVISIONS

The following Standard Provisions are terms and conditions of this permit:

Effective March 1, 2006

Utility work authorized under this permit shall comply with the requirements of the State Highway Utility Accommodation Code, and applicable federal, state, local, and industry codes and regulations.

Construction of any portion of the highway facility, including the pavement structure, subsurface support, drainage, landscaping elements, and all appurtenant features, shall comply with the provisions of the CDOT Standard Specifications for Road and Bridge Construction, and with the Colorado Standard Plans (M & S Standards).

1. COMMENCEMENT AND COMPLETION

Work on highway Right of Way (ROW) shall not commence prior to issuance of a fully endorsed and validated permit.

Permittee shall notify the CDOT inspector:
   a. At least 2 working days prior to commencing work, or resuming operations which have been suspended for five or more consecutive working days.
   b. When suspending operations for 5 or more working days.
   c. Upon completion of work.

Work shall not proceed beyond a completion date specified in the Special Provisions without written approval of the Department.

2. PLANS, PLAN REVISIONS, ALTERED WORK

Plans or work sketch (EXHIBIT A) are subject to CDOT approval. A copy of the approved plans or sketch must be available on site during work. Plan revisions or altered work differing in scope or nature from that authorized under this permit, are subject to CDOT prior approval. Permittee shall promptly notify the CDOT inspector of changes or unforeseen conditions which may occur on the site.

3. INSURANCE

Insurance Requirements for Utility and Special-Use Permits (Revised 3-05 per State Requirements)

A. The Permittee shall obtain, and maintain at all times during the performance of work authorized by this Permit, insurance in the following kinds and amounts. The Permittee shall require any Contractor working for them within the State Highway Right of Way to obtain like coverage. The Permittee shall also require any Contractor or Consultant performing work described in sub-paragraph 4) below, to obtain Professional Liability insurance:

1) Workers’ Compensation Insurance as required by state statute, and Employer’s Liability Insurance covering all employees acting within the course and scope of their employment and work on the activities authorized by this Permit.

2) Commercial General Liability Insurance written on ISO occurrence form CG 00 01 10/93 or equivalent, covering premises operations, fire damage, independent Consultants, products and completed operations, blanket contractual liability, personal injury, and advertising liability with minimum limits as follows:
   a. $1,000,000 each occurrence;
   b. $2,000,000 general aggregate;
   c. $2,000,000 products and completed operations aggregate; and
   d. $50,000 any one fire.

3) Automobile Liability Insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit as follows: $1,000,000 each accident combined single limit.

4) For any permanent Permittee-owned installations located within the State Highway Right of Way, highway repairs, or site restoration, Completed Operations coverage shall be provided for a minimum period of one year following final acceptance of work.

   a. Worker’s Compensation Insurance with minimum limits of liability of not less than $1,000,000 Each Claim and $1,000,000 Annual Aggregate.
   b. Professional Liability Insurance with minimum limits of liability of not less than $1,000,000 Each Claim and $1,000,000 Annual Aggregate. If the policy is written on a Claims Made form, the Permittee, or, as applicable – their Consultant or Contractor, shall renew and maintain Professional Liability Insurance for a minimum of two years following final acceptance of the work, or provide a project specific Policy with a two year extended reporting provision.

5) Pollution Legal Liability Insurance with minimum limits of liability of $1,000,000 Each Claim and $1,000,000 Annual Aggregate. CDOT shall be named as an additional insured to the Pollution Legal Liability policy. If the Policy is a component of the Professional Liability Policy, the Additional Insured requirement is waived, and the Policy shall be written on a Claims Made form, with an extended reporting period of at least two years following final acceptance of the work.

6) Umbrella or Excess Liability Insurance with minimum limits of $1,000,000. This policy shall become primary (drop down) in the event the primary Liability Policy limits are exhausted. The Policy shall be written on an Occurrence form and shall be following form of the primary. The following form Excess Liability shall include CDOT as an additional insured.

B. CDOT shall be named as additional insured on the Commercial General Liability and Automobile Liability Insurance policies. Completed operations additional insured coverage shall be on endorsements CG 2010 11/85, CG 2037, or equivalent. Coverage required by the Permit will be primary over any insurance or self-insurance program carried by the State of Colorado.

C. The Insurance shall include provisions preventing cancellation or non-renewal without at least 30 days prior notice to CDOT.

D. The Permittee, or, as applicable – their Contractor or Consultant, will require all insurance policies in any way related to the Permit and secured and maintained by the Permittee, Contractor or Consultant, to include clauses stating that each carrier will waive all rights of recovery, under subrogation or otherwise, against CDOT, its agencies, institutions, organizations, officers, agents, employees and volunteers.

E. All policies evidencing the insurance coverages required hereunder shall be issued by insurance companies satisfactory to CDOT.

F. The Permittee, or as applicable - their Contractor or Consultant, shall provide certificates showing insurance coverage required by this Permit to CDOT prior to commencing work. No later than 15 days prior to the expiration date of any such coverage, the Permittee, Contractor or Consultant, shall deliver CDOT certificates.
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of insurance evidencing renewals thereof. At any time during the
term of this contract, CDOT may request in writing, and the
Permittee, Contractor or Consultant, shall thereupon within 10 days
supply to CDOT, evidence satisfactory to CDOT of compliance
with the provisions of this section.

G. Notwithstanding subsection A of this section, if the Permittee is a
"public entity" within the meaning of the Colorado Governmental
Immunity Act CRS 24-10-101, et seq., as amended ("Act"),
the Permittee shall at all times during the term of this permit maintain
only such liability insurance, by commercial policy or self-
insurance, as is necessary to meet its liabilities under the Act. Upon
request by CDOT, the Permittee shall show proof of such insurance
satisfactory to CDOT. Public entity Permittees are not required to
name CDOT as an Additional Insured.

H. If the Permittee engages a Contractor and/or Consultant to act
independently from the Permittee on the permitted work, that
Contractor and/or Consultant shall be required to provide an
erendorsement naming CDOT as an Additional Insured on their
Commercial General Liability, Auto Liability, Pollution Legal
Liability and Umbrella or Excess Liability policies.

4. WORK WHERE DEPARTMENT LACKS AUTHORITY

Utility work within municipal boundaries (pursuant to 43-2-135 CRS), on
certain public lands, or on private property, may require separate approval of the
appropriate jurisdictional agency or property owner.

5. INSTALLATIONS ON FREEWAYS

CDOT may permit utility accommodations on freeways, including but not
limited to the Interstate System, only in accordance with Utility
Accommodation Code provisions. Special case exceptions as defined therein
may be permitted only in accordance with FHWA-approved Departmental
policy.

6. JOINT USE ALTERNATIVES

As directed or approved by CDOT, if necessary for the safe and efficient use of the ROW, Permittee shall utilize joint use facilities such as the placement of two or more separate lines in a common trench, or attachment to the same overhead support. The Permittee will be responsible for proper coordination with other affected utilities.

7. ATTACHMENT TO HIGHWAY STRUCTURES

Permittee is responsible for designing structure attachments, subject to the approval of the CDOT Staff Bridge Design Engineer.

8. DRAINAGEWAYS AND WATERCOURSES

The flow of water shall not ever be impaired or interrupted. Where possible, crossings of ditches, canals or water-carrying structures shall be bored or
crossed beneath. Irrigation ditch or canal crossings require approval of the ditch
company or owner. Permittee shall repair damage to any drainage facility to the satisfaction of the owner.

9. TRAFFIC CONTROL PLAN

a. Prior to commencing work, the Permittee shall develop and submit to the Department for acceptance, a Traffic Control Plan (TCP) for
any accommodation work that will affect traffic movement or safety. The Permittee shall implement the TCP and utilize traffic
control devices as necessary to ensure the safe and expeditious
movement of traffic around and through the work site.

b. The Permittee shall develop the TCP, and Methods of Handling Traffic (MHT’s) included therein, in conformance with the Manual
on Uniform Traffic Control Devices (MUTCD), the Colorado Supplement thereto adopted by the Commission pursuant to sections
42-4-104 and 42-4-105 CRS, the Department’s standard
specifications for temporary traffic control and the Department’s
standard plans for signing - Standard Plans S 630-1 and S 630-2.
The TCP shall include provisions for the passage of emergency
vehicles through the work zone, and shall conform to the
requirements of the Americans with Disabilities Act. The TCP and
MHT’s shall contain sufficient detail to demonstrate conformity
with all applicable requirements.

c. The Permittee shall have a competent person at the work site at all times in responsible charge of temporary traffic control. In
situations where the TCP goes beyond any Typical Application
shown in the MUTCD, or particularly dangerous roadway or traffic
conditions exist, the Department may require the Permittee to have a Traffic Control Supervisor (TCS) develop or approve the TCP or to have a TCS on-site during work. The TCS shall be certified as a
worksite traffic control professional by either the American Traffic Safety
Services Association (ATSSA) or the Colorado Contractors
Association (CCA), and shall have a current CDOT flaggers’ certification card. The TCS shall be responsible for the planning,
preparation, coordination, implementation, and inspection of the
TCP.

d. The Permittee shall not start the permitted work before the
Department accepts the TCP.

e. The Department may review and order changes to the TCP and
MHT’s during performance of the work, as required.

f. The Permittee shall comply with the TCP at all times during
performance of the work.

g. The Permittee shall keep a copy of the TCP at the work site at all
times during performance of the work for inspection.

h. The TCP shall ensure that closure of intersecting streets, road
approaches and other access points is minimized. On heavily
trafficked highways, the Department will not permit operations that
interfere with traffic during periods of peak traffic flow.

When Permittee operations coincide with highway construction or
maintenance operations, the Permittee shall develop and implement
the TCP in cooperation and coordination with the highway agency
and/or its contractors and as otherwise directed by the Department
in the permit.

j. All flaggers shall have a current CDOT flagger certification card
and shall be capable of communicating with the traveling public and
others at the work site.

10. NCHRP 350 CRASHWORTHINESS REQUIREMENTS FOR
WORK ZONE TRAFFIC CONTROL DEVICES

Work zone devices designated by FHWA as: Category I, including but not
limited to single-piece drums, tubs, cones and delineators; Category II,
including but not limited to barricades, vertical panels with light, drums or
cones with light, portable sign supports, intrusion detectors and type III
barricades; or as Category III, including but not limited to concrete barriers,
fixed sign supports, crash cushions, and other work zone devices not meeting
the definitions of Category I or II; shall meet NCHRP 350 crash test
requirements. The Permittee, or their contractor shall obtain and make
available upon request, the manufacturer’s written NCHRP 350 certification, or
as applicable, the FHWA Acceptance Letter, for each type of device. FHWA
Acceptance Letters for Category II or Category III Work Zone Devices may be
accessed through the FHWA website at
http://safety.fhwa.dot.gov/roadway_dept/road_hardware/wzd.htm

11. WORKER SAFETY AND HEALTH

a. All workers within the State Highway right of way shall comply with
their employer’s safety and health policies/procedures and all
applicable U.S. Occupational Safety and Health Administration
(OSHA) regulations - including, but not limited to the applicable
sections of 29 CFR Part 1910 - Occupational Safety and Health
Standards and 29 CFR Part 1926 - Safety and Health Regulations
for Construction.

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13. CLEAR ROADSIDE CONSIDERATIONS

a. CDOT is committed to provide a roadside area that is as free as practical from nontraversable hazards and fixed objects ("clear zone"). New above ground installations may be permitted within the clear zone only upon showing that no feasible alternate locations exist. Permittee must utilize appropriate countermeasures to minimize hazards.

b. Permittee shall remove materials and equipment from the highway ROW at the close of daily operations. The traffic control plan must include protective measures where materials and equipment may be stored on ROW. Protection of open trenches and other excavations within highway ROW shall be addressed in the Permittee's traffic control plan. All excavations shall be closed at the end of daily operations, and no open excavation will be allowed in the clear zone after dark. The Permittee agrees to promptly undertake mitigating or corrective actions acceptable to the Department upon notification by CDOT that the installation permitted herein has resulted in a hazardous situation for highway users.

c. Material removed from any portion of the roadway prism must be replaced in like kind with equal or better compaction. Segregation of material is not permitted. The permitted facility shall be of durable materials in conformity with accepted practice or industry standards, designed for long service life, and relatively free from routine servicing or maintenance.

d. Construction or compaction by means of jetting, puddling, or water flooding is prohibited within all highway ROW.

e. Thrust blocks are required on all vertical and horizontal bends in pressure pipes.

f. Meters shall not be placed on highway ROW except within corporate limits where municipal regulations allow such use.

15. ALIGNMENT, COVER, CLEARANCE

a. Location and alignment of Permittee's facilities shall only be as specified in this permit or as otherwise indicated in the approved plans or work sketch (EXHIBIT A).

b. Parallel installations will not be permitted within roadways (including curving and/or shoulders) or median areas, except within corporate boundaries subject to municipal regulations.

c. Parallel installations should be located as near as practicable to the ROW line. Crossings shall be as nearly perpendicular to the highway as feasible.

d. Where no feasible alternate locations exist, the Department may permit parallel installations along roadway areas within 15 feet from edge of shoulder or back of curve. In these cases, the facility must be so located and safeguarded as to avoid potential conflict with necessary highway appurtenances (signs, guard rail, delineators, etc.). Specific safeguards such as increasing depth of cover to 60 inches, capping, or encasement shall be specified in this permit's Special Provisions.

e. Parallel installations shall follow a uniform alignment, wherever practical. Due consideration must be given to conserving space available for future utility accommodations. The standard allowable deviation from the approved horizontal alignment is ± 18 inches.

f. Minimum cover shall conform to the Special Provisions. Normal specified cover will be 48 inches or greater; reduced cover may be approved where site conditions warrant, subject to other safeguarding as may be specified or approved in the permit. Minimum overhead clearance shall conform to the Special Provisions, consistent with Utility Accommodation Code criteria.

16. PAVEMENT CUTS AND REPAIRS

Paved surfaces shall not be cut unless otherwise specified in this permit. No more than one half the width of the roadbed may be opened at a time, when otherwise permitted. Pavement shall be sawed or wheel-cut to a neat line. Pavement shall be replaced to a design equal to or greater than that of the surrounding undisturbed pavement structure. Pavement repair shall conform to the Special Provisions or the approved plans.

17. BORING, JACKING, ENCASEMENT

Unless otherwise specified, buried crossings shall be bored or jacked beneath the roadway, at least from toe of slope to toe of opposite slope. Portals for untrenched crossings more than 5 feet in depth shall be bulk headed in conformance with OSHA construction and safety standards. Portal limits of untrenched crossings shall be established safely beyond the highway surface and clear zone and in no case shall the lateral distance from the surfaced area of the highway to the boring or jacking pit be less than the vertical difference in elevation between such surface and the bottom of the pit. Water jetting or tunneling is not permitted. Water assisted boring may be permitted as determined by the CDOT Inspector. Boring hole shall be oversized to the minimum amount required to allow pull-through of the conduit being installed. Resultant voids shall be grouted or otherwise backfilled, subject to CDOT approval. Ends of bored sections shall not be covered before being inspected. Encasement shall be consistent with Utility Accommodation Code provisions.

CDOT may require protective casing for shallow installations or certain conduit materials. Encased crossings shall extend at least from toe of slope to toe of slope, or the full width between access-control lines on freeways, including the Interstate System.
18. INSPECTION AND ACCEPTANCE

a. CDOT will determine the extent of inspection services necessary for a given installation. Permittee shall attend final inspection as may be required. If the initial performance of permitted work was unacceptable, as determined by the Department, the Permittee shall perform any reconstruction or improvement of that work as ordered by the Department, in a timely manner and prior to any further construction. If permitted operations are not being carried out in compliance with the terms and conditions of this permit, the Department may order the Permittee to perform whatever corrective measures are necessary to attain compliance with the permit. If there is an immediate danger to the public’s health, safety or welfare, the Department may order the Permittee to cease all operations and if necessary, to remove all equipment and facilities from the SHROW.

b. Final acceptance does not relieve Permittee of maintenance obligations toward those elements of the highway facility constructed under this permit. Final acceptance begins the two-year warranty period (see requirement under “Operation and Maintenance” below).

c. Permittee shall comply with all requirements described in the Permitting Office Information Summary (ECIS) for details. The ECIS may be obtained from CDOT Permitting Offices or may be accessed via the CDOT webpage at http://www.dot.state.co.us/UtilityProgram/Forms.cfm. Failure to comply with regulatory requirements may result in suspension or revocation of your CDOT permit, or enforcement actions by other agencies.

d. The Special Provisions of this permit shall list any specific environmental clearances or permits that the Department has been notified by the Permittee or by the administering regulatory agency apply to the operations authorized by this permit. The Special Provisions shall require the Permittee to obtain the listed environmental clearances or permits prior to beginning work.

e. The Permittee shall comply with all requirements described in the CDOT Environmental Clearances Information Summary, including those pertaining to:

1) Ecological Resources
2) Cultural Resources
3) Discharges of Stormwater or Process Water
4) Hazardous Materials
5) Discharges of Dredged or Fill Material
6) Erosion and Sediment Control
7) Disposal of Drilling Fluids
8) Concrete Washout
9) Spill Reporting
10) Transportation of Hazardous Materials

d. Disturbance of any wildlife shall be avoided to the maximum extent practicable. If threatened or endangered species or archeological or historical artifacts are encountered during the progress of a project, work in the subject area shall be halted and the CDOT regional permitting office shall be contacted immediately for direction as to how to proceed.

e. All discharges of stormwater or process water are subject to the applicable provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations.

f. There shall be no disposal of hazardous materials in the state highway right of way. Solid waste shall be removed from the state highway right of way and disposed of at a permitted facility or designated collection point (such as the Permittee’s own dumpster). Drilling fluids must be disposed of as described in the ECIS.

g. If pre-existing solid waste or hazardous materials contamination (including oil or gasoline contaminated soil, asbestos, chemicals, mine tailings, etc.) are encountered during the performance of work, the Permittee shall halt work in the affected area and immediately contact the CDOT regional permitting office for direction as to how to proceed.

h. Spills shall be reported immediately using the CDOT Illicit Discharge Hotline (303) 252-4446. Spills on the highway, into waterways, or that may otherwise present an immediate danger to the public, shall be reported by calling 911 or the Colorado State Patrol at (303) 252-4501 or the Colorado Department of Public Health and Environment at 1-(877) 518-5608.

20. RESTORATION OF RIGHT OF WAY

Prior to final acceptance, all disturbed portions of highway right of way shall be cleaned up and restored to the original condition, subject to CDOT approval. Seeding, sodding, and planting shall be as specified, or otherwise approved by CDOT. Construction, maintenance and watering requirements shall conform to the CDOT Standard Specifications. Where landscape restoration may be delayed due to seasonal requirements, such work may be authorized by separate permit. Permittee shall use only certified weed-free seed and mulch. Permittee shall clean up work before transporting it into or out of the state to prevent the migration of noxious weeds.

21. OPERATION AND MAINTENANCE

a. Permittee agrees to own and maintain the installation permitted herein. The facility shall be kept in an adequate state of repair and maintenance in such a manner as to cause the least interference with the normal operation and maintenance of the highway.

b. If any element of the transportation facility, constructed or replaced as a condition of this permit, fails within 24 months due to improper construction or materials, Permittee shall make all repairs immediately as notified in writing by CDOT.

c. Routine, periodic maintenance and emergency repairs may be performed under the general terms and conditions of this permit. CDOT shall be given proper advance notice whenever maintenance work will affect the movement or safety of traffic. In an emergency, the CDOT Region office and the State Patrol shall immediately be notified of possible traffic hazards. Emergency procedures shall be coordinated beforehand, where possible.

d. Maintenance activities requiring new excavation or other disturbance within highway ROW may require separate permit. Where highway construction or maintenance operations so require, Permittee shall shut off lines, remove all combustible materials from the highway right of way, or provide other temporary safeguards.

22. MARKERS, LOCATION AIDS, LOCATION ASSISTANCE

a. The utility shall take all practical measures to ensure that buried utility facilities are surface-detectable by standard geophysical methods. Where the utility facilities, by the nature of their material properties, burial depth or other factors, may by themselves not be surface-detectable, the utility shall, where feasible, incorporate detection wire or other detection aids in the installation of those facilities. In instances where detection aids are not feasible or would be ineffective and surface-detectability cannot be ensured, surface markers shall be installed as directed by the Department and as-constructed plans and showing the accurate horizontal and vertical location of the buried facilities shall be provided to the Department.

b. All plowed or trenched installations must include color-coded (using the American Public Works Association color coding system) warning tape placed not less than 12 inches vertically above.
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the top of the line. The warning tape shall be surface-detectable if needed to facilitate detection of the line.

c. The utility shall place readily identifiable markers at the right of way line where it is crossed by pipelines carrying transmitters which are flammable, corrosive, expansive, energized, or unstable, particularly if carried at high pressure or potential, except where a vent will serve as a marker.

d. The utility shall place markers for longitudinal underground facilities vertically above the facilities or at a known horizontal offset, unless otherwise approved in writing by the Department. Each marker shall provide a fore- and backsight to succeeding and preceding markers. Markers shall be installed at suitable intervals along tangent sections, at angle points or points of curvature and at reasonable intervals along curves.

e. The utility shall maintain any markers required by this Code for the life of the installation.

f. The Department may require the utility to submit “as-constructed” plans. The Department may enter into an agreement with the utility whereby the Department can rely on those plans for the exact location of the utility for any future excavations, and need not give notice to the utility under Article 1.5 of Title 9, C.R.S.

g. The utility will comply with the applicable requirements of Article 1.5 of Title 9 C.R.S., including any requirement to participate in the State’s Notification Association pursuant to 9-1.5-105 C.R.S. All owners of underground utilities within the SHROW, with the exception of the Department itself, must become members of the UNC Notification Association.

h. In addition to complying with the provisions of Article 1.5 of Title 9 C.R.S (One-Call Statute) in response to the Department’s notification of planned excavations, utility owners shall surface mark their buried utility facilities that are located within the SHROW in order to facilitate Departmental engineering and design activities, upon reasonable request from the Department and at no cost to the Department. The Permittee shall respond to such request within a reasonable time frame acceptable to the Department, but no longer than 14 calendar days from the date of request, and the accuracy of the surface marking shall be within 18 inches of either side of the actual location of the buried facility.

23. ADJUSTMENTS DUE TO HIGHWAY CONSTRUCTION

If for any transportation project it becomes necessary to remove, adjust or relocate this facility, Permittee will do so promptly, at no cost to the CDOT except as provided by law, upon written notice from CDOT and in accordance with the utility relocation permit issued to cover the necessary work. The utility will perform the relocation at a time convenient to the Department, but no later than 14 calendar days from the date of request, and at no cost to the Department. The Permittee shall promptly terminate occupancy upon receipt of the Department’s notice to cease work. The Permittee shall promptly remove all abandoned facilities from the SHROW and promptly restore the SHROW to pre-existing or original condition.

24. ABANDONMENT, RETIREMENT, CHANGE IN OWNERSHIP

a. The Permittee shall notify the Department in writing of the planned retirement or abandonment of its facility or any portion thereof. The Department will notify the Permittee in writing if it determines that the facilities may be retired or abandoned in place, along with any special conditions that may apply.

b. Retired facilities shall remain the Permittee’s sole responsibility, subject to all provisions of the Utility Accommodation Code and all of the terms and conditions of the permit issued for that facility, including maintenance and relocation requirements.

c. The Permittee shall promptly remove all abandoned facilities from the SHROW and promptly restore the SHROW to pre-existing or other conditions prescribed by the Department unless the Department in writing expressly allows the facility to remain in place. Written notice from the Department, allowing an abandoned facility to remain in place, may include special conditions.

d. If utility facilities are retired or abandoned in place, the utility shall comply with that decision if directed by the Department:

1) The Permittee shall promptly remove all abandoned facilities from the SHROW and promptly restore the SHROW to pre-existing or other conditions prescribed by the Department unless the Department in writing expressly allows the facility to remain in place. Written notice from the Department, allowing an abandoned facility to remain in place, may include special conditions.

2) The Permittee shall promptly remove all abandoned facilities from the SHROW and promptly restore the SHROW to pre-existing or other conditions prescribed by the Department unless the Department in writing expressly allows the facility to remain in place. Written notice from the Department, allowing an abandoned facility to remain in place, may include special conditions.

3) The Permittee shall promptly remove all abandoned facilities from the SHROW and promptly restore the SHROW to pre-existing or other conditions prescribed by the Department unless the Department in writing expressly allows the facility to remain in place. Written notice from the Department, allowing an abandoned facility to remain in place, may include special conditions.

4) The Permittee shall promptly remove all abandoned facilities from the SHROW and promptly restore the SHROW to pre-existing or other conditions prescribed by the Department unless the Department in writing expressly allows the facility to remain in place. Written notice from the Department, allowing an abandoned facility to remain in place, may include special conditions.

5) The Permittee shall promptly remove all abandoned facilities from the SHROW and promptly restore the SHROW to pre-existing or other conditions prescribed by the Department unless the Department in writing expressly allows the facility to remain in place. Written notice from the Department, allowing an abandoned facility to remain in place, may include special conditions.

6) The Permittee shall promptly remove all abandoned facilities from the SHROW and promptly restore the SHROW to pre-existing or other conditions prescribed by the Department unless the Department in writing expressly allows the facility to remain in place. Written notice from the Department, allowing an abandoned facility to remain in place, may include special conditions.

25. SUSPENSION AND CANCELLATION

a. The CDOT inspector may suspend operation due to:

1) Non compliance with the provisions of this permit
2) Adverse weather or traffic conditions
3) Concurrent transportation construction or maintenance operations in conflict with the permitted work
4) Any condition deemed unsafe for workers or for the general public

b. Work may resume when grounds for suspension no longer exist.

This permit is subject to cancellation due to:

1) Persistent noncompliance with permit provisions
2) Abandonment or transfer of ownership
3) Superseded by new permit covering the same installation
4) Conflict with necessary planned transportation construction.

c. Permittee must promptly terminate occupancy upon notice of cancellation of permit, unless a new permit is applied for and granted.

d. Where Permittee does not fulfill an obligation to repair or maintain any portion of the highway facility, or control and safely maintain the flow of traffic thereon, CDOT reserves the right, in lieu of canceling this permit, to accomplish the required work by any other appropriate means, and Permittee shall be liable for the actual costs thereof.