

*THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY*

***ACCOMMODATION OF UTILITIES  
ON THE TOLLWAY SYSTEM***

*APRIL 2010*

## FOREWARD

This policy is issued by the Tollway by virtue of its power and rights granted under and pursuant to an Act of the Legislature of the State of Illinois, approved August 7, 1967, as amended, which Act appears as Section 100-1 through Section 100-35 of Chapter 121 of Illinois Revised Statutes 1971. Section 11 (e) of that Act specifically empowers the Tollway to establish "reasonable regulations for the installation, construction, maintenance, repair, renewal, relocation and removal of pipes, mains, conduits, cables, wires, towers, poles or other equipment and appliances (herein called public utilities) of any public utility as defined in An Act Concerning Public Utilities approved June 29, 1921, as amended, along, over or under any Tollway project."

The public interest is served through the accommodation of utility facilities when such installations are properly regulated, do not impair the free and safe flow of traffic and do not interfere with the maintenance, future expansion or impair the visual quality of the Tollway. Therefore, in constructing the Tollway and/or subsequent improvements, it is not the intent of the Tollway that such highway shall form a barrier across which the facilities of utilities may not pass.

The purpose of this document is to establish rules and regulations which will preserve the physical features of the Tollway to ensure uninterrupted and safe travel on the Tollway system. This policy applies to the relocation of existing facilities as well as the installation of future facilities on planned and completed Tollways.

The policies regarding the installation, relocation or removal of utilities and storm water facilities are covered by directives developed by the Tollway's Engineering Department and approved by the Tollway's Board of Directors.

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## A DEFINITION OF TERMS

**Authority.** The Illinois State Toll Highway Authority (Tollway).

**Carrier.** Pipe directly enclosing a transmitted fluid (liquid or gas).

**Casing.** A large pipe enclosing a carrier.

**Communication Line.** Any copper wire cable, coaxial cable, fiber optic cable or other such medium installed point to point in a continuous manner across the Tollway and used for the transmission of signals including but not limited to video signals, analog and digital data, telemetry, alarm signals and stream or river level indication signals.

**Construction Manager.** The engineer or firm of engineers and their duly authorized employees, agents and representatives engaged by the Tollway to observe the work to determine whether or not it is being performed and constructed in compliance with the Contract.

**Design Section Engineer (DSE).** The engineer or firm of engineers and their duly authorized employees, agents and representatives engaged by the Tollway to prepare the Plans and Special Provisions for a Design Section.

**Facilities.** The carrier, casing etc. owned or leased by any utility or private party, crossing or otherwise utilizing the Tollway right-of-way or located outside the Tollway right-of-way and directly affected by Tollway construction.

**Geotechnical Survey.** An analysis of sub-surface soil conditions.

**Local Road.** Any highway, road, street or alley intersected by or adjacent to any of the Tollway.

**Median.** The strip lying between the paved portions of the Tollway.

**Overpass.** A structure carrying the Tollway over any local road, railroad or waterway.

**Permit.** Formal approval by the Tollway's Board of Directors to construct a facility crossing or otherwise utilize Tollway right-of-way.

**Pipe Line.** Any pipe line carrying petroleum, petroleum products, natural gas, artificial gas, water and sewage or other fluids.

**Pressure.** Relative internal pressure in psig (pounds per square inch gauge).

**Right-of-Way.** A general term denoting land property, or interests therein, acquired for or devoted to a Highway.

**Roadway Structure.** Pavement, base and sub-base organized in depth to distribute traffic load to native soil or ordinary embankment.

**Sanitary Sewer.** All piping carrying sanitary sewerage.

**Spare Capacity.** Additional facilities installed but not required. The term "spare capacity" shall not include spare conduit placed under the Tollway to serve as a duct for emergency facilities for Utilities incapacitated by an act of God or other reason, or for the future installation of facilities for which the Utility has provided space on adjacent supporting structures or in adjacent underground duct or for which the Utility had acquired rights-of-way by fee title or easements, prior to commencement of negotiations with the Tollway. The term "spare capacity" shall not include facilities existing at the time of commencement of negotiations with the Tollway which were installed to serve as emergency standby facilities even though such have never been placed in operation.

**Specifications.** Standard Specifications of the Tollway.

**Storm Water Sewer.** All piping carrying storm water or drainage.

**Tollway.** The limited access highway built or proposed to be built by the Tollway, including all facilities and appurtenances thereto.

**Underpass.** A bridge structure under which the Tollway passes.

**Utility.** The privately, publicly or cooperatively owned lines, facilities and systems for transporting persons or property, for producing, transmitting or distributing communications, data, telemetry, electric power, light, heat, gas, oil, crude products, water, steam, waste, sewerage, storm water not connected with highway drainage, and other similar commodities, including publicly owned fire and police signal systems and street lighting systems, which directly or indirectly serve the public or any part thereof. The term "utility" shall also mean the utility company, inclusive of any wholly owned or controlled subsidiary.

**Vent.** Appurtenance to provide for the discharge of gaseous contaminants from casings.

## B GENERAL POLICY

- B.1 Right-of-way Occupancy.** Any occupancy of the Tollway right-of-way by a Utility facility, private facility or a drainage structure, must be authorized by the Tollway's Board of Directors. Where such facilities are constructed or relocated on Tollway right-of-way, they shall be installed in a manner so as to comply with these regulations and the regulations of any other body having jurisdiction. Construction work shall not be performed on any portion of the Tollway right-of-way until approval has been granted by the Tollway's Board of Directors.
- B.2 Relocations.** Removal, rearrangement, relocation or alteration of a Utility's facility shall be made on the basis of the best engineering solution as may be mutually agreed upon after thorough study. In the event there exists a difference of opinion between the Tollway and the Utility as to the necessity for removing, relocating, or changing facilities or providing temporary facilities at any location, the final decision shall rest with the Tollway. The use of temporary facilities is optional and shall be determined based on reasonable practices with respect to the need pertaining to the individual installation. A Utility shall not be required to suspend or curtail service to its customers except for necessary interruptions.
- B.3 Reimbursements.** The Tollway will reimburse the Utility for removals, rearrangements, relocations, or changes of **facilities existing prior to original construction of the Tollway.** Reimbursement shall include planning and engineering made necessary by construction or improvement of the Tollway. The Utility shall provide all documentation required by the Tollway to verify the Utility's reimbursement request and process payment to the Utility. The cost of betterments to facilities, or of added or spare capacity, or the relocation in part of facilities associated with but not located on or immediately adjacent to the Tollway and performed for others shall be paid solely by the Utility.

The Tollway shall reimburse the Utility where the Tollway determines that the removing, rearranging, relocating or changing of facilities or providing temporary facilities is necessary for Tollway purposes. However, the Utility will not begin the work without first obtaining a Notice to Proceed from the Tollway's Chief Engineer.

The Tollway will not reimburse the Utility for any arrangement of facilities made solely for the convenience of any Tollway contractor or private interest. In the event the Tollway authorizes a Utility to install new facilities which do not replace existing facilities, all costs of such

installations and subsequent relocations shall be paid by the Utility. Installations for service to the Tollway or to a customer located within or partly within the right-of-way shall be made and paid for by the Tollway in accordance with the Utility's applicable service rules and extension policy.

**B.4 Restriction Against Varied Use.** The facility shall be used for the purpose for which the installation was authorized. Any changes in use, including any change of transmittants, increase in the working pressure, or added capacity shall require approval by the Tollway's Board of Directors.

**B.5 Insurance.** Each utility engaged in construction or maintenance work on its facilities located on or above the property of the Tollway shall comply or require its contractors to comply with the provisions of the Workman's Compensation Act of the State of Illinois (Ill. Rev. Statutes 1965, Chapter 48, Section 138 to 172 incl.). Each Utility, before beginning work on or above Tollway right-of-way, shall promptly furnish the Tollway with evidence of insurance coverage in such amounts as the Tollway shall require or shall otherwise, in a manner acceptable to the Tollway, indemnify and save harmless the State of Illinois, the Illinois State Toll Highway Authority and AECOM Technical Services, Inc. from any loss or claim resulting from the following:

1. Loss of life, personal injury or damage to property as the result of the operations of a Utility or its contractors in constructing, rearranging, maintaining or removing any Utility facilities.
2. Loss of life, personal injury or damage to property resulting from the failure of Utility facilities located on or above Tollway property.

**B.6 Parallel Occupancy.** Parallel occupancy on Tollway right-of-way is generally not permitted. Requests for parallel occupancy shall be considered on a case by case basis.

The applicant must satisfactorily demonstrate that the accommodation will not adversely affect the safety of the Tollway, that alternate locations are not available and that the accommodation will not adversely affect the design, construction, operation, maintenance, stability or future expansion of the Tollway. Parallel installations if approved, shall be located as far as possible from the Tollway pavement.

The Tollway will not allow utilities within the median area. The parallel occupancy of pressurized gas and oil or chemical product pipelines will not be allowed. Service connections to adjacent properties from parallel water, oil, or gas pipelines, electrical lines, and communication lines shall not be permitted.

**C PROVISIONS FOR RELOCATING EXISTING FACILITIES DURING CONSTRUCTION OF THE TOLLWAY**

- C.1 Procedure.** During construction periods (present or future) of the Tollway all removals, rearrangements, relocations or alterations to the existing facilities of any Utility, made necessary by the construction of the Tollway, will be authorized by and agreement or agreements approved by the Utility and the Tollway's Board of Directors. A general plan showing the location of the Utility facility with respect to the Tollway will be submitted to the Utility together with a notification of Utility interference. All supporting documentation, estimates of rearrangement or replacement costs and plans covering the requirements at each crossing or right-of-way occupancy, shall then be prepared by the Utility and shall be submitted to the Tollway. The Tollway's DSE shall review the supporting documentation and forward a recommendation regarding approval to the Tollway. The applicable portions of the procedure specified in paragraphs D.6 through D.11 will be followed.
- C.2 Inspection.** All relocations or alterations of a Utility facility necessitated by Tollway construction and subject to reimbursement under this policy must be inspected by the Tollway's CSE to assure that all construction is in accordance with requirements as specified in documents accompanying the Order for Utility work. The Tollway shall decide all matters in dispute which affect the Tollway. The Tollway's decision shall be final, and the Utility shall so notify its personnel, representatives and its contractors. Non-compliance may be cause for the Tollway stopping the work until the Utility complies with the Tollway's decision. Inspection by the Tollway does not relieve the Utility from responsibility for assuring that the work is completed as specified.
- C.3 Underground Facilities.** Whenever possible underground facilities shall cross the Tollway near grade separation structures or at locations where the roadway is in shallow cut or embankment. Where underground facilities will cross the Tollway at points of deep cut, the work should be closely coordinated with construction of the Tollway. Where underground facilities cross paved areas, shoulder areas, median and other areas within the Tollway right-of-way the facilities shall be carried in conduit or casings made of long-life material having sufficient strength to withstand the loads which will be superimposed upon them.

**C.3.1 Underground Crossings at Overpass Structures.** Any underground facility that passes under the Tollway at an overpass structure need not be relocated unless such facility interferes with the construction of the bridge footings or foundations or will be affected by a grade change in the local road. Existing grade and type of construction will be satisfactory if the facility in its original or altered location passes under the structure in a location in which no disturbance of the structure or essential portion of the roadway would be necessary to effect repairs. In the event the relocation would place the facility outside the limits of the structure and in or under the embankment of the Tollway, construction of the relocated facility shall conform to requirements of Article C.3.2.

**C.3.2 Requirements for Casing.** All underground crossing of the Tollway pavement, shoulders and median by Utility facilities, except as exempted below or in Sections C.3.1 and C.3.5 of these provisions, shall be installed as specified below in casing of new long life material of sufficient strength to withstand the dead and live loads imposed upon it. These crossings shall include but not necessarily be limited to the following:

- A. Power Lines. All electrical conductors carrying power having voltages of less than 138KV shall be installed in steel conduit or in duct encased in concrete.
- B. Telephone and Communication Lines. All communication lines shall be provided with either steel casing, pipe or duct encased in concrete.
- C. Water Mains. All water mains shall be encased in steel casing and vented.
- D. Sewage Force Mains. All force mains shall be encased in steel casing or concrete pipe and vented.
- E. Crude Oil and Oil Product Lines. All product lines carrying non-explosive transmittants shall be encased in either steel casing or concrete pipe and vented.
- F. Gas Lines Carrying Natural and Artificial Gas. All gas lines shall be encased in steel casing and vented. An uncased carrier may be acceptable for installation if the steel pipe used is of increased wall thickness, epoxy coated, and a cathodic protection system is installed.
- G. Hazardous Transmittants. All pipelines carrying hazardous transmittants shall be encased in steel casing and vented.

Casing for pipelines under (F.) and (G.) above shall extend to the right-of-way line. However, when not practical at interchanges the casings shall be of sufficient length to extend ten feet outside of drainage ditches or toe of embankments. All cathodic protection systems and test facilities shall be accessed outside of the Tollway right-of-way. All joints shall be water tight and, unless excepted by other provisions of these regulations, the casing ends shall be sealed against the pipe. Approved vents shall be installed outside of the right-of-way fence at sealed casings.

Should a failure occur, the defective pipe shall be abandoned and replacement pipe shall be installed by the methods outlined in Section C.3.2. Carriers under item C through G above will not be permitted to be supported from the superstructure of any Tollway owned structure. Gas pipelines shall be made of steel and epoxy coated.

A cathodic protection system shall be installed on all gas pipelines installed on Tollway property. Plastic gas mains (with the exception of plastic service lines) shall not be installed on Tollway property. Pressure regulating equipment, expansion heaters and valves, (with the exception of service regulators and valves), shall not be located on Tollway property. Fitting that will allow the installation of a stop shall be installed at both ends of the right-of-way where gas lines cross the Tollway.

**C.3.3 Methods of Installation.** Installation of casings or conduit made prior to construction of embankment or in cut section may be made by the open cut method. After embankments for new construction have been

completed, the installation of any pipe, casing or conduit thereunder shall be by jacking.

- A. Open Cut Installation of a pipe and casing shall be in accordance with approved methods. The pipe foundation shall be well compacted sand or fine gravel of at least one inch in depth below the pipe and so placed that at least the lower one-half (1/2) of the pipe will be uniformly supported for its entire length. Special care shall be taken to compact the material under the haunches of the pipe. Compaction of backfill shall be in accordance with the Illinois State Toll Highway Authority Standard Specifications. Material excavated from trenches or other sources and approved by the Tollway as suitable may be used for backfilling. Excess trench excavation shall be disposed of outside the Tollway right-of-way. In no event shall the Tollway pavement or the granular sub-base under the pavement or the paved shoulder be disturbed during the installation of Utility facilities.
- B. Pipe will be installed by jacking where maintenance of traffic on the existing road requires that the traveled way remain undisturbed or where, for other reasons, the installation of a pipe by the open cut method is impractical or undesirable. Methods of jacking shall be outlined in the working drawings submitted by the Utility and shall be approved by the Authority. A geotechnical survey along the route of the bore showing the nature of the soils and level of the water table

shall be required for the installation of casings greater than 16 inches. Jacking and receiving pits shall be outside of normal ditch lines or toe of slope. Under no circumstances will jacking or trenching be allowed in the Tollway median or within 30 feet from the edge of Tollway pavement. All excavation shall be backfilled and compacted to the density of the surrounding ground. Directional drilling may be used for the underground installation of conduits not larger than 4 inches in diameter. Excess materials shall be removed from the Tollway right-of-way.

**C.3.4 Minimum Cover Requirements.** Underground facilities shall be installed at such depths so as to clear any Tollway underground appurtenances, i.e., catch basin, storm drainage pipes, etc. No underground facility shall pass under the median ditch of the Tollway with less than seven feet (7'0") of cover or under side ditches with less than three feet (3'0") of cover measured from top of casing, pipe or conduit, to Tollway grade or bottom of ditch, whichever is applicable.

**C.3.5 Manholes and Sewers.** Manholes shall be located outside of the Tollway right-of-way. Manholes shall be constructed so as not to interfere with the operation of Tollway maintenance equipment. Where conditions require construction of a foundation, sewers crossing under the Tollway shall be set in continuous concrete bedding or casing pipe. All joints shall be watertight and manholes shall be located outside of the right-of-way lines. Construction of sewer crossings shall be in conformity with Tollway specifications and this policy. Where existing sewers cross the Tollway in cut and where additional cover is required the sewer shall be lowered, if practicable. It is desirable that gravity drainage be maintained, but where such is impossible or impracticable, relocations or the use of a siphon or lift station shall be studied.

**C.3.6 Identification of Facilities.** All underground Utility facilities shall be clearly marked at the right-of-way fence lines at both ends of the crossing. The markers shall indicate the nature of the facility and where additional pertinent information concerning the facility may be obtained. For example, markers should indicate:

Pipeline Identification and Station;  
Owner of Pipeline, Location of Local Office and Telephone number;  
Depth, Size, Pressure and Contents of Carrier;  
Potential of Wires and Cables in Conduit; and  
Tollway Agreement or Permit Number.

**C.4 Power and Communication Facilities.** All underground power and communication facilities shall be encased in steel conduit or other long life material of sufficient strength to support the loads imposed upon them, as specified in Section C.3.2 of this policy.

**C.4.1 Types of Crossings.** Crossings of the Tollway right-of-way by facilities whose nominal operating voltage is lower than 138KV shall be underground.

Facilities whose nominal operating voltage is 138KV or above need not be installed underground unless such installation represents the best engineering and economic solution to a problem resulting from the construction of the Tollway. Where such use of underground construction is deemed necessary on the part of the Utility, the Utility will not be reimbursed by the Tollway for incremental cost of underground construction.

**C.4.2 Location of Supporting Structures.** No poles or towers will be permitted within the Tollway median. This does not preclude the possibility of placing towers or wooden structures supporting high-voltage lines within large interchange areas where complete relocation of facilities might prove uneconomical. Generally, poles, towers and guys shall be placed outside the right-of-way lines.

**C.4.3 Overhead Facilities at Overpass Structures.** Aerial facilities occupying Tollway right-of-way along an intersecting roadway shall be installed underground near the overpass structure unless the Tollway waives this requirement.

**C.4.4 Overhead Facilities at Underpass Structures.** All facilities occupying Tollway right-of-way along an intersecting local road shall cross beneath the Tollway right-of-way, as provided in Article C.4.1 of this policy.

**C.4.5 Clearance and Structural Requirements.** All aerial and underground installations on Tollway right-of-way shall conform to the minimum requirements of General Order 160, of the Illinois Commerce Commission as made effective May 1, 1947, and amended thereafter, with the following additional provisions:

- A. Clearances. General Order 160 and as revised shall be the basis for determining allowable minimum clearances for aerial crossings over the traveled right-of-way of the Tollway. No clearance shall fall below 22'0".
- B. Construction Grades. Where Grade "N" construction is required at crossings, the loadings used in design shall be at least equal to those required for Grade "C" construction.
- C. Factor of Safety. Factors of safety for all component parts of a facility crossing the Tollway, namely poles, cross arms, guys, insulators, and conductors (where Grade "N" construction is specified) shall be at least equal to those specified for Grade "C" construction.

**D PROVISIONS FOR INSTALLING UTILITY FACILITIES ON EXISTING TOLLWAY RIGHT-OF-WAY**

- D.1 Authorization.** Construction of new facilities or a change in the nature of existing facilities on Tollway right-of-way, requires a formal permit approved by the Tollway's Board of Directors. The applicant shall first file a Permit Application for such facilities with supporting data and drawings as the Tollway may request. No work shall be performed by a Utility on Tollway right-of-way until a formal permit has been issued by the Tollway.
- D.2 Regulations.** This policy, the Tollway Standard Specifications and any other applicable rules and regulations of the Illinois State Toll Highway Authority shall apply to the installation of facilities after the Tollway is in operation.
- D.3 Procedure.** Upon receipt of a written request from the applicant of a Utility, the Tollway will furnish the applicant with a copy of these Regulations and three copies of the Tollway's "Application for Permit". Plans of the existing roadway and structures will be made available on request. However, the Tollway assumes no responsibility for the accuracy and/or completeness of these drawings. Three copies of the "Application for Permit" together with three copies of the plans and specifications showing a plan and profile view of the proposed crossing shall be submitted to the Tollway's Chief Engineer. Applications for pipe lines carrying transmittants under high pressure shall be accompanied by

complete data on the range of pipe line pressures and the fabrication and construction of the carrier. Fiber optic cable, when installed by a properly regulated Utility company or used in the best interest and for the benefit of the general public, shall be subject to the provisions of this policy relating to communication lines.

Before a permit to discharge storm water into the Tollway's drainage system will be approved, the applicant must satisfactorily demonstrate to the Tollway that there is no other feasible alternative to discharging storm water into Tollway's system. If the Tollway storm water facilities do not have sufficient capacity to handle the applicant's proposed discharges without adverse impact, the storm water will not be accepted. Storm water will be accepted only at a location where it would have entered the right-of-way under natural conditions. Storm water from outside storage, vehicle maintenance, waste treatment, refueling facilities, and areas not naturally tributary to the Tollway's right-of-way will not be accepted by the Tollway. Storm water from depressional areas with no surface outlet to the Tollway right-of-way will not be accepted. Sanitary and combined sewer discharges will not be accepted. The applicant shall submit a copy of the legal description and proof of ownership of the subject property. The storm water permit shall be recorded on the applicant's title to the property. Any unpaid permit fees shall become a lien against the applicant's property.

The terms, conditions and provisions contained in the Illinois State Toll Highway Authority Storm Water Permit Application Instructions, a true and accurate copy of which will be provided to the applicant are and made a part of the permit, shall be covenants running with the land and inure to the benefit of and are binding upon the parties to this permit, their successors and assigns. It is expressly agreed by the parties that all unpaid permit fees shall be a lien against the property, both real estate and any improvements erected thereon, benefitted by this permit. Further, where the owner and/or in interest is a club, association or similar entity (e.g. condominium association) any unpaid permit fees shall be a lien against each individual unit in an amount proportionate to the total number of units comprising the association. Additionally, should it become necessary to pursue legal proceedings to enforce this covenant, interest shall be due and payable on any unpaid balance at the rate of nine percent annum, from the permit fee due date to the date of judgement.

**D.4 Approval by Tollway.** Tollway approval for a proposed location of the Utility crossing or facility installation will be by Resolution adopted at a regularly scheduled meeting of the Tollway's Board of Directors.

In an emergency situation, a regulated Utility company may submit a written request for permission to begin work on a facility for purposes of maintaining service to the general public. The written request shall be accompanied by a

plan showing the work and an Application for Permit. After due consideration is given to the public need and the impact on Tollway operations, the Tollway's Chief Engineer may authorize work to begin subject to formal approval by the Tollway's Board of Directors.

- D.5 Fees.** The Tollway incurs cost due to the installation of utilities installed for construction of the Tollway. Therefore, the Tollway charges the applicant an Engineering Review Fee and Annual Occupancy Fee. The Engineering Review Fee compensates the Tollway for costs associated with plan review, the inspection, document preparation and permit processing. The Annual Occupancy Fee compensates the Tollway for the applicant's occupation and use of Tollway property, documentation requirements, and other incidental costs incurred due to the installation of the facility.

The Annual Occupancy Fee may be waived at the discretion of the Authority's Board of Directors where it determines that the installation will be of benefit to and serve in the best interest of the general public.

- D.6 Submittal of Bonds.** A Permit Bond shall be furnished by the owner in the face amount as directed by the Tollway to indemnify the Tollway against any loss or damage of any kind during the installation of the utility crossing and to guarantee the satisfactory restoration of Tollway property upon completion of the work. The Permit Bond shall be for a period of years designated by the Tollway beginning with the date of commencement of construction work. The Tollway will accept a blanket bond to cover multiple crossings.
- D.7 Issuance of Permit.** After the Tollway receives the Permit Bond, Certificate of Insurance and any applicable fees, the Permit (See Appendix) will be issued to the applicant. The Permit will specify a completion date by which the Utility's crossing installation work must be completed. Permits for pipe line crossings will specify the transmittant (or class), the maximum working pressure and the design standards of the carrier.
- D.8 Commencement of Work.** The Utility shall notify the Tollway's Engineering Department in writing of its installation date three days prior to the commencement of construction.
- D.9 Traffic Control.** The Contractor's operation shall be conducted in a manner least disruptive to the Tollway's patrons. Lane closures, if indicated in the permit, will only be allowed in the vicinity of the construction work, provided the required signs and barricades, etc., are erected. Maintenance of traffic shall be in accordance with Tollway Standard Specifications including sections pertaining to penalties regarding non-compliance and failure to respond. A maintenance of

traffic plan shall be submitted if required by the Tollway. The applicant and/or contractor shall furnish, erect, maintain, and remove all barricades, signs, lights, etc. A flagman shall be provided at any location where construction vehicles enter or leave the Tollway. All signs must conform with those currently in use by the Illinois State Toll Highway Authority. No equipment shall be stopped on or operated from the pavement and no materials or excavation shall be stored on or within 30' of the pavement.

- D.10 Inspection of Work Site.** Representatives of the Tollway may inspect the Utility's crossing site and operations any time during construction to ensure that the Utility and its Contractor are complying with all of the requirements and provisions of the Permit. Non-compliance may be cause for stopping the work. The Utility shall notify the Tollway when the work is complete so that the Tollway may inspect the work to verify that the work was performed in accordance with the Permit. Restoration shall include disposal of excess excavation and seeding and mulching of excavated areas.
- D.11 Release of Bonds.** Upon written request from the applicant, the Tollway will release the Permit Bond on or after the expiration date specified on the Bond.

## **E PROVISIONS FOR SERVICING UTILITY FACILITIES**

- E.1 Authorization.** Construction work associated with partial removals, abandonments and routine maintenance of permitted facilities shall not be performed without prior authorization in writing from the Tollway's Chief Engineer.

Where maintenance work on Utility facilities would necessitate entering upon Tollway right-of-way, the Utility shall request permission to do so from the Tollway's Chief Engineer in writing, five days in advance, stating the location, nature of the work, and expected duration of the work. No work shall begin until such request is approved in writing by the Engineering Department of the Tollway. In the event of emergency work the Tollway shall be notified immediately of the location of the work and all pertinent facts concerning the emergency.

- E.2 Access to Utility Facilities.** The servicing of Utility facilities from Tollway shoulders or median is not permitted except in instances where there is no other practical solution or reasonable alternative. However, the Utility must first obtain approval from the Tollway's Chief Engineer.
- E.3 Maintenance of Facilities Crossing or Paralleling the Tollway.** All Utility and storm water facilities within the right-of-way and all structures supporting such

facilities, whether located within or outside of the right-of-way, shall be maintained in good repair, so as to comply with Tollway rules and regulations, Standard Specifications and policies and those of any other body having jurisdiction over said facilities.

- E.4 Maintenance of Tollway Traffic.** The repair or maintenance of utility facilities shall not interfere with the free and safe flow of traffic on the Tollway.
- E.5 Safety Precautions.** In the event servicing of existing facilities becomes necessary, it shall be the responsibility of the Utility to take all possible precautions to safeguard traffic and patrons traveling upon the Tollway or entering or leaving the Tollway at its interchange points. All regulations of the Tollway as set forth in paragraph D.9 with regard to traffic safety and control shall be strictly adhered to.
- E.6 Replacement of Landscaping.** There shall be no trimming of trees, the destruction or removal of trees, shrubs or other landscaping within the Tollway right-of-way by a Utility without prior written authorization from the Tollway. The work as authorized shall be carried on in strict accordance with this policy and any conditions as may be prescribed by the Tollway. Holes left by stump removal shall be back filled. The Utility shall replace in kind, sod and shrubbery and make reasonable replacement of trees or other landscaping features. Any landscaping in the vicinity of overhead wires will be restricted to shrubbery and low growing trees.
- E.7 Waste Disposal.** All discarded material, equipment or supplies of any Utility shall be promptly removed from the right-of-way site and disposed of outside of the right-of-way unless disposal within the right-of-way is specifically authorized by the Tollway. Such disposal, when authorized, shall be made at such location and in such manner as the Tollway may designate.
- E.8 Condition of Highway After Utility Work.** After a Utility has completed work, the Utility shall restore all portions of the Tollway to a condition at least equal to that which existed prior to the start of work. The Utility must receive final Tollway approval of the restored work site prior to leaving the area.

# **APPENDIX**

Utility Job  
Number \_\_\_\_\_

**THE ILLINOIS TOLLWAY**

**NOTIFICATION OF UTILITY INTERFERENCE - \_\_\_\_\_ TOLLWAY**

\_\_\_\_\_ Date \_\_\_\_\_  
Utility or Municipality  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip

Dear Sir:

This is notification that your facilities consisting of \_\_\_\_\_

\_\_\_\_\_ Brief description of facilities  
located \_\_\_\_\_

\_\_\_\_\_ General location of interference  
within \_\_\_\_\_ and more specifically located at \_\_\_\_\_  
Design Section/Contract # \_\_\_\_\_ Milepost \_\_\_\_\_

Recommended for Notification this \_\_\_\_\_ day of \_\_\_\_\_ of \_\_\_\_\_ 20 \_\_\_\_\_

By \_\_\_\_\_ Signature \_\_\_\_\_  
Design Section Engineer

THE ILLINOIS TOLLWAY

D.S.E. CONTACT INFORMATION

Signed \_\_\_\_\_  
Permit Utility Manager

Company \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
E-Mail \_\_\_\_\_  
Fax \_\_\_\_\_

- UTILITY
- D.S.E.
- C.S.E.
- I.S.T.H.A

Utility Job Number \_\_\_\_\_

**THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY**

**ORDER FOR UTILITY WORK - \_\_\_\_\_ TOLLWAY**

The \_\_\_\_\_ hereby requests authority to do such work as shown on  
Utility or Municipality

the attached drawings and identified by Utility Job Number \_\_\_\_\_ in accordance with the  
terms and conditions of the Utility Agreement dated \_\_\_\_\_, 20 \_\_\_\_\_ and the  
Supplemental Provisions and Restrictions as may be hereinafter set forth:

Final Plans, a detailed cost estimate, and time estimate to perform the utility work are attached.

A summary of the estimated cost and time requirements are listed below:

- 1. Estimated Cost of Abandoning, Removing or Retiring Existing Facilities: \$ \_\_\_\_\_
  - 2. Estimated Cost of Adjusting or Protecting Existing Facilities: \$ \_\_\_\_\_
  - 3. Estimated Cost of Relocating Facilities: \$ \_\_\_\_\_
  - 4. Estimated Cost of Temporary Facilities: \$ \_\_\_\_\_
  - 5. Estimated Cost of Additional Right-of-Way (if required): \$ \_\_\_\_\_
  - 6. Estimated Credit for Used Life, Betterment, Salvage: \$ \_\_\_\_\_
- Total Estimated Cost: \$ \_\_\_\_\_

The estimated time to complete the work is \_\_\_\_\_ days.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. \_\_\_\_\_  
Utility or Municipality

\_\_\_\_\_  
Signature Title

Recommended for Approval this \_\_\_\_\_ day of \_\_\_\_\_ of 20 \_\_\_\_\_.

\_\_\_\_\_  
Design Section Engineering Signature

\_\_\_\_\_  
Tollway Utility Section

Approved and Ordered for Construction this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY

Signed \_\_\_\_\_  
Chief Engineer

Utility Job Number \_\_\_\_\_

**THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY**

**NOTICE TO PROCEED – UTILITY WORK**

\_\_\_\_\_

\_\_\_\_\_  
Utility or Municipality

Date \_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

Gentlemen:

You are hereby authorized to proceed, effective this date, with construction of the utility work

Identified by Utility Job Number \_\_\_\_\_ .

All work is subject to the terms and conditions of the Utility Agreement and the approved Order

for Utility Work. The estimated time to complete the utility work is \_\_\_\_\_ days.

It is the Utility's responsibility to make known to itself the construction schedule for the project

and to coordinate the utility work with the work of others.

Sincerely,

\_\_\_\_\_  
Chief Engineer  
Illinois State Toll Highway Authority

THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY  
UTILITY / PERMIT SECTION  
2700 Ogden Avenue  
Downers Grove, Illinois 60515-7568  
(630) 241-6800 / fax (630) 271-7568

PERMIT BOND

KNOW ALL MEN BY THESE PRESENTS, That we \_\_\_\_\_  
as principal, and \_\_\_\_\_  
as surety, are held and firmly bound unto THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY in the penal  
sum of \_\_\_\_\_ good and lawful money of the United States,  
for the payment of which sum of money well and truly to be made, bind ourselves, our heirs, executors  
and administrators, or our successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY has granted to the \_\_\_\_\_  
a concession in the form of a permit for certain work in, on, over or under the right-of-way of the  
Tollway mentioned in the Illinois State Toll Highway Authority's Permit Number \_\_\_\_\_, dated  
on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_.

NOW, the condition of the above obligation is such that if the said Permittee shall within 365 days do  
the work as described and in the manner specified in said permit, and as further specified by the  
Tollway's Chief Engineer, upon completion of same shall clean and restore the right-of-way of said  
Tollway to its pre-existing condition, all to the satisfaction of the Chief Engineer for the Illinois State Toll  
Highway Authority, or his duty authorized agent, and shall indemnify and save harmless the State of  
Illinois and the Illinois State Toll Highway Authority from all claims for damages to persons or property  
arising or maintenance of said work, and any improvements associated with such work, throughout the  
duration of said permit, also from all costs and expenses and any nature and description which may be  
incurred by the State of Illinois or the Tollway on account of such claims, then the above obligation to be  
void, otherwise to remain in full force and effect.

Signed, sealed and dated this \_\_\_\_\_ day of \_\_\_\_\_.

ATTEST:

\_\_\_\_\_

Secretary

AGREED TO:

By: \_\_\_\_\_

President

ATTEST:

\_\_\_\_\_

Secretary

\_\_\_\_\_

\_\_\_\_\_

Surety

## CONTRACTOR'S INSURANCE REQUIREMENTS

In order to comply with the statutes of the Tollway, the Contractor shall furnish insurance coverage of the kind and in amounts stated hereinafter:

- a. Worker's Compensation and Occupational Insurance for the prime and subcontractors employees, as required by law
  
- b. Employer's Liability Insurance for all prime and subcontractors employees:  
Each employee..... \$ 500,000.00
  
- c. Comprehensive General Liability Insurance  
Bodily Injury and Property Damage:  
Per Occurrence..... \$ 1,000,000.00  
Annual Aggregate..... \$ 2,000,000.00
  
- d. Comprehensive Automobile Liability Insurance  
Bodily Injury and Property Damage:  
Combined Single Limit..... \$ 1,000,000.00

The Illinois State Toll Highway Authority and AECOM Technical Services, Inc. must be included as an additional named insured on the policy.

The Permit Number is to be noted on the policy in the Description of Operation/Locations/Vehicles/Special Items area of the policy.

The policy is to be sent to the following address:

The Illinois State Toll Highway Authority  
Utility / Permits Section  
2700 Ogden Avenue  
Downers Grove, IL 60515

**APPLICATION FOR PERMIT  
TO USE  
TOLLWAY RIGHT OF WAY**

THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY

(Submit Three Copies)

APPLICANT \_\_\_\_\_  
\_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_

(1) The applicant hereby applies to The Illinois State Toll Highway Authority (hereinafter called "Tollway to grant concession consisting of a permit to: (Briefly describe proposed use of Tollway Right of Way).

(2) Location of Tollway Right of Way to be used by Applicant:

- (a) Tollway Route \_\_\_\_\_ (e) County \_\_\_\_\_  
(b) Tollway Mile \_\_\_\_\_ (f) Nearest Cross Road \_\_\_\_\_  
(c) Tollway Station \_\_\_\_\_  
(d) Sec. \_\_\_\_\_ Twp. \_\_\_\_\_ N., R. \_\_\_\_\_ E. (g) \_\_\_\_\_

(3) The Applicant attaches hereto and makes a part hereof its plans and specifications for the structure which shall occupy the Tollway Right-of-way. Applicant shall furnish such additional plans and specifications of the structure as the Tollway requests. In the event a permit is issued, applicant agrees to construct such structure and perform such work in accord with the plans and specifications approved by the Authority.

(4) The Applicant further agrees and understands that the concession in the form of a permit herein requested, if issued, does not sell, lease, create an easement, or otherwise dispose of or encumber the Tollway Right of Way, or any part thereof, and does not create any charge or lien on the revenues of the Tollway.

(5) The applicant further agrees that, in the event a permit is granted, applicant will, before commencing work under the terms and conditions of the permit, comply with all applicable laws, rules and regulations of the State of Illinois, and with all the Utility Policy and Regulations, Traffic Regulations, Standard Specifications, bond and insurance requirements of the Tollway.

(6) The applicant agrees to abide by and fully comply with all terms and conditions of the approved permit.

(7) Applicant understands that issuance of the permit is expressly subject to approval by the Tollway's Board of Directors.

(8) Applicant warrants that he/she has full power of attorney to act on applicants behalf and the representation in the information contained herein are true and accurate and may be relied upon by the Tollway in executing applicants request.

WITNESS the signature \_\_ and seal \_\_\_\_\_ of the applicant \_ this \_\_\_\_\_ day of \_\_\_\_\_ (SEAL)  
(See note below for signature instructions)

STATE OF \_\_\_\_\_ }  
County of \_\_\_\_\_ } SS

I, \_\_\_\_\_, a Notary Public in and for and residing in said County in the State aforesaid, do hereby certify that \_\_\_\_\_, personally known to me to be the same person \_\_\_ whose name \_\_\_ subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that \_\_\_ he \_\_\_ signed, sealed and delivered the same instrument as \_\_\_\_\_ free and voluntary act for the use and purposes set forth herein.

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

**NOTE FOR SIGNATURES**

If the applicant is a corporation, have the President or other authorized officer sign the Corporate name by him as President; also have the Secretary attest his signature as Secretary and affix the seal of the corporation.

If the applicant is a partnership, have each partner sign.

If the applicant is a county, city, or other municipal corporation, have the application signed by the Chairman of the County Board, Mayor, or other officer and have the proper clerk attest the same and affix the corporate seal. Also, a certified copy of the resolution or ordinance authorizing the application must be attached.

All inserts, attachments, documents or small plans which the applicant desires to have made a part of this application, or otherwise, shall be securely attached.

PERMIT NO. \_\_\_\_\_

# THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY

THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY (hereinafter called "Tollway") hereby grants a concession in the form of this Permit this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_:

To

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

**FOR THE PURPOSE OF:**

in accordance with an application dated \_\_\_\_\_, 20\_\_\_\_\_.

**EFFECTIVE DATE**

Work may commence under this permit only after the Tollway has received the bond and insurance coverage as required by the terms and conditions of this Permit.

**CONSTRUCTION**

All work and construction done under this Permit shall be performed at the location and in accord with plans and specifications filed with the application for this Permit and approved by the Tollway, which are made a part hereof; and also subject to the terms and conditions contained in this Permit.

THIS PERMIT is subject to the following terms and conditions:

- (a) It is granted only insofar as the Tollway has the legal rights to do so under applicable provisions of Chapter 121, Section 100-1 through Section 100-35, of the Illinois Revised Statutes (as amended), and in accordance with all current Standard Specifications and Utility Regulations adopted from time to time by the Tollway.
- (b) Nothing contained in this Permit shall in any way be construed as a sale, lease, or other disposition or encumbrancing of the Tollway Right of Way or any part thereof, or as creating any charge or lien on the revenues of the Tollway.
- (c) All work done under this permit shall be at expense of Permittee at no cost or risk whatsoever to the Tollway or any authorized agent thereof.

(d) Should it at any time be necessary or convenient, in the sole discretion of the Tollway, in connection with the construction or operation of the Tollway System to change, alter or remove Permittee's work or improvements authorized by this Permit, such change, alteration or removal shall promptly be made by Permittee at the written direction of the Chief Engineer of the Tollway, at no cost or expensed to the Tollway. If Permitted shall fail to change, alter or remove same upon said written demand, the required work may be performed by the Tollway, and Permittee shall promptly reimburse the Tollway for all engineering, construction and administrative cost, fees and expenses incurred by the Tollway in connection therewith.

(e) This Permit does not in any way release the Permittee from any liability for damage to persons or property caused by or resulting from the work covered by this Permit, is effective only insofar as the Tollway has jurisdiction, and does not sanction any infringement of any applicable federal, state or local laws or regulations. Permittee shall also be liable for any damage to Tollway property caused by Permittee or its agents and employees, or by the operation of its facilities.

(f) The work authorized hereby, while under the direct control and supervision of the Permittee, shall be subject to inspections by the Tollway or its duly authorized representative.

(g) The work authorized hereby shall be accomplished in accordance with all current Standard specifications and Utility Regulations adopted from time to time by the Tollway.

(h) If the work covered by this Permit is not completed on or before \_\_\_\_\_ this Permit shall terminated and be null and void.

(i) Written notice of beginning of the work shall be given to the Tollway at least \_\_\_\_\_ days before the work begins. Written notice of completion of the work shall be given the Tollway no longer than \_\_\_\_\_ days after completion. Any notice required under this Permit shall be mailed to the Chief Engineer. The Illinois State Toll Highway Authority, or his duly authorized representative, at

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(j) The plans and specifications submitted with the application must be approved in writing by the Chief Engineer of the Authority. The work herein authorized shall not deviate from the approved plans and specifications submitted with the application and approved by the Chief Engineer of the Tollway, without prior approval in writing by the Chief Engineer of the Tollway or his authorized representative.

(k) The Tollway, in issuing this Permit, has relied upon the statements and representations made by the Permittee in the application therefor, and in case any statement in said application is found to be false, Tollway, at its option, may revoke the Permit and, when so revoked, all rights of the Permittee hereunder shall thereupon be null and void.

(l) No trees or shrubbery in the Right of Way of the Tollway shall be trimmed, cut or disturbed without the approval of the Chief Engineer of the Tollway, or his duly authorized representative. Areas within the Right of Way disturbed by work covered by this Permit shall be restored to the same condition as existed before such work began. Restoration work shall be subject to approval of the Tollway.

(m) Where fence removal is necessary, removal shall be accomplished by disconnection the webbing from the post, starting at pull post locations. When re-erecting the fence, the old webbing must be discarded and new webbing is to be used.

(n) The installation allowed by this Permit shall not cause harm or interference to the Tollway's public safety communications system. If any harm or interference to such communication system is observed by the Tollway, the Permittee shall immediately shut down the interfering operation and correct such interference prior to resuming operations.

(o) If the Permittee must perform any work which the Tollway, in its sole discretion, determines will affect traffic or require traffic control or protection, the Permittee shall submit a traffic control and/or protection plan to the Tollway for approval. No work affecting traffic shall be performed without the approval of the Chief Engineer of the Authority. All cost of traffic control, including any police protection determined by the Tollway to be necessary, shall be paid for by the Permittee.

(p) Permittee, its successors and assigns, shall be responsible for and shall protect, indemnify and save harmless, the Tollway, its successors and assigns, from any and all liability, loss, costs, fees, damages, expenses, claims, actions and suits of every kind and character due to, but not limited to, damage to property or injury to or death of any person whomsoever, arising directly or indirectly out of or incident to the granting of this Permit, or the construction, maintenance, use, actions, or inactions of Permittee or its employees, agents and successors, all to the fullest extent permitted by law, and liability of Permittee shall not be limited by any insurance required or provided by Permittee. Nothing herein contained shall be construed as prohibiting the Tollway, its successors and assigns from defending any claims, actions or suits brought against the Tollway, through the selection and use of its own attorneys. The Permittee shall be liable for all costs, fees and expenses incurred by the Tollway in its defense of any such claim, action or suit, including reasonable attorneys fees.

(q) In the event ownership of any property benefiting from the improvements to be constructed hereunder is transferred to others. Permittee agrees to bind all such subsequent owners to the terms and conditions of this Permit and to make and record as a part of any transfer of ownership of any such property all of the language contained in this Permit.

(r) This Permit is revocable at the sole discretion of the Tollway.

(s) Insurance Requirements: Before commencing work under this Permit, the Tollway must receive sufficient insurance, in form, term and amount satisfactory to the Tollway, insuring Permittee, the State of Illinois, the Tollway and its authorized representatives, against any damages and liability arising from or caused by the work authorized by this Permit.

(t) Bond Requirements: Before commencing work under this Permit. The Tollway must receive a Permit Bond in the amount of \$ \_\_\_\_\_, on the Bond form provided by the Authority.

(u) Permit Fees: This Permit is subject to payment of an initial permit fee of \$ \_\_\_\_\_ and also subject to payment of an annual occupancy fee as hereafter established from time to time by the Tollway for permits of this type.

This Permit is subject to the following special terms and conditions:

**THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY**

By: \_\_\_\_\_

Chairman

Attest: \_\_\_\_\_

Secretary

Approved By: \_\_\_\_\_

Chief Engineer