

SMALL WIRELESS FACILITY PERMIT SUBMITTAL PACKAGE

Public Works
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6740



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Program overview

The purpose of this document, the Small Wireless Facility Permit Submittal Package, is to establish guidelines for filing and processing applications for installing small wireless communication facilities (WCF) in the City of Menlo Park's Public Right of Way (ROW). The City of Menlo Park seeks to permit wireless carriers to install small wireless communications facilities, within the ROW, in order to provide cellular coverage and capacity throughout the City, while ensuring facilities are well maintained and do not significantly detract from City streetscapes.

If the facility is to be located on a City pole or traffic signal, wireless providers shall work with the City to execute a Master Facilities License Agreement (MLA) and establish a Site License Agreement (SLA) for the use of City owned streetlights and traffic signal poles.

These are meant to provide a general overview of the procedures and requirements for installation of wireless communications facilities on both City owned and utility poles located within the ROW. Please review Ordinance No. 1116 and Resolution No. 6918, establishing the design, siting and engineering standards here.

Additional conditions, information and/or procedures may be necessary based on the circumstances, project scope and the location being proposed by the applicant, or as deemed necessary by the City.

Design, Sitting and Engineering Standards for WCF in the ROW (Resolution No. 6918)

- 1) Colors and materials. All antennas, poles or equipment, including ancillary support equipment, shall have a non-reflective finish and shall be painted "mesa brown" or otherwise treated to match or blend with the primary background and minimize visual impacts. If certain parts of the equipment may not be painted due to RF propagation and cooling, as such that equipment can be "wrapped" to color match. All ground-mounted related equipment shall be covered with a clear anti-graffiti type material of a type approved by the public works director or shall be adequately secured to prevent graffiti.
- 2) Signage.
 - (i) All Small Wireless Facilities must include signage that accurately identifies basic contact and facility/site information. The Permittee shall notify the City of any changes to the information submitted within 30 days of any change, including change of the name or legal status of the owner or operator. This information shall include, but is not limited to name, address and telephone number of a local contact person for emergencies.
 - (ii) Small Wireless Facilities may not bear any other signage or advertisements unless expressly approved by the City, required by law or recommended under FCC or other United States governmental agencies for compliance with RF emissions regulations.
- 3) Lighting. No Small Wireless Facilities may include artificial lighting, except when either specifically required by the Federal Aviation Administration (FAA) or another government agency, or when the small wireless facility is located on a pole intended for lighting. GPS indicator lights are permitted.
- 4) Noise. Any equipment, including but not limited to air conditioning units, must not emit noise that exceeds the limits specified in Section 8.06.030 of the City of Menlo Park Municipal Code.
- 5) Antennas
 - (i) Utility, Standard City Street Light and Traffic Signal Poles. The maximum height of any antenna plus shroud or Cantenna shall not exceed five (5) feet above the height of the pole. Each Antenna shall have a volume of no more than three (3) cubic feet, excluding any Related Equipment. No portion of the Related Equipment shall be mounted on a Pole at a height of less than 10 feet above grade, except as may be necessary to comply with the California Public Utilities Commission general orders, including, but not limited to, General Order 95, as may be revised.
 - (ii) Pole-mounted antennas shall be concealed either within the vertical pole, within a cantenna, or behind a shroud mounted to the top of the pole structure. Antennas located at the top a of a City Street Light Pole or Traffic Signal Pole shall have smooth transition between the City Street Light Pole or Traffic Signal Pole and the cantenna or shroud.
 - (iii) Strand mounted antenna shall conform to the following standards:
 - Each strand-mounted antenna (shrouded) shall not exceed three cubic feet in volume.
 - Only two strand-mounted antennas are permitted per cable between any two existing poles.
 - The strand-mounted antennas shall be placed as close as possible to nearest utility pole, in no event more than 5 feet from the utility pole unless a greater distance is technically necessary or is required by the pole owner for safety clearance.
 - Strand mounted facilities shall be installed to cause the least visual impact and without excess exterior cabling or wires (other than the original strand).
- 6) Poles.
 - (i) Small Wireless Facilities shall be installed on existing Poles whenever technically feasible. If the application proposes a Small Wireless Facility on a new Pole, the applicant must identify all existing potential Poles within 200 feet from the proposed site along the subject right-of-way that is available and technically feasible. The applicant must also demonstrate by clear and convincing evidence in writing that any of these identified existing Poles within 200 feet from the proposed site would be technically infeasible.
 - (ii) New Poles shall be designed to resemble existing poles in the Public Right-of-Way, including size, height, color, materials and style. To the extent feasible, such new Poles that are not replacement Poles shall be located no closer than 90 feet to an existing Pole. The new poles shall be placed on property lines to the extent feasible.
- 7) Pole Height and Width Limitations.
 - (i) All poles shall be designed to be the minimum functional height and width required to support the proposed antenna installation and equipment.
 - (ii) Pole-mounted equipment must be mounted as close to the pole as possible to reduce its overall visual profile, and shall not exceed 10 cubic feet in volume.

- (iii) If an applicant proposes to replace a Pole in order to accommodate the Wireless Facility, the Pole shall match the appearance of the original Pole to the extent feasible, unless another design better accomplishes the objectives of this section for concealment or provides a Stealth Design. Such replacement Pole shall not exceed the height of the Pole it is replacing by more than 7 feet.
- 8) Space Occupied. Small Wireless Facilities shall be designed to occupy the least amount of space in the Public Right-of-Way that is technically feasible.
- 9) Location.
- (i) Each component part of a Small Wireless Facility shall be located so as not to cause any physical obstruction to pedestrian or vehicular traffic, inconvenience to the public's use of the Public Right-of-Way, or safety hazards to pedestrians, bicyclists and motorists.
- (ii) A Wireless Facility shall not be located within any portion of the Public Right-of-Way interfering with access to fire hydrants, fire stations, fire escapes, water valves, underground vaults, valve-housing structures, or any other vital public health and safety facility.
- 10) Related Equipment. With the exception of antennas, which shall be Pole-mounted or strand mounted, and electric meter, which shall be Pole-mounted, all related equipment or accessory equipment shall be located underground to the extent feasible.
- (i) When above-ground is the only feasible location for a particular type of Related Equipment and when such Related Equipment cannot be Pole-mounted, such equipment may be ground-mounted but shall be enclosed within an Equipment Cabinet, and shall not exceed a height of 5 feet and a total footprint of 15 square feet, and shall be concealed to the fullest extent possible, including the use of landscaping or alternate screening.
- (ii) If Related Equipment is located above-ground and not Pole-mounted, fences, landscaping, or other screening shall be set back a minimum of 18 inches from the front of the curb.
- (iii) Where feasible, all Pole-mounted Related Equipment, including electric meters and required or permitted signage must face toward the street or otherwise placed to minimize visibility from adjacent sidewalks and structures.
- (iv) Where feasible, all new wires needed to service the Small Wireless Facility must be installed within the width of the existing Pole so as to not exceed the diameter and height of the existing Pole. If it is not feasible to install wiring inside of the Pole due to the Pole material, wires shall be installed in a manner that minimizes the use of visible wiring, minimizes bulk and avoids the spooling of excess cable.
- 11) Concealment. All Small Wireless Facilities must be concealed to the maximum extent feasible with design elements and techniques that mimic or blend with the underlying support structure, surrounding environment and adjacent uses.
- 12) Americans with Disabilities Act Compliance. All Small Wireless Facilities shall be built and located in compliance with the Americans with Disabilities Act (ADA) and any applicable state law accessibility standards.
- 13) If the applicant contends that undergrounding or any other requirement herein is technically infeasible, the applicant shall submit documentation to the Director sufficient for the Director to determine whether, and to what extent, such undergrounding or any other requirement is technically feasible. Mere additional expense to install and maintain an underground equipment enclosure does not exempt an applicant from this requirement. Related Equipment shall be installed underground when the Director finds that above-ground equipment would impede pedestrian travel or cause the right-of-way to be inaccessible to pedestrian travel. This undergrounding requirement shall not apply to the cabling and conduit necessary to mount antennas of a Small Wireless Facility.

Reference Image A, B,

IMAGE A – Utility Pole

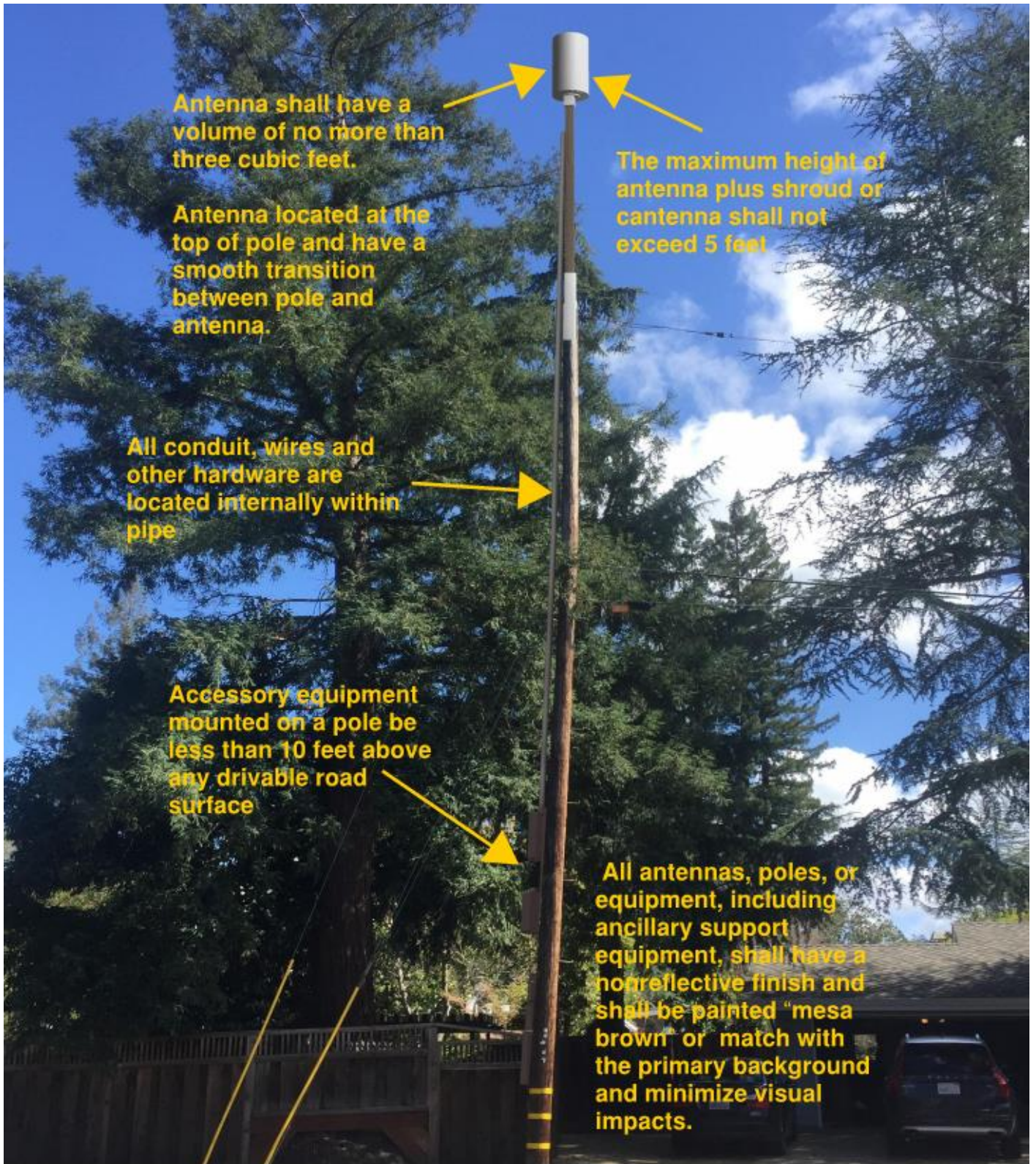
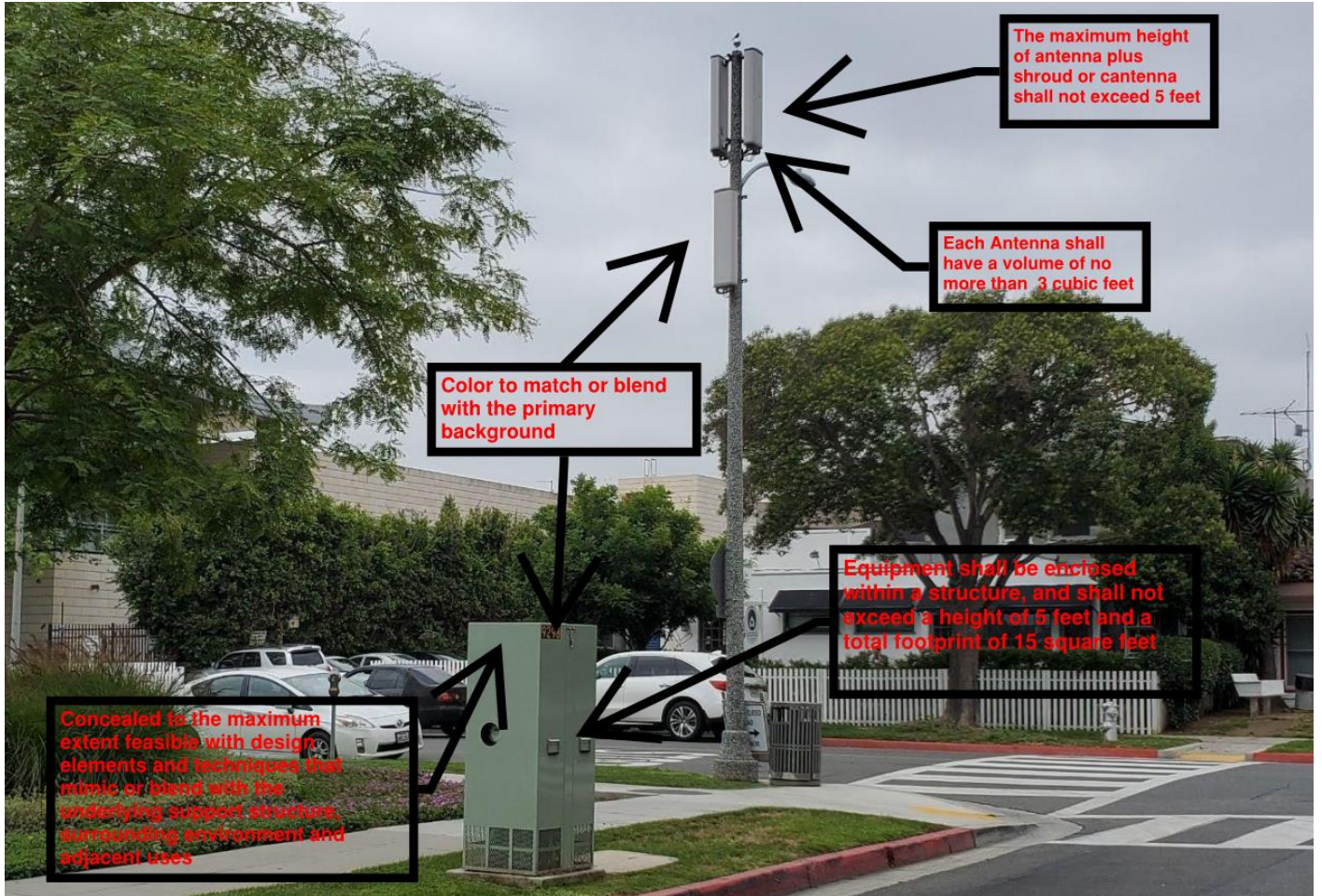


IMAGE B – Street Light Pole



Application submittal

Applicants must apply for the following two permits from Public Works (see below):

- 1) Wireless Facilities Permit applications: Please submit all applications and associated documents to the online portal. Once submitted Staff will process your application.
 - a) Go to the online [permit portal](#).
 - b) Click on Public Works header at the top of the page and click "Create an Application."
 - c) Select "Public Works".
 - d) Select "Wireless Facilities Permit" for permit type.
- 2) Encroachment permit, which allows work in the Public Right of Way. Please review the permit requirements and submittal [here](#).

Note that the items listed below are required as applicable to each proposed project. City staff shall make the final determination as to the additional items required for each application.

Applicants shall obtain any building or encroachment permits required under Title 12 and 13 of the City of Menlo Park Municipal Code for installation of a Wireless Facility in the Public Right-of-Way. The applicant may, but is not required, to submit applications for any other permits required for the Wireless Facility at the same time and if the applicant files a complete application for the Wireless Facilities Permit, the complete permit applications shall be reviewed concurrently with the Wireless Facilities Permit application.

Submittal Requirements for Wireless Facilities Permit

Any proposed work within the ROW requires the following:

- Encroachment permit agreement if applicable.
- Master License Agreement (MLA) – Required if on City-owned facility.
- Each application for SLA shall be applicable to only one Municipal Facility.
- Payment of the SLA fee of \$270 per site, per year.
- Deposit of \$5,000 per application per pole.
- Complete a Wireless Facilities Permit application online.
- Corporate resolution from the subject carrier/wireless provider authorizing submission of the application.
- The applicant's authority to locate the facility in the proposed location if on utility pole owned by another agency/carrier or entity.
- A copy of the Certificate of Public Convenience and Necessity (CPCN). For all applications for facilities in the ROW, provide a true and correct copy of the applicant's CPCN and/or Wireless Identification Registration (WIR) issued by the California Public Utilities Commission or its successor agency.
- Explanation as to whether (i) the applicant intends to install its equipment on existing infrastructure (e.g., a streetlight standard), or to replace the existing infrastructure, and who the applicant believes owns and controls that infrastructure, or (ii) the applicant intends to install new infrastructure (e.g., a new pole upon or in which the wireless communication facilities will be located.)
- Plans
 - 1) Cover Sheet: A complete cover sheet must include at a minimum: i) a detailed project description that specifies the proposed installation and/or modifications including without limitation all physical elements such as antennas, radios, power services, all cables, mounts, and all other elements of the proposed project ii) site information that includes the proposed site address, site latitude and longitude (WGS 84 datum), zoning classification of the nearest private property, project team contact.
 - 2) Information, site map, and pole number (if applicable.) Include the following notes on the cover sheet:
 - Notes indicating how the proposed WCF will be properly maintained to preclude accumulation of trash/debris and impact due to graffiti and/or any other form of vandalism.
 - Documentation of screening, camouflage, and/or matching methods. Description of methods proposed to camouflage the WCF and all ancillary equipment. Provide colors and materials specifications and/or physical samples of proposed stealthing methods.
 - Parties responsible for maintenance of the WCF, including contact information for representative(s) of the facility operator, any wireless carrier(s) utilizing the WCF, and representative(s) of any contractor(s) and subcontractor(s) responsible for maintaining the WCF.
 - 3) Site Survey (only required for proposed ground mounted equipment): Only a qualified California-registered Civil Engineer or licensed surveyor may prepare the site survey. A complete site survey must include:
 - Public Right of Way boundaries with all bearings, distances, monuments, iron rods, caps or other

- markers clearly shown and called out
 - Boundaries for all easements and/or dedications with all dimensions clearly shown and called out
 - Approximate topographical contour lines with elevations called out
 - Any trees at least 4 inches in diameter at a point approximately 4.5 feet above ground
 - All structures or improvements within the Public Right of Way within any block partially or entirely occupied by the project and any elements thereof
 - A north arrow, date, scale and legend
 - Wet stamp and wet signature from the licensed preparer
 - General specifications and notes identifying the applicable public health and safety codes an
- 4) Site Development Plan per the design standards and in addition must include:
- The Public Right of way block with the proposed project improvements
 - Detailed existing and proposed views for any equipment pads, enclosures, cabinets, pedestals and/or vaults
 - All existing and proposed equipment with all dimensions, labels and ownership identifications clearly called out
 - Boundaries for all easements, encroachments and/or other rights-of-way for access and utilities in connection with the wireless site with all dimensions clearly shown
 - Demonstrate no conflicts with existing utilities, including power and telecommunications lines
 - Ground rods shown
 - City utilities shown (new poles/structures, including ground rods)
 - 4' clear walkway (new poles/structures)
 - 2' clear from face of curb (new poles/structures)
 - 7' vertical clearance
 - Equipment not extended over driveways on or off-site
 - Equipment to match existing or new pole color
 - Detailed before-and-after elevation drawings from all four cardinal directions, which include: i) all existing and proposed structures, improvements and/or fixtures with all dimensions clearly called out ii) all existing and proposed equipment with all dimensions, labels and ownership identifications clearly called out iii) all existing and proposed fiber optic cables, conduits, risers, guy wires, anchors, primary and secondary power lines clearly iv) called out callouts and notes for any proposed new or extended concealment elements v) a north arrow, date, scale.
- 5) Current site photographs (in color) must include: photographs of the existing site from at least three different reasonable line-of-sight locations from public streets or other adjacent viewpoints; a map detail showing each location where a photograph was taken, the proposed site and the direction to the site from each photo location; Include a close-up view of the equipment, including all wires, conduits, equipment, etc.
- 6) Photo simulations (in color) must include: an accurate and reliable visual representation of the proposed facility from the same reasonable line-of-sight locations used in the current site photographs and must include without limitation all interconnecting cables, conduits, brackets, and electronic equipment such as antennas, radio units, powering, and the like; a map detail showing each location where a photograph was taken, the proposed site and the direction to the site from each photo location; Include a close-up view of the equipment, including all wires, conduits, equipment.
- 7) Insurance documents:
- a) During the term of the permit, permittee shall maintain a policy of general liability insurance from an insurance company authorized to do business in the State of California in an insurable amount of not less than five million (\$5,000,000) per occurrence and five million dollars (\$5,000,000) aggregate, in a policy form of Insurance Services Office (ISO) Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, or equivalent coverage. The insurance policies shall remain in full force during the life of the permit, and shall not be canceled or not renewed without thirty (30) days prior written notice to the City from the insurance company. The City and its officials, employees, contractors, agents and volunteers shall be named as additional insureds. All such insurance shall be primary and non-contributory with respect to insurance maintained by the City. Costs of defense shall be outside the policy limits. The Permittee shall have its current general liability insurance policy on file with the City, including an Additional Insured Endorsement.
 - b) Certificate of Insurance filled out in accordance with Attachment C of the wireless facilities permit application
 - (i) Documents of insured from

- Proposed wireless equipment owner
 - Contractor, if applicable
- (ii) Site address in the description
- c) Endorsements – provide Attachment B-1 & B-2 or documents with similar language that indicates:
 - (i) General Liability Insurance names City of Menlo Park as additional insured and names City of Menlo Park as primary insured
 - (ii) Automobile Liability Insurance names City of Menlo Park as additional insured and names City of Menlo Park as primary insured
- d) RF Exposure Compliance Report:
 - (i) Provide a radio-frequency (RF) exposure compliance report prepared and certified by an RF engineer that certifies that the proposed facility, as well as any collocated facilities and any cumulative emissions from adjacent areas, will comply with applicable federal RF human exposure standards and limits established by the Federal Communications Commission (FCC). At a minimum, the RF exposure compliance report must provide the same information and in the same form as the FCC LSGAC Appendix A form for each band of operations. For projects on or attached to poles subject to CPUC General Order 95 regulation, provide evidence of compliance with CPUC General Order 95, Rule 94. Label this report “RF Compliance Report”
 - (ii) The RF compliance report must include: the actual frequency, actual or maximum power levels (in watts effective radiated power (ERP), and the actual or maximum transmitting channels for all existing and proposed antennas at the site. Exhibits that show: the location and orientation of all transmitting antennas; the boundaries of areas with RF exposures (whether individually or cumulatively) in excess of the uncontrolled/general population limit (as that term is defined by the FCC); the boundaries of areas with RF exposures (whether individually or cumulatively) in excess of the controlled/occupational limit (as that term is defined by the FCC).

Note: Each such boundary must be clearly marked and identified for every transmitting antenna at the project site, whether owned/operated by the applicant or another licensee. To the extent that the project site contains collocated transmitters from multiple operators, the RF exposure compliance report must evaluate all the transmitting antennas that may cause cumulative emission.

- 8) Documents showing the geographic service area for the proposed WCF installation, and all of applicant's existing site installations in the City or proposed site installations which are pending review by the City at the time the application is submitted.
- 9) Noise Compliance Report
 - a) Provide a noise compliance report for the proposed facility and all associated equipment to demonstrate that any proposed equipment, including, but not limited to, air conditioning units, that may emit noise that would be audible from beyond three feet from the WCF will be enclosed or equipped with noise attenuation devices to the extent necessary to ensure compliance with applicable noise limitations under the City of Menlo Park Municipal Code. The noise compliance report must be prepared and certified by an engineer and include an analysis of the manufacturers' specifications for all noise-emitting equipment.
- 10) Calculations
 - Structural Analysis Report (for work in the ROW)
 - For any facility proposed to be located in the ROW on city facilities, provide a structure analysis report with the following:
 - Documentation demonstrating that the WCF proposed to be located on an existing City streetlight pole or other support structure would satisfy City structural standards and would not interfere with or damage the pole or support structure..
 - Stamp and wet signature of CA licensed civil/structural engineer
 - Statement indicating that all work is subject to inspection by City staff for compliance with City structural standards, including safety and load-bearing capability.
 - Structural calculations and analysis for each potential site, signed and stamped by a Structural Engineer, to evaluate the adequacy of the existing City infrastructure (pole) in supporting the additional load(s) of the new wireless installation(s), including all associated equipment. The proposed design shall include recommendations to reinforce existing infrastructure, as set forth in the structural analysis.

11) Fiber Network Plan (for work in the ROW and if applicable)

- For facilities proposed to be located in the ROW, and to the extent that the project would require running new fiber optic cables to a proposed node, the plans must include a map which shows: all nodes proposed in the deployment, clearly labeled with pole number and/or site ID; the hub or base station that serves the nodes in the deployment; all fiber optic cable routes that connect the nodes to the hub; and a legend that identifies any symbols, colors or other items on the map. The fiber plans should clearly identify all “meet-me” points and points of connection. Even if the fiber deployment would be performed by a third-party vendor, the applicant must disclose all known or reasonably foreseeable fiber network elements.

Additional Required Items:

- Arborist report: For any proposed installation in which any tree(s) would be required to be removed, an arborist report, prepared by an International Society of Arboriculture (ISA) Certified Arborist, must be submitted. The arborist report shall include information regarding the type, number, and condition of any tree(s) proposed to be removed, and must include information regarding recommended replacement location(s) and species.
- At completion of construction, the permittee shall submit/provide the following:
 - As-builts
 - Photograph of pole with devices installed (digital file identified by pole number)
 - Current streetlight circuit diagram, stored in service cabinet
 - FCC Licenses (Copy of FCC Certification)

ENCROACHMENT PERMIT APPLICATION

Public Works
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6740



Permit information	
Keep this permit at the worksite at all times. Call 24 hours in advance of working in the public right of way and for each inspection request. Uninspected work will be rejected. One wireless facilities permit per address will be permitted.	
<input type="checkbox"/> Utility pole <input type="checkbox"/> Streetlight <input type="checkbox"/> Traffic Signal <input type="checkbox"/> New Pole <input type="checkbox"/> Other _____	
Project location/address:	
Latitude/Longitude of location:	
Applicant name (permittee):	Applicant represents: <input type="checkbox"/> Owner <input type="checkbox"/> Contractor
Applicant email:	Applicant fax:
Address:	Phone:
Contractor name:	Contractor address:
California construction license #:	Business license #:
Start date:	End date:
Estimated construction cost:	
Work description:	
Application includes (required): <input type="checkbox"/> Agreements <input type="checkbox"/> Plans <input type="checkbox"/> Traffic control plans <input type="checkbox"/> Insurance certificate	
Permit conditions and acknowledgment	
Call Underground Service Alert (USA) at 1-800-227-2600 before you dig.	
Signature below acknowledges that special working hours may apply – check the approved traffic control plan. I hereby acknowledge that I have read this permit and the attached conditions that the information given by me is correct, that I am the owner or the duly authorized agent of the owner, and that I agree to comply with the conditions and all applicable provisions of state laws, city ordinances and the rules of any governmental agency involved.	

Signature

Date

Title

GENERAL CONDITIONS OF PERMIT

Public Works
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6740



Conditions

Notification of Work or Inspection Requests: 650-330-6740

1. This permit, regardless of when dated, shall not be in effect until the permittee has obtained all licenses and other permits required by law.
2. A Wireless Facilities Permit shall be valid for a ten year period following its issuance, and it shall automatically expire on the ten year anniversary of its issuance unless renewed prior to its expiration.. The Wireless Facilities Permit shall automatically expire one year from the issuance date unless the Permittee obtains all other permits and approvals required to install, construct and/or operate the approved Wireless Facility, which includes without limitation any permits or approvals required by the City of Menlo Park Municipal Code, the federal, state or other local public agencies with jurisdiction over the subject property, the Wireless Facility or its use. The Director may grant one written extension to a date certain, not to exceed two additional years, when the Permittee shows good cause to extend the limitations period in a written request for an extension submitted at least 30 days prior to the expiration date in this condition. The Permittee must construct, install and operate the Wireless Facility in strict compliance with the approved plans. Any alterations, modifications or other changes to the approved plans, whether requested by the Permittee or required by other departments or public agencies with jurisdiction over the Wireless Facility, must be submitted in a written request subject to the Director's review.
3. The Permittee shall keep the Wireless Facility and its Equipment, fences and landscape features, as applicable, in a neat, clean and safe condition in accordance with the approved plans and all conditions in this Wireless Facilities Permit. The Permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism to the Wireless Facility and its Equipment, fences and landscape features, as applicable, within 72 hours after the Permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.
4. The Permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law ("laws") applicable to the Permittee, the subject property, the Wireless Facility or any use or activities in connection with the use authorized in this permit, which includes without limitation any laws applicable to human exposure to RF emissions. The Permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the Permittee's obligations to maintain compliance with all laws. In the event that the City fails to timely notice, prompt or enforce compliance with any applicable provision in the City of Menlo Park Municipal Code, any permit, any permit condition or any applicable law or regulation, the applicant or Permittee will not be relieved from its obligation to comply in all respects with all applicable provisions in the City of Menlo Park Municipal Code, any permit, any permit condition or any applicable law or regulation.
5. The WCF must comply with all applicable standards and regulations of the FCC and any other state or federal government agency with the authority to regulate RF emissions at all times during the term of the Wireless Facilities Permit.
6. The Permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from the Permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal and/or other activities at the site. The Permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized under Foster City Municipal Code Chapter 8.06. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency. The Director may issue a stop work order for any activities that violates this condition.

7. The Permittee shall furnish the Director with accurate and up-to-date contact information for a person responsible for the Wireless Facility, which includes without limitation such person's full name, title, direct telephone number, facsimile number, mailing address and email address. The Permittee shall keep such contact information up-to-date at all times and immediately provide the Director with updated contact information in the event that either the responsible person or such person's contact information changes.
8. The Permittee shall defend, indemnify and hold harmless the City, City Council and its commissions, agents, officers, officials, employees, and volunteers from any and all (a) damages, liabilities, injuries, losses, costs, and expenses and from any and all claims, demands, law suits, writs, and other actions or proceedings ("claims") brought against the City or its agents, officers, officials, employees, or volunteers to challenge, attack, seek to modify, set aside, void or annul the City's approval of this permit, and (b) other claims of any kind or form, whether for personal injury, death, or property damage, that arise from or in connection with the Permittee's or its agents', Director's, officers', employees', contractors', subcontractors', licensees', or customers' acts or omissions in connection with this permit or the wireless facility. In the event the City becomes aware of any claims, the City will use best efforts to promptly notify the Permittee and shall reasonably cooperate in the defense. The Permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner and/or Permittee (as applicable) shall promptly reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The Permittee expressly acknowledges and agrees that the Permittee's indemnification obligations under this condition are a material consideration that motivates the City to approve this permit, and that such indemnification obligations will survive the expiration or revocation of this permit.
9. Performance Bond. Before the Building Department issues any construction permit in connection with the Wireless Facilities Permit, the Permittee shall file with the City, and shall maintain in good standing throughout the term of the approval, a performance bond or other surety or another form of security for the removal of the facility in the event that the use is abandoned or the permit expires, or is revoked, or is otherwise terminated. The security shall be in the amount equal to 100 percent of the cost of removal of the facility. The bond or security required by this section shall be in a form acceptable to the Director in an amount reasonably necessary to cover the cost to remove the improvements and restore all affected areas based on a written estimate from a qualified contractor with experience in wireless communication facilities removal. In establishing the amount of the security, the Building Department shall take into consideration information provided by the permit applicant regarding the cost of removal.
10. The Director may recall a Wireless Facilities Permit for review at any time due to complaints about noncompliance with applicable laws or any approval conditions attached to this permit. At a duly noticed public hearing and in accordance with all applicable laws, the Director may revoke the permit or amend these conditions as the Director deems necessary or appropriate to correct any such noncompliance.
11. The Permittee shall submit an as-built drawing within ninety (90) days after installation of the Wireless Facility.
12. For any portion of a Wireless Facility located within the ROW, the Permittee shall remove or relocate, at its expense and without expense to the City, any or all of its facilities when such removal or relocation is deemed necessary by the City by reason of any change of grade, alignment, or width of any right-of-way, for installation of services, water pipes, drains, storm drains, power or signal lines, traffic control devices, right-of-way improvements, or for any other construction, repair, or improvement to the right-of-way.
13. Permittee shall not move, alter, temporarily relocate, change, or interfere with any existing structure, improvement, or property without the prior consent of the owner of that structure, improvement, or property.
14. No changes shall be made to the approved plans without review and approval in accordance with this chapter.
15. Where the Wireless Facility Site is capable of accommodating a collocated facility upon the same Site in a manner consistent with the permit conditions for the existing Wireless Facility, the Permittee shall allow collocation of third-party facilities, provided the parties can mutually agree upon reasonable terms and conditions.
16. If a Wireless Facility is not operated for a continuous period of 90 days, the wireless encroachment permit and any other permit or approval therefor shall be deemed abandoned and terminated automatically, unless before the end of the period (a) the Director has determined that the facility has resumed operations, or (b) the City has received an application to transfer the permit to another service provider. No later than 90 days from the date

the Wireless Facility is determined to have ceased operation or the Permittee has notified the Director of its intent to vacate the site, the Permittee shall remove all equipment and improvements associated with the use and shall restore the site to its original condition to the satisfaction of the Director. The Permittee shall provide written verification of the removal of the facilities within 30 days of the date the removal is completed. If the facility is not removed within 30 days after the permit has been discontinued pursuant to this subsection, the site shall be deemed to be a nuisance, and the City may cause the facility to be removed at Permittee's expense or by calling any bond or other financial assurance to pay for removal. If there are two or more users of a single facility or support structure, then this provision shall apply to the specific elements or parts thereof that were abandoned, but will not be effective for the entirety thereof until all users cease use thereof.

17. Traffic control plan is required for work that will block ROW. Plan shall include re-routing of vehicles, bicycles and pedestrians.
18. Any damages to existing facilities and improvements above ground or below ground, shall be promptly repaired or replaced at the permittee's expense, and claims for damage to City property must be promptly paid.
19. Permittee is responsible for determining exact locations or depths of existing utilities or other facilities. Permittee shall call Underground Service Alert (USA) at 1-800-227-2600 a minimum of 48 hours prior to performing excavation work.
20. Permittee shall obtain, and during the term of this permit, shall maintain a policy of general liability insurance from an insurance company authorized to do business in the State of California in an insurable amount of not less than five million (\$5,000,000) per occurrence and five million dollars (\$5,000,000) aggregate, in a policy form of Insurance Services Office (ISO) Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, or equivalent coverage. The insurance policies shall remain in full force during the life of the permit, and shall not be canceled or not renewed without thirty (30) days prior written notice to the City from the insurance company. The City and its officials, employees, contractors, agents and volunteers shall be named as additional insureds. All such insurance shall be primary and non-contributory with respect to insurance maintained by the City. Costs of defense shall be outside the policy limits. The Permittee shall have its current general liability insurance policy on file with the City, including an Additional Insured Endorsement.
21. All work shall comply with the City and Caltrans Standards, including traffic control.
22. **Street Opening, Sidewalk, Curb and Gutter, and Driveway Permits**. Permittee shall notify the Public Works Inspector at least **24 hours prior to: beginning work, any inspection requests, or concrete placement activities**. The number and type of inspections required, and any tests that may be required will be as directed by the Public Works Inspector. The Public Works Inspector may be contacted by calling 650-330-6740.
23. All trench plates used in the ROW must have a non-skid surface. Trench plates are to be recessed flush with existing pavement surface.
24. Construction activities are restricted to Monday through Friday (City holidays excepted) between the hours of 8:00 AM and 6:00 PM, unless otherwise approved in writing by the Engineering Services Division.
25. This permit does not authorize tree trimming or tree removal.
26. The traffic control plan as attached must be adhered to at all times. *Note that the traffic control plan may have restricted working hours for working in the ROW, which supersedes the standard wireless facilities permit working hours.*
27. The use of City property by permittee shall be limited to the purposes set forth by this permit and no structures of any kind, except those expressly permitted shall be erected or placed thereon.
28. Debris boxes/storage containers shall have reflectors so that they can be seen at night. This permit must be taped to the outside of debris boxes in a visible location.
29. This permit does not include overnight street parking for any vehicles. A separate parking permit can be obtained from the Police Department.

- 30. All stormwater BMP's must be in place between October 15th and April 15th, or as directed by the Public Works Inspector.
- 31. Upon abandonment or revocation, Permittee shall, unless otherwise directed by the City and at no cost to the City, return City property to its pre-permit condition within the time specified in the notice of revocation or prior to the date of abandonment.
- 32. Permittee shall remove or relocate, without cost or expense to the City, any facility when made necessary (as determined by City in its sole discretion) by any lawful change in grade, alignment, or width of any street, including, the construction, maintenance, or operation of any other City underground or above-ground facilities.

Additional conditions (if any) are attached to this permit and shall be followed accordingly.

TRAFFIC CONTROL PLAN – SUBMITTAL GUIDELINES

Public Works
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6740



Submittal guidelines

Traffic control plans must be submitted on the 11" x 17" template provided by the City of Menlo Park. This form may be downloaded from the City's website.

Show all dimensions of taper lengths, delineator or cone spacing, spacing of signs on the traffic control plan. **COPIES FROM A PLAN, CHART OR TABLE ARE NOT ACCEPTABLE.**

Traffic Control shall be provided in accordance with the latest edition of the "Manual of Uniform Traffic Control Devices for Construction and Maintenance Work Zones" issued by the State of California, Department of Transportation and as required herein.

Complete all information requested on the plan sheet; including the Foreman name, cell phone number, and a 24 hour emergency contact number. **DO NOT USE YOUR COMPANY'S GENERAL OFFICE NUMBER.**

The applicant will be notified when the traffic control plan is approved and issued with the completed Permit.

The following hours of work will be enforced:

- The City reserves the right to modify the working hours in any area it deems necessary.
- Standard Working Hours will be limited to 8:00 a.m. to 5:00 p.m
- Work adjacent to or within fifteen hundred feet (1500') of any school while in session will be limited to 9:00 a.m. to 2:30 p.m.

The following minimum requirements shall be shown on the Traffic Control Plan:

- North Arrow
- Existing roadway improvements including existing speed limit, street names, striping, medians, traffic signals, pavement legends and signage
- If reducing speed for construction zones use "ROAD WORK SPEED LIMIT 25" signs
- Show entire work area including area where advance warning signs are to be placed
- Show all proposed signs and sign numbers in a Legend

TRANSPORTATION CONTROL PLAN
 Contractor is responsible for maintenance of traffic control per this plan approved plan. City of Menlo Park Assumes NO LIABILITY

Project Name: _____

Project Location: _____

City Inspector: _____

Purpose of Work: _____
 (This traffic control plan is valid for this function only!)

Working Hours: 9:00 a.m. to 3:00 p.m.
 (contractor must request working hour extension in writing to the Transportation Manager).

Duration of Work: From _____ To _____
 (Contractor must request working days extension in writing to the Transportation Manager).

Initial Day - Inspection Confirmation Number: _____

Contractor Name: _____

Foreman Name: _____

Foreman Cell Number: _____

Emergency Number: _____

Contractor shall not start work **IN THE PUBLIC RIGHT-OF-WAY** until Traffic Control is set up per this approved plan. Please call (650) 330-6740 to notify of work being performed and request inspection and obtain *confirmation number*.

SPECIAL INSTRUCTIONS

Reviewed by _____ Date _____

CERTIFICATE OF INSURANCE

Public Works
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6740



Requirements

The applicant must submit Proof of Insurance and applicable endorsements to the City as outlined in Section 9 - Insurance of the Master Facilities License Agreement for wireless installations on Municipal Facilities between applicant and the City. Insurance provider must have and maintain an AM Best rating of at least A-VII and deliver to City with the following minimum coverage limits. Please include for each policy:

- A. Commercial General Liability (Endorsement and Certificates of Insurance Required)
 1. Minimum Limits: \$5,000,000 per occurrence and \$5,000,000 aggregate for bodily injury, personal injury and property damage.
 2. Additional Insured Endorsement: Endorsement shall name the City of Menlo Park, its officers, officials, employees and volunteers are to be covered as additional insureds.
 3. Primary and Contributory: A statement on the Endorsement that the Applicant's insurance coverage shall be primary insurance with respect to City, or agents shall be in excess of Applicant's insurance and not contributory with it. Example, "This insurance is primary and is not additional to or contributing with any other insurance carried by or for the benefit of Additional Insureds."
 4. Cancellation Notice: The insurance policy shall provide that coverage shall not be canceled, except after thirty (30) days' prior to written notice (10 days for non-payment) has been given to the City.
 5. Description of location where work will be performed. Include pole numbers and nearest cross streets.
- B. Workers' Compensation/Employer's Liability (Certificate of Insurance Required. No Endorsement needed)
 1. Minimum Limits: Statutory minimum (Worker's Compensation). \$5,000,000 per accident for bodily injury and property damage (Employer's Liability).
 2. Waiver of Subrogation Endorsement: the insurance agrees to waive all rights of subrogation against the City of Menlo Park, and agents for losses paid under the terms of insurance policies, which arise from the subject permitted event or activity. Example, "The insurer(s) named above agree to waive all rights of subrogation against the CITY, its elected or appointed officers, officials, agents, volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for the CITY."
 3. Cancellation Notice: The insurance policy shall provide that coverage shall not be canceled, except after thirty (30) days' prior to written notice (10 days for non-payment) has been given to the City/District.
 4. Description of location where work will be performed. Include pole numbers and nearest cross streets.
- C. Automobile Liability (Endorsement and Certificate of Insurance Required)
 1. Minimum Limits: \$5,000,000 combined single limit per accident for bodily injury and property damage, extending to all company owned, lease, and non-owned vehicles.
 2. Auto Liability should cover "any auto" as listed above.
 3. Additional Insured Endorsement: Endorsement shall name The City of Menlo Park, its officers, officials, employees and volunteers are to be covered as additional insureds.
 4. Primary and Contributory: A statement on the Endorsement that the Applicant's insurance coverage shall be primary insurance with respect to City, or agents shall be in excess of Applicant's insurance and not contributory with it. Example, "This insurance is primary and is not additional to or contributing with any other insurance carried by or for the benefit of Additional Insureds."
 5. Cancellation Notice: The insurance policy shall provide that coverage shall not be canceled, except after thirty (30) days' prior to written notice (10 days for non-payment) has been given to the City/District.
- D. Verification of Coverage

Applicant shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies including endorsements required by these specifications, at any time.