

# MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION PERMIT TO WORK ON RIGHT OF WAY NON-LOCAL GOVERNMENT PROJECT

KANSAS CITY DISTRICT  
600 NORTHEAST COLBERN RD  
LEE'S SUMMIT, MO 64086

08- UTIL - GAS  
12- EXCAVATION  
(Type of Work)

Permit No. KC-24-109300  
Route CST SW BLUE PKWY E  
County JACKSON  
City LEES SUMMIT

Inspector BRADLEY ELWELL  
Phone 8166072042  
RMS \_\_\_\_\_  
Speed Limit 35 mph

Issued 12/17/2024  
Expires 03/17/2025  
Released \_\_\_\_\_

Log Points 0.374 0.489  
GPS Begin N 38.9128754749 W -94.391983984  
GPS End N 38.9112282182 W -94.392141878

### Intersection/Stopping Sight Distance

Northbound/Eastbound NB  EB  \_\_\_\_\_ ISD ft. \_\_\_\_\_ SSD ft.  
Southbound/Westbound SB  WB  \_\_\_\_\_ ISD ft. \_\_\_\_\_ SSD ft.

Location of work on State Highway right of way along the NORTH - SOUTH side. 135 FEET  
EAST from SW Oxford Pl  
(State highway, County road, City street or County Line)

By signing this form the applicant agrees to all provisions of this form, including the General Provisions attached herto and incorporated by reference.

Electronically Signed 12/17/2024  
(Signature) (Date)

Electronically Signed 12/17/2024  
(Signature) (Date)

Jeff Wilcox

(Print or Type Name)

Ronald Young

(Print or Type Name)

Spire Energy

(Applicant)

Mears

(Applicant's Contractor)

700 Market, 3rd Floor

(Address)

95 Drake St

(Address)

St. Louis MO 63101

(City) (State) (Zip-code)

Claycomo MO 64119

(City) (State) (Zip-code)

(Telephone Number) 3342960241

(Telephone Number) 9133981992

(Email Address) ROWpermitsMOWest@SpireEnergy.com

(Email Address) Ronald.Young@millerpipeline.com

Surety deposit required. None , bond # \_\_\_\_\_, control # \_\_\_\_\_, check # \_\_\_\_\_ amount \_\_\_\_\_

Transmittal Number \_\_\_\_\_ Make check payable to: **Director of Revenue Credit Road Fund**

For office use only

Date: 12/17/2024

By: Electronically Signed

# Description of Work

Spire – Mears – SW 3rd St Improvement

Spire: Eric Jones (816) 489-8353

Mears: Ronald Young (913) 398-1992

Dig 5 2'x4' holes in the dirt/pavement for main replacement

Cuts are on SW Blue Pkwy between SW 3rd St and SW 2nd St – Bore under SW 2nd St

Install 700 ft of 4" PL main – The rest of this work falls within Lee's Summit ROW

Max task 24232997

Procedures and Requirements to be Completed and Followed by the Applicant and/or Contractor prior to and while working on MODOT Right of Way:

1. Applicant and/or Contractor shall contact the established Missouri One-Call System to identify and locate all utilities prior to beginning work on MODOT Right of Way.
2. Applicant and/or Contractor shall complete and submit the "Notice of Intent to Perform Work" form on-line within two business days prior to starting work on MODOT Right of Way. This is the link for the notice of intent to perform work form.  
<https://www.modot.org/notice-intent#req1>
3. Applicant and/or Contractor shall provide a "Temporary Traffic Control Plan" that is in accordance with the minimums set forth in the Manual on Uniform Traffic Control Devices (MUTCD) - Current Edition. Typical temporary traffic control applications can be accessed in our "Traffic Control for Field Operations" manual.
4. Applicant and/or Contractor shall submit a Detailed Traffic Control Plan for Review and Approval for any or all Lane Closures or Flagging Operations on MODOT routes within two business days prior to starting work on MODOT Right of Way.
5. Applicant and/or Contractor shall contact Brad Elwell at 816-835-5615 in advance of 24 hours prior to starting work on MODOT Right of Way.
6. Applicant and/or Contractor shall wear the appropriate Safety Apparel or PPE while working on MODOT Right of Way.
7. Applicant and/or Contractor can access Missouri Department of Transportation "Standard Plans for Highway Construction" for necessary details of construction within the MODOT Right of Way Limits.
8. Applicant and/or Contractor shall have a copy of the MODOT Issued Right of Way Permit and a copy of the Approved Traffic Control Plan (if applicable) available on site at all times.
9. Applicant and/or Contractor shall Survey MODOT Right of Way by a Professional License Land Surveyor to Accurately Identify MODOT Right of Way if MODOT Right of Way Markers are NOT Present.
10. Applicant and/or Contractor shall comply with these Provisions, Standards, Requirements and Specifications, FAILURE to do so could result in a temporary suspension of the MODOT Issued Right of Way Permit.

Guidelines for Placement of Gas Facilities within MODOT Right of Way:

1. Placement of Gas Main Pipe shall be within the allowable MODOT Six-Foot Utility Corridor.
2. The Minimum Depth of Coverage shall be 30-Inches Parallel.
3. The Minimum Depth of Coverage shall be 72-Inches Crossing under ALL Pavement.
4. Crossing under All Roadways shall be at a 90-Degree Angle below the Flow Line of all Ditches, Storm Box Structures and Culverts.
5. Directional boring under All Roadways shall be from Right of Way Line to Right of Way Line.
6. All work Conducted on State Right of Way shall Comply with MODOT Standards, Requirements and Specifications.
7. See the Attached Spire Energy Construction Plan 26199686 or Map Location and Traffic Control Plan for more details.

Guidelines for Restoration to MODOT Right of Way:

All MODOT property or facilities (including Roadway and Shoulder Pavement and Green Space) disturbed or damaged during the scope of work allowed by this permit must be restored, repaired or replaced in accordance with current MODOT Standards, Requirements and Specifications to meet or exceed the original existing condition as directed by a MODOT Representative.

Right of Way Restoration in the Green Space:

1. Area of Excavation Holes shall be Backfilled with Original Spoils and/or Clean Dirt and Compacted.
2. Area of Disturbed Right of Way shall be Fine and Smooth Graded.
3. Area of Disturbed Right of Way shall be Seeded, Mulched and/or Installation of Erosion Blanket including Staking the Matting and/or Installing and Laying Sod.
4. Other Disturbed Right of Way shall be Restored as Needed to be Directed by a MODOT Representative.

Pavement and Shoulder Cut Restoration for Spring, Summer and/or Autumn:

1. Area of Pavement and/or Shoulder Excavation shall be Saw Cut and Benched Beyond (1-Foot) at a 90-Degree Angle.
2. Area of Pavement and/or Shoulder Excavation shall be Backfilled with Diggable Flowable Fill or the use of Alternate Materials Directed by a MODOT Representative.
3. Area of Pavement and/or Shoulder Excavation shall have 10-Inches of MODOT Approved Concrete Mix with 4,000 of PSI and Capped with 2-Inches of MODOT Approved Asphalt Aggregate.
4. Provide Flow Fill, Concrete Mix and Asphalt Aggregate Tickets.
5. Provide Before, During and After Pictures.

Pavement and Shoulder Cut Restoration for Winter:

1. Area of Pavement and/or Shoulder Excavation shall be Saw Cut and Benched Beyond (1-Foot) at a 90-Degree Angle.
2. Area of Pavement and/or Shoulder Excavation shall be Backfilled with Diggable Flowable Fill or the use of Alternate Materials

Directed by a MODOT Representative.

3. Area of Pavement and/or Shoulder Excavation shall have 12-Inches of MODOT Approved Concrete Mix with 4,000 PSI with 0.5 Percent of Added Calcium Chloride.
4. Area of Pavement and/or Shoulder Excavation shall be Tined and/or Broom Swept in the Direction of the Groove in the Roadway.
5. Provide Flow Fill and Concrete Mix Tickets.
6. Provide Before, During and After Pictures.

Pavement and Shoulder Core Hole Restoration:

1. Area of Pavement and/or Shoulder Core Hole shall be Totally Removed and Extracted.
2. Area of Pavement and/or Shoulder Core Hole Spoils (Asphalt, Concrete, Dirt and Rock Aggregate) shall be Totally Removed.
3. Area of Pavement and/or Shoulder Core Hole shall be Backfilled with Diggable Flowable Fill or the use of Alternate Materials Directed by a MODOT Representative.
4. Area of Pavement and/or Shoulder Core Hole shall have 12-Inches of MODOT Approved Concrete Mix with 4,000 PSI with 0.5 percent of Added Calcium Chloride.
5. Area of Pavement and/or Shoulder Core Hole shall be Tined and/or Broom Swept in the Direction of the Groove in the Roadway.
6. Provide Flow Fill and Concrete Mix Tickets.
7. Provide Before, During and After Pictures.

Guidelines for Repair or Replacement of MODOT owned Damaged Property caused by the Applicant and/or Contractor while working on MODOT Right of Way:

Damaged MODOT Sidewalks, Trailways, Curb and Gutter, Ravines, Culverts, Striping, Cross Walks, Stop Bars, Turn Arrows, Signal Mast Arms-Columns, Signal Heads or Concrete Base, Underground Signal Detector Loops, Conduit, Fiber Optic Cable or Communication Cable, Street Light Poles, Arms and Luminaries, Underground Street Light Conduit, Wiring or Break-Away-Base, Signs and Posts and anything else MODOT owns shall be Repaired or Replaced in accordance with current MODOT Standards, Requirements and Specifications.

Guidelines for Traffic Control, Lane Closures and Flagging Operations:

1. Traffic Control shall comply within the Guidelines of the Manual of Uniform Traffic Control Devices (MUTCD).
2. Traffic Control shall comply within the Guidelines of the Missouri Department of Transportation Traffic Control for Field Operations Manual.
3. Lane Closures shall be approved by MODOT Work Zone Coordinator and requires two business days notification prior to starting work on MODOT Right of Way.
4. Flagging Operations shall be approved by MODOT Personnel and requires two business days notification prior to starting work on MODOT Right of Way.
5. Flaggers conducting Flagging Operations within MODOT Right of Way shall be Trained and Certified by a Certified Trainer.
6. Lane Closures and Flagging Operations – Hours of Operation shall be 9:AM to 3:PM (unless otherwise specified).
7. Normal Working Hours within MODOT Right of Way shall be from Sunrise to Sunset (unless otherwise specified - Night Work Hours and/or Weekend Work Hours).
8. NO Lane Closures shall be allowed during these Holidays: New Years Day, Memorial Day, Fourth of July Day, Labor Day, Thanksgiving Day, Christmas Day – (unless otherwise specified).
9. NO Lane Closures shall be Permitted During these Holiday Working Hours and shall be Restricted from and to the Working Day prior to the Holiday starting at 12:PM to the Working Day following at 9:AM.

Appropriate PPE or Safety Apparel while working on MODOT Right of Way:

Day Time Operations:

1. High Visibility Hard Hat.
2. Safety Glasses.
3. High Visibility Safety Vest.
4. Safety Footwear.

Night Time Operations:

1. High Visibility and Reflective Hard Hat.
2. Safety Glasses.
3. High Visibility and Reflective Safety Vest.
4. High Visibility and Reflective Safety Pants and/or Gaiters.
5. Safety Footwear.

Guidelines for Miscellaneous Work on MODOT Right of Way:

1. Keep roadway and shoulders clear of dirt, mud, debris, and materials always.
2. Roadway ditches, culverts and ravines used to carry surface run-off shall always be open and clear.
3. Bore pits shall have a minimum of 10-Foot of clearance from outside edge of pavement (unless restricted by right of way).
4. Bore pits and pot holing excavation shall be secured with orange safety fencing and fence stakes.
5. Backfill material to be compacted in 6–8-inch lifts using a Gas-Powered Compactor (backfill material shall be free of construction debris).
6. NO Slopes on MODOT right of way greater than 3:1.
8. EDGE TREATMENT: A wedge of material (with a 3:1 or flatter slope) must be placed along the pavement edge during non-working hours when there is over a 2-inch drop off.
9. Any striping that was obliterated during the construction process shall be restored using similar material and shall meet the retro-

reflectivity requirements. (i.e., Stop Bars, Turn Arrows, etc).

10. If a temporary patch cannot be made or the concrete has not cured, then the hole must be plated (Steel Cover Plate with Steel Plate Ahead Sign properly displayed for all directions of Traffic that will be affected).

11. Steel Plates shall be properly secured to the pavement to prevent any movement and shall have asphalt placed around the plate to provide for a smooth transition for the traveling public.

12. If operations proceed into the winter months, then the steel plates shall be recessed into the pavement and properly secured.

13. Steel Plate Ahead signs shall be displayed for all lanes of traffic while being used on the roadway.

#### Guidelines for Utility Work Related to New Facility Placement:

In the Event, that the Underground or Overhead Location of the Entities Owned Utility Facilities that is marked within an area of Commission State Right of Way Proposed for Highway Construction Excavation Project, the Applicant Agrees to the Following:

1. to perform non-invasive digging methods (hand/soft digging, pot holing, vacuum methods, pressurized air/water, pneumatic hand tools, etc.), at the Entities own cost and expense, to confirm the horizontal and vertical location of said facilities.
2. to pay the Commission an up-front lump-sum for the estimated costs of performing non-invasive digging methods, under the terms of a separate written agreement, to confirm the horizontal and vertical location of said facilities.
3. to relocate said facilities, at the Entities own cost and expense, to an area of right-of-way as designated by the Commission. Should non-invasive digging methods reveal that the location of the Entities Utility Facilities interferes with the Commission's proposed Highway Construction Excavation Project, relocation of those facilities by the Entity will be required.

#### Guidelines for ITS Facilities within MODOT Right of Way:

In the instance of damage to MODOT owned freeway and arterial management facilities, the MODOT District Engineer will have the option of issuing a work order for MODOT's On-Call ITS Maintenance Contractor to make necessary repairs, if it is the District Engineer's opinion that the contractor creating the damage will not be able to make or arrange for the repairs to be performed in a timely manner [4 hours to respond in making the necessary repairs, in the instance MODOT deems the damage to be an "emergency" (i.e. critical device outage or significant network outage). If the damage is not causing a significant outage (i.e., broken pull box, minor conduit damage), and deemed a "non-emergency", repairs may be completed within 5 business days.]. The ITS Maintenance Contractor will then bill the contractor causing the damage directly. Notice of full payment shall be provided to the MODOT District Engineer for approval of compliance to this specification.

If the contractor creating the damage is sub-contracted by the applicant who applied for the Missouri Highways and Transportation Commission Permit for Work on Right of Way, it will be the responsibility of the applicant to ensure the bill for the ITS Maintenance Contractor is paid in full, prior to project completion. If this bill is not paid, then the applicant's permit deposit or bond will be held, until this specification is satisfied, per Section 12 of the Permit for Work on Right of Way General Provisions.

Damage to MODOT facilities within the area of work caused by the contractor will be deemed by MODOT as either "non-emergency" or "emergency" upon notification of the damages. Repair to damages will be performed as follows:

- Non-Emergency: The contractor will have 4 hours to propose a repair plan to MODOT for a complete repair within 3 business days.
- Emergency: Upon notification of the damage, the contractor must immediately submit a repair plan which will take no more than 4 hours to respond on-site and complete repairs within 48 hours of notification of damage.

In either case, if the proposed plan is unacceptable for any reason to MODOT, repairs will be made by MODOT with all costs billed to the contractor. The applicant's permit deposit or bond will be held until all costs are reimbursed to MODOT per Section 12 of the Permit for Work on Right of Way General Provisions.

## General Provisions

Section 1. The signing of this form binds the applicant to the terms of this permit. If signed by Applicant's contractor or that contractor's authorized representative, the contractor and any subcontractors will be held jointly responsible for all of the requirements of this permit until it is released by the District Engineer or the District Engineer's representative. Applicant agrees to keep a copy of the permit and an approved plan on the job site.

Section 2. Construction material and equipment may be on the right of way only during the period of actual construction providing it is not on the roadway shoulders, in the ditch or blocking sight distance. Roadway ditches, culverts and other such devices used to carry surface run-off will be kept open, free and clear at all times.

Section 3. Applicant agrees that construction inspection will be provided by Applicant to assure compliance with the permit.

Section 4. Applicant shall provide adequate preliminary engineering including planning, and coordination with all concerned parties to:

- (a) Confirm their contractor knows the rules and limitations for installations on highway right of way.
- (b) Provide preinstallation meetings to all parties on major installations.
- (c) Designate a point of contact who shall be available 24 hours per day, 7 days per week while the permittee is present on state highway rights of way and shall be capable of correcting any deficiencies in accordance with Missouri Standard Specifications for Highway Construction including, but not limited to Section 616.
- (d) Include the name and telephone numbers of the design engineer and construction manager, as well as the dimension of the facility from the right of way line on the permit.

Section 5. Prior to beginning work, the applicant will request from the established Missouri One-Call System, the location of all utilities on the right of way.

Section 6. Applicant will contact MoDOT 48 hrs prior to any lane closure or 14 calendar days prior to the imposition of height, width, and weight restrictions. Lane closure dates may be rescheduled and/or land closure times may be shifted to off-peak and/or nighttime hours to minimize traffic backups. Schedule multiple tasks in a single work zone if possible.

Section 7. All work covered under this permit is to be in accordance with the Missouri Standard Specifications for Highway Construction, Missouri Standard Plans for Highway Construction, and The Manual on Uniform Traffic Control Devices (MUTCD current edition) where applicable. All utility facilities will be installed and located and all other work performed in accordance with the Code of State Regulations, Title 7, Division 10, Chapter 3, Utility and Private Line Location and Relocation and other policies of the Missouri Department of Transportation.

Section 8. No advertising signs or display material of an advertising nature is to be placed on or to extend over onto the right of way as covered in Section 227.220 R.S.Mo.

Section 9. Except for the negligence of the Commission, its officers, employees and agents, the Applicant agrees to hold harmless the Commission, its officers and employees from all liability, judgments, costs, expenses and claims growing out of damages of any nature whatsoever, to any person or property arising out of performance or non-performance of said work, or existence of said improvements from permit issuance until released as dated hereon.

Section 10. All costs incurred due to the issuance of this permit shall be borne by the Applicant, the Applicant's successors, and assigns.

Section 11. It is understood that in granting this permit the Commission waives none of its power or rights to direct the removal, relocation, and/or proper maintenance in the future of anything within the right of way of the state highway at no cost to the Commission.

Section 12. The Applicant's deposit or bond may be held until the work has been completed and has been approved by the District Engineer or the District Engineer's representative. The Applicant agrees that the Commission may, after the expiration date of this permit or extension thereof, use as much of the deposit as may be necessary to restore, correct, or complete any and all work started or done by the Applicant by whatever means the Commission deems necessary. The Commission may use the deposit to correct any hazard which the Applicant/contractor does not correct upon notification.

Section 13. The obtaining of this permit does not relieve the Applicant of the responsibility for obtaining other permits required by this or any other agency having jurisdiction.

Section 14. For any land disturbance activity, the Applicant shall install erosion and sediment control measures as necessary to prevent pollution of streams, lakes, ponds and wetlands and to prevent silt from leaving MoDOT right of way. The Applicant agrees to restore vegetation with seed and mulch, sodding, or other approved methods, prior to removal of sediment control devices. The Commission is under a federal order, under Case No. 15-4069, U.S. District Court of the Western District of Missouri, and all projects including applicant's projects that include land disturbance activities of greater than one (1) acre on Commission right of way are subject to this order. See [www.modot.org/business/contractor\\_resources/LandDisturbanceItems.htm](http://www.modot.org/business/contractor_resources/LandDisturbanceItems.htm) for full requirements.

Section 15. No driveway or improvement constructed on the highway right of way, shall be altered or relocated without permission of the District Engineer or the District Engineer's representative.

Choose One  
-hard hats must be high visibility



OR



Choose One



Choose One



OR



Choose One

Safety Footwear



For daytime activity, flaggers shall wear a high visibility hard hat; safety glasses; a Performance Class 3 top OR a Performance Class 2 top; and safety footwear.



### Daytime Flagger PPE

- PPE = Personal Protective Equipment  
- PPE is not required in fully enclosed equipment/cab  
- PPE examples reflect minimum requirements

updated Sept. 2020

MT13.113

Choose One  
-hard hats may be any color or design



OR



Choose One



Choose One



OR



Choose One

Safety Footwear

- metatarsal support needed for some operations



For daytime activity, workers shall wear a hard hat; safety glasses; a Performance Class 3 top OR a Performance Class 2 top; and safety footwear.



### Daytime Worker PPE

- PPE = Personal Protective Equipment  
- PPE is not required in fully enclosed equipment/cab  
- PPE examples reflect minimum requirements

updated Sept. 2020

MT13.113

Choose One  
- hard hats must be high visibility and reflective



OR



Choose One



Choose One



OR



Choose One

Safety Footwear



For nighttime activity, flaggers shall wear a high visibility/reflective hard hat; safety glasses; a Performance Class 3 top and a Class E bottom OR a Performance Class 2 top and a Class E bottom; and safety footwear.



### Nighttime Flagger PPE

- PPE = Personal Protective Equipment  
- PPE is not required in fully enclosed equipment/cab  
- PPE examples reflect minimum requirements

updated Sept. 2020

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Choose One  
-hard hats may be any color or design



OR



Choose One



Choose One



OR



Plus

Safety Footwear

- metatarsal support needed for some operations



For nighttime activity, workers shall wear a hard hat; safety glasses; a Performance Class 3 top OR a Performance Class 2 top and a Class E bottom; and safety footwear.



### Nighttime Worker PPE

- PPE = Personal Protective Equipment  
- PPE is not required in fully enclosed equipment/cab  
- PPE examples reflect minimum requirements

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