

# 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

03- DRIVEWAY III  
 05- DRIVEWAY V  
 12- EXCAVATION  
 13- MISC./OTHER  
 14- AGREEMENTS  
 16- GEOMETRIC IMPROVEMENT  
 22- LIGHTING - HIGHWAY  
 26- SIDEWALKS  
 28- TRF CONTROL / DETOUR  
 29- TREE / BRUSH REMOVAL  
 (Type of Work)

Permit No. KC-24-101590  
 Route OR 50 W  
 County JACKSON

City LEES SUMMIT

Inspector NATHAN JULIANA Issued 02/02/2024 Log Points 2.954 2.954  
 Phone 8166072185 Expires 06/27/2025 GPS Begin N 38.9039797726 W -94.314881564  
 RMS \_\_\_\_\_ Released \_\_\_\_\_ GPS End N 38.9039797726 W -94.314881564  
 Speed Limit 35 mph

#### 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 side. 760 FEET  
EAST from Blackwell Rd.

(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.

*Scott Runyan*

03/07/2025

(Signature)

(Date)

*Jake McClung*

3-7-2025

(Signature)

(Date)

Scott Runyan

(Print or Type Name)

Jake McClung

(Print or Type Name)

Griffin Riley Property Group

(Applicant)

Selby Excavating

(Applicant's Contractor)

21 SE 29th Terrace

(Address)

16212 Cameron Road

(Address)

Lee's Summit

MO

64082

(City)

(State)

(Zip-code)

Kearney

MO

64062

(City)

(State)

(Zip-code)

(Telephone Number) 8165005928

(Telephone Number) 8168200956

(Email Address) scott@griffinriley.com

(Email Address) selbyexcavating@gmail.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: \_\_\_\_\_

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

## Description of Work

Permission for Griffin Riley Property Group to have their contractor construct the improvements as shown within the provided plans, titled Public Street Improvement Plans for Blue Parkway, dated 12/11/2022, stamped by Jadrienne S. Rodell-Tipton, P.E., P.E. number 2021032725.

Contractor / Developer is responsible for installing and maintaining proper erosion control throughout the duration of project. Contractor/developer shall keep the roadway clean and free of debris during the project.

All pedestrian facilities and sidewalks shall be constructed to comply with ADA and MoDOT standard drawing 608.10.

Permission for Griffin Riley Property Group to have their contractor construct the improvements as shown within the provided plans, titled Public Street Improvements Plans for Blue Parkway, dated 06/17/2024, stamped by Jade Rodell-Tipton, PE with Powell CWN, Inc.

On site third party inspector is Adam McEachron with CFS Engineers (913) 660-5745

Contractor of debris is responsible for installing and maintaining proper erosion control throughout the duration of project. Contractor/developer shall keep the roadway clean and free of debris during the project.

All pedestrian facilities and sidewalks shall be constructed to comply with ADA and MoDOT standard drawing 608.10.

"All permittees are required by law to comply with the Americans with Disabilities Act (ADA) of 1990. Applicant must refer to the Americans with Disabilities Act 2010 Standards for Accessible Design or the November 23, 2005, Revised Draft Guidelines for Accessible Public Rights-of-Way (PROWAG 2005) for complete details on making the project accessible. Permittees will be required to repair or replace any damage to pedestrian facilities (such as sidewalks, ramps, curbs, etc.) to comply with Americans with Disabilities Act (ADA) requirements to the maximum extent feasible."

Applicant and Contractor shall comply with the provisions set forth under the MDNR Permit and Storm Water Pollution Prevention Plan (SWPPP) for erosion and sediment control and make any necessary adjustments as needed to control sediment. Applicant shall install erosion control measures prior to land disturbance and maintain them until vegetation is established and as required to prevent erosion of the slope. Particular attention to SWPPP Section 806.8.6.3.8.1 Temporary Seeding and Mulching of disturbed areas as soon as possible once grading is complete, not to exceed 14 days (or 7 days on slopes steeper than 3:1) weather permitting.

Contractor / applicant shall contact MO ONE CALL and complete a Notice of Intent three business days prior to starting work on right of way. All lane closures shall be submitted with traffic control plans for review and approval two business days prior to starting work on right of way. Contractor is responsible for verifying right of way in the field.

A copy of the permit and traffic control plan (if applicable) shall be available on site at all times. In addition, the following needs to be completed prior to any work being done on the Missouri Department of Transportation 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 state right of way.
2. Applicant and/or Contractor shall complete the "Notice of Intent to Perform Work" form on-line a minimum of two working days in advance of activity.  
<https://www.modot.org/notice-intent>
3. Applicant and/or Contractor shall provide "Temporary Traffic Control" 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. [http://epg.modot.org/index.php/616.8\\_Typical\\_Applications\\_\(MUTCD\\_6H\)](http://epg.modot.org/index.php/616.8_Typical_Applications_(MUTCD_6H)#Listing_of_Typical_Applications_for_Maintenance)  
[#Listing\\_of\\_Typical\\_Applications\\_for\\_Maintenance](#)
4. Applicant and/or Contractor shall seek approval from the Missouri Department of Transportation for any lane closures on state routes. The lane closure request and temporary traffic control plan shall be submitted for review, two working day's notice is required.
5. Applicant and/or Contractor shall contact me prior to working on Missouri Department of Transportation right of way.
6. Applicant and/or Contractor can access Missouri Department of Transportation "Standard Plans for Highway Construction" for necessary details of construction within the right of way limits.
7. A survey may be needed to accurately determine the right and utility corridor along this route, if no Right of Way markers are available. If plan sheets are needed for right of way, then a request should be made by submitting the following information to [kcmicrofilm@modot.mo.gov](mailto:kcmicrofilm@modot.mo.gov) ; county, route, town or city, township, section, and range, and nearest cross streets.
8. Lane closure hours are to be between 9am and 2pm. Monday - Friday. A Notice of Intent shall be completed prior to starting or

performing a lane drop. Weekend hours to be determined by MODOT inspector.

Failure to comply with these provisions could result in a temporary suspension of the permit. If you have any questions regarding the permit specifications or specific requirements in this email, feel free to give me a call or visit our D4 Permits Website for additional information.

No lanes closures will be allowed during Holidays such as Thanksgiving, Christmas, etc. Holiday working hour restrictions include the working day prior to the Holiday starting at 12PM to the working day following at 9AM. One lane of traffic shall be maintained at all times during hours of construction. Proper traffic control shall be in place at all times during construction, and Certified Flaggers shall be used when a flagging operation is needed. Contact Nathan Juliana at 816-835-5612 prior to starting work and upon completing work for right of way inspections.

No equipment or material shall be left on state right of way during non-construction hours unless authorized by a MODOT representative. If allowed to be left on state right of way then the following shall be observed; 1) All materials and/or equipment shall be placed out of the 30 foot clear zone, 2) All materials and equipment shall be properly protected and identifiable as specified by a state representative.

During construction hours, all equipment, material and vehicles will only be permitted on shoulders, medians or pavements where the locations are closed to traffic, properly signed and occupied by ongoing construction operations, unless otherwise approved by the said MODOT representative.

#### Damage to MoDOT Facilities

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.

#### UTILITY COMPANY PERMITS

1. All materials and procedures must conform to current MoDOT Standards, General Provisions and this sheet.
2. Applicant and/or Contractor must possess a copy of this permit and permit approved plans on the job site at all times.
3. Keep roadway and shoulders clear of dirt, mud, debris, equipment and materials at all times.
4. Compact fill material in 6-8 inch lifts (backfill material shall be free of construction debris).
5. Dress all disturbed earth areas; seed and mulch with straw and or sod.
6. Locate bore pits a minimum of 10’ from outside edge of pavement (unless restricted by right of way).
7. UTILITY LOCATES – CONTACT MO ONE-CALL 1-800-344-7483 FOR LOCATION OF UNDERGROUND FACILITIES.
8. All MoDOT property or facilities (including roadway and shoulder pavement) disturbed or damaged during the scope of work allowed by this permit must be restored or replaced in accordance to current MoDOT Standards to meet or exceed the original existing condition as directed by MoDOT.
9. All facilities shall be located within the 6 Ft. Utility Corridor.

#### Safety Apparel

MoDOT’s safety apparel guidelines are found in EPG 616.4.3 Worker Safety Considerations.

All workers within highway right of way shall wear approved ANSI/ISEA 107 Performance Class 2 or 3 safety apparel and more specifically as follows:

Daytime Flagger: During daytime activities, flaggers shall wear a high visibility hard hat, safety glasses, a Performance Class 3 top OR a Performance Class 2 top, and safety footwear. Hard hats other than high visibility orange or green shall be covered with a high visibility covering.

Daytime Worker: During daytime activities, workers shall wear a hard hat, safety glasses, a Performance Class 3 top OR a Performance Class 2 top, and safety footwear.

Nighttime Flagger: During nighttime activities, flaggers shall wear a high visibility/reflective hard hat, safety glasses, a Performance Class 3 top AND Class E bottoms, OR Performance Class 2 top AND Class E bottoms, and safety footwear. Hard hats shall be reflective or covered with a high visibility covering.

Nighttime Worker: During nighttime activities, workers shall wear a hard hat, safety glasses, a Performance Class 3 top OR Performance Class 2 top AND Class E bottoms, and safety footwear.

See also EPG 616.5.2 High-Visibility Safety Apparel.

#### TRAFFIC CONTROL ONLY

1. All materials & procedures must conform to current MoDOT Standards and Traffic Control for Field Operations, as well as current

#### MUTCD Guidelines.

2. Applicant and/or Contractor must possess a copy of this permit and permit approved plans on the job site at all times.
3. Keep roadway and shoulders clear of dirt, mud, debris, equipment and materials at all times.
4. Roadway ditches, culverts and other such devices used to carry surface run-off will be kept open, free and clear at all times.
5. Dress all disturbed earth areas; seed and mulch with straw and/or sod.
6. UTILITY LOCATES – CONTACT MO ONE-CALL 1-800-344-7483 FOR LOCATION OF UNDERGROUND FACILITIES.
7. All MoDOT property or facilities (including roadway and shoulder pavement) disturbed or damaged during the scope of work allowed by this permit must be restored or replaced in accordance to current MoDOT Standards to meet or exceed the original existing condition as directed by MoDOT.
8. Steel Plate Ahead signs shall be displayed for all lanes of traffic while being used on the roadway.
9. Lane closure hours are to be between 9am and 2pm. Monday - Friday. A Notice of Intent shall be completed prior to starting or performing a lane drop. Weekend hours to be determined by MODOT inspector.

#### Utility Work Related to New Facility Placement

In the event that the underground location of the Applicant's utility facilities is marked within an area of Commission right-of-way proposed for project excavation, the Applicant agrees: (1) to perform non-invasive digging methods (hand/soft digging, pot holing, vacuum methods, pressurized air/water, pneumatic hand tools, etc.), at the Applicant's 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; or (3) to relocate said facilities, at the Applicant's 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 Applicant's utility facilities interferes with the Commission's proposed project excavation, relocation of those facilities by the Applicant will be required.

#### Minimum Cover for New Underground Facilities

Water Lines 42" (copper 2" or less no encasement required) 72" for plastic, Fiber Optic Cable Crossing(encased in rigid conduit) 42", (encased in Poly) 72", Fiber Optic Cable Parallel 30", All other cable 24", Gas Pipeline(uncased PE) Crossing 72", Parallel 30", Gas Pipeline (uncased PE) Parallel 30", Electric 30", Sewer 30", Electric Vertical Clearance is 18' minimum.

Applicant is responsible for contacting all utilities before working on MODOT Right of Way. All disturbed areas shall be seeded and mulched. Traffic Control shall comply with the MUTCD Traffic Manual.

#### ITS Facilities in Area

In the instance of damage to MoDOT owned freeway and arterial management facilities, the MoDOT 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 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 and being 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 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.

#### General Operations

1. All materials & procedures must conform to current MoDOT Standards.
2. Applicant and/or Contractor must possess a copy of this permit and permit approved plans on the job site at all times.
3. Keep roadway and shoulders clear of dirt, mud, debris, equipment and materials at all times.
4. Roadway ditches, culverts and other such devices used to carry surface run-off will be kept open, free and clear at all times.
5. Dress all disturbed earth areas; seed and mulch with straw and/or sod.
6. Backfill behind curb flush to the top of back of curb. Mechanically compact in 4" layers.
7. 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. PAVEMENT CUTS – All pavement cuts to be sawed – CONCRETE OR ASPHALT.
  - 9a. ALL TEMPORARY pavement patches to consist of 3" asphalt top, on a compacted 8" crushed stone base.
  - 9b. ALL PERMANENT pavement repairs to match existing materials in kind and thickness (dirt, rock, asphalt, or concrete).
    - 1) A digable flowable fill shall be placed up to the bottom of the pavement using a MODOT approved mix.
    - 2) Place concrete up to within three inches of the driving surface using a MODOT approved mix design. A PCCP with 1% calcium chloride with 4000psi may be used, or another High Early Concrete. (When pavement cuts are 4x4 or smaller high early concrete shall be placed up to the top and tined perpendicular to the travelway.)
    - 3) Place three inches of asphalt matching the existing drive surface using a MODOT approved mix design. (When pavement cuts are 4x4 or smaller high early concrete shall be placed up to the top and tined perpendicular to the travelway.)
    - 4) 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.)
    - 5) A copy of all tickets shall be provided to MODOT upon completion of the project.
  - 9c. 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.)

- 9d. Steel Plates shall be properly secured to the pavement so as to prevent any movement and shall have asphalt placed around the plate to provide for a smooth transition for the traveling public.
- 9e. If operations proceed into the winter months, then the steel plates shall be recessed into the pavement and properly secured.
- 9f. Steel Plate Ahead signs shall be used whenever a steel plate is used on the roadway regardless of size.
10. UTILITY LOCATES – CONTACT MO ONE-CALL 1-800-344-7483 FOR LOCATION OF UNDERGROUND FACILITIES.
11. All MoDOT property or facilities (including roadway and shoulder pavement) disturbed or damaged during the scope of work allowed by this permit must be restored or replaced in accordance to current MoDOT Standards to meet or exceed the original existing condition as directed by MoDOT.
12. WORKING HOURS- 9:00 a.m. to 2:00 p.m. between shoulder points or otherwise specified.
13. Shut-off valve shall be on the state right of way, 12” from right of way line.
14. Locate bore pits a minimum of ten feet from outside edge of pavement.
15. When tunneling under the pavement, the tunneling angle can be no greater than a 45 degree angle.
16. Bore pits shall be a minimum of 10’ from outside edge of pavement (unless restricted by ROW if this is the case then a meeting will be needed in the field with the inspector)

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.

#### TRIM OR CUT VEGETATION

1. All work shall be in accordance with this permit and plans showing the work area and method of access to work area.
2. Applicant and/or Contractor must possess a copy of this permit and permit approved plans on the job site at all times.
3. No trees over 6” in diameter may be cut down.
4. All trees to be cut flush to the ground and stumps treated.
5. All tree/brush debris must be removed from MoDOT right of way.
6. Type of herbicides to be used, if any: Shall be approved by MODOT.
7. Keep roadway and shoulders clear of dirt, mud, debris, equipment and materials at all times.
8. Roadway ditches, culverts and other such devices used to carry surface run-off will be kept open, free and clear at all times.
9. All disturbed earth areas shall be raked to match existing slope, seeded and mulched with straw and/or sodded.
10. UTILITY LOCATES – CONTACT MO ONE-CALL 1-800-344-7483 FOR LOCATION OF UNDERGROUND FACILITIES.
11. 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.
12. All workers within highway right of way shall wear approved ANSI/SEA 107 Performance Class 2 or 3 safety apparel, including safety glasses and safety footwear. See EPG 616.4.3 Worker Safety Considerations for worker apparel and EPG 616.5.2 High-Visibility Safety Apparel for flagger apparel. [http://www.modot.org/business/documents/Safety\\_Requirements\\_Apparel\\_Placemat\\_FINAL1.pdf](http://www.modot.org/business/documents/Safety_Requirements_Apparel_Placemat_FINAL1.pdf)

“An Applicant is expected to comply with applicable state and federal laws, rules, and regulations, and the receipt of this permit does not relieve the Applicant of that responsibility. For example, an Applicant may need to complete a habitat assessment of the proposed work area to comply with the Endangered Species Act while trimming, cutting or removal of trees three inches or greater in diameter (measured at a point 54 inches above ground) from April 1 through October 31, because such trees are considered to provide suitable roosts for Indiana and Northern Long-Eared Bats.”

#### 236.16.15.6 Endangered Species Act

Trimming, cutting or removal of trees three inches or greater in diameter, as measured at a point 54 inches above ground, that are considered suitable roosts for Indiana Bats and Northern Long-Eared Bats is prohibited from April 1 through October 31 due to these species being protected under the Endangered Species Act. Applicants may contact the specialist or submit a habitat assessment of the proposed cut area from a qualified consultant for consideration from April 1 through October 31.

#### 236.16.15.8 Mowing and Brush Hogging

Applicants are encouraged to avoid mowing and brush hogging from August 15 through October 31 to encourage the proliferation of the pollinator species by allowing the seeds of existing favorable plant species to mature and be viable for the next growing season.

## 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



Safety Footwear



## Daytime Flagger PPE

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.



Choose One



OR



Choose One



Choose One



Safety Footwear



## Nighttime Flagger PPE

Choose One



Safety Footwear



Choose One



Safety Footwear



Choose One



Safety Footwear



Choose One



Choose One  
-hard hats may be any color or design



OR



Choose One



Choose One



Safety Footwear



## Daytime Worker PPE

For daytime 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.



Choose One



OR



Choose One



Choose One



Safety Footwear



## Nighttime Worker PPE

Choose One



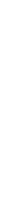
Safety Footwear



Choose One



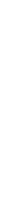
Safety Footwear



Choose One



Safety Footwear



Choose One

