

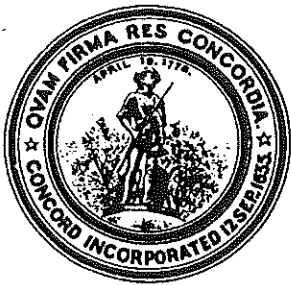
Town of Concord
Drain Layer's Requirements/Info

Whereas the Division does not perform work on private property, the Public Works Commission has adopted a regulation requiring contractors performing sewer work to be licensed by the Division (see Article IV of Sewer Rules and Regulations attached). Contractors working on water services must also be Licensed Drain Layers. This is required as a condition of approval for working on water services (Article II Section 4 of Water Rules & Regulations), "The Division shall approve all installation activities".

To qualify for a drain layer license within the Town of Concord, a written application form must be submitted to the Division. As noted in the Rules and Regulations, applicants will be required to provide the following:

- 1) \$100 application fee.
- 2) Reference from at least one other town in which the firm has done water or sewer work or a current licensure as a drain layer in another Massachusetts city or town.
- 3) Certificates of Insurance including:
 - a) Insurance certificate naming the Town as an additional insured party.
 - b) Proof of Workers Compensation Insurance.
 - c) Proof of Automobile and other vehicle insurance.
 - d) Send to Concord Water & Sewer, 135 Keyes Rd, Concord, MA 01742 or fax to (978) 318-3204.
- 4) All "designated" persons must be Competent Person as defined by 520 CMR 7.02., and listed on the drain layers license application. They are the persons principally responsible for water or sewer service installation work with the Town.
- 5) Unless a Right of Way Permit is required, a completed Concord Public Works "Trench Permit Application -- Excavator Information" form must be submitted for each service application by the Licensed Drain Layer who will be principally responsible for supervising the work. All operators who may perform water or sewer service trench work to be authorized under this application must be licensed to operate hoisting or other mechanical equipment by the Department of Public Safety.
- 6) Designated persons must attend training session so that applicant has been provided with instruction as to service application process and applicable design and construction standards. Training sessions will be held at the office of the Concord Water & Sewer Division, 135 Keyes Road Attendance is mandatory for all applicants.

If you have additional questions about the requirements to be licensed in Concord, please call our office at 978-318-3250.



CONCORD PUBLIC WORKS, WATER AND SEWER DIVISION
135 Keyes Road, Concord, MA 01742 Phone (978) 318-3250 Fax (978) 318-3204

APPLICATION FOR DRAIN LAYER'S LICENSE

APPLICANT INFORMATION

Company Name _____

Company Mailing Address _____
Street or PO Box number

_____ City State Zip

Note: This address will be listed on the Town's Website.

The names and residential address of all persons and parties who are principals as follows:
GIVE FIRST AND LAST NAMES IN FULL; IN THE CASE OF A CORPORATION, GIVE NAME OF
PRESIDENT, TREASURER AND CLERK; AND IN THE CASE OF A PARTNERSHIP GIVE NAMES
AND ADDRESSES OF ALL PARTNERS.

Name, please print

Address

Name, please print

Address

Name, please print

Address

Day time phone # _____ Cell Phone # _____

NOTE: If the applicant is a corporation, indicate state of incorporation under signature and affix corporate seal; if a partnership, give full names and residential address, if different from business address. If the applicant is a corporation, an affidavit giving the principal the right to sign the application must accompany the executed application.

REQUIREMENTS

1.) Affirmation of Applicant Stability

You have been in business under the present business name for _____ years.

2.) New Applicant References

Sewer Work: All new applicants proposing to perform sewer service related work must attach proof of current Licensure as a drain layer in at least one other Massachusetts city or town, OR list three contracts under which you have successfully performed similar work within the past three years:

Water Work: All new applicants proposing to perform water service related work must attach a list of three contracts under which you have successfully performed similar work within the past three years:

Note: To be included on the published Concord Water/Sewer Licensed Drain Layer List, applicant must have successfully installed at least one representative service within the Town of Concord within past three years.

3.) Insurance

Applicants for licenses must file with the Town an insurance certificate naming the Town as an additional insured party with General Commercial Liability Coverage up to \$1,000,000 and also riders for underground explosion and collapse (UEC) coverage; proof of Worker's Compensation Insurance up to the statutory limits; automobile and other vehicle insurance of not less than \$250,000.

These Certificates shall contain a provision that coverage afforded under the policies will not be canceled until at least fifteen days prior written notice has been given to the Town. Said insurance shall indemnify the Town of Concord against any and all claims, liability or actions for damages incurred in or in any way connected with the performance of the work by a water or sewer system installer, and for or by reason of any act or omission of said system installer in the performance of his or her work.

4.) Designated Persons

List all designated personnel who will be principally responsible for coordinating and supervising the work under this contract must also be a "**Competent Person**" as defined by 520 CMR 7.02. Each designated person shall receive instruction from the Water and Sewer Division regarding the Town of Concord's water & sewer service application procedures and design and construction standards. See Attachment A "Designee Information".

- a) Name: _____
- b) Name: _____
- c) Name: _____
- d) Name: _____

5.) Excavator Information

Unless a Right of Way Permit is required, a completed Concord Public Works "Trench Permit Application - Excavator Information" form must be submitted for each service application by the Licensed Drain Layer who will be principally responsible for supervising the work. All operators who may perform water or sewer service trench work to be authorized under this application must be licensed to operate hoisting or other mechanical equipment by the Department of Public Safety.

The undersigned hereby has provided all information required and agrees to conform to all rules and regulations established by the Public Works Commission. Signature of the applicant is required along with non-refundable application fee of \$100.00. Checks shall be payable to *Town of Concord*.

Signature (Applicant): _____ Date _____

Print (name) _____



CONCORD WATER/SEWER
CONCORD, MASSACHUSETTS 01742
ATTACHMENT A

DRAIN LAYER
DESIGNEE INFORMATION

To Be Completed By each Designee of a Licensed Drain Layer

Name of Company: _____

Name of Designee: _____ Tel. # : _____
(print)

After Hours Emergency Tel. # if different than above: _____

Address: _____ Town: _____

State: _____ Zip Code: _____

By signing below the undersigned acknowledges and certifies that they are familiar with the Rules and Regulations of the Town of Concord regarding drain layers, water and sewer service work, and design and construction standards for water and sewer service work, and they covenant and agree that all work done concerning water and sewer service work will comply therewith in all respects and with the conditions set forth therein.

By signing below the undersigned acknowledges and certifies that they are familiar with, or, before commencement of the work, will become familiar with, all laws and regulations applicable to the work proposed, including OSHA regulations, M.G.L. C. 82a, 520 CMR 7.00 et seq., and they covenant and agree that all work done under the permit issued for such work will comply therewith in all respects and with the conditions set forth below.

By signing below the undersigned agrees to defend, indemnify, and hold harmless the municipality and all of its agents and employees from any and all liability, causes or action, costs, and expenses resulting from or arising out of any injury, death, loss, or damage to any person or property during the work conducted under this permit.

Conditions and requirements pursuant to M.G.L. Chapter 82a and 520 CMR 7.00 et seq. (as amended)

By signing the application, the undersigned understands and agrees to comply with the following:

- i. No trench may be excavated unless the requirements of sections 40 through 40d of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until

said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76d of Chapter 164 (dig safe);

- ii. Trenches may pose a significant health and safety hazard. Pursuant to section 1 of chapter 82 of the general laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the department of public safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.
- iii. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the department of public safety pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;
- iv. In the event the permitting authority is notified of an unattended trench during a time when the permit holder is unavailable, and the authority determines that a police detail is required to make the trench safe for the protection of the general public, the permit holder shall be assessed and be responsible to the town for the cost of providing the police detail.
- v. In the event that the permitting authority determines that a trench is unattended and unsafe, the permitting authority may take such action to backfill, barricade or cover the trench and the permit holder shall be assessed the costs associated with the action, including any overtime costs for the Town of Concord employees or town-authorized contractors.
- vi. Whenever a permit holder is making multiple trenches related to the specific utility for which the original permit was issued over the course of a single project, the permitting authority may choose to issue a blanket permit allowing the permit holder to add to the list of trench locations as the permit holder becomes aware that a trench is required. The permit holder shall advise the permitting authority of the addition of each new trench.

Signature: _____

Date: _____