

Applicability

In the past, utility companies performed all of their own trench construction. However, today utility companies sometimes allow private contractors to construct the trench and install the facilities with the utility company inspecting and accepting the work. This permit is for those situations. Typical examples of this work include:

- Installation of joint trench in a residential or industrial subdivision
- Installation of utility services to a new commercial or industrial building
- Installation of utility service to an existing structure

In those situations where the Utility Company is performing the construction, a permit should be applied for from the Utilities section of Public Works (408-975-7455).

Permits for privately owned trenches crossing a public street are processed as Revocable Encroachment permits, please see the informational sheet titled "Revocable Encroachment Permit".

Project Review Procedure

Schedule an Appointment with Staff

An appointment is required to submit a Private Utility Trench Permit application.

If this work is being done in connection with the development or redevelopment of a site, then your project will have been through the Planning Permit process, at which time a Public Works Project Engineer was assigned to the Project. The Public Works Project Engineer will be your single point of contact for all Public Works permits related to this project. If you already know the name of the PW Project Engineer, please contact him/her directly to schedule an appointment for plan submittal. If you are unsure of the PW Project Engineer assigned to your project, please contact staff at (408) 535-7802 with your Planning Permit number, and we will look up the name of the Project Engineer assigned to your project.

If this work did not require any significant Planning permits (i.e. Remodel of an existing residence, Tenant Improvement, etc.) then this permit will be processed by our Public Works Counter Team. Please contact staff at (408) 535-7802 to discuss the specifics of your project and arrange for a time to submit your permit application.

Submittal Instructions

To apply for a private utility trench permit, complete the Application for Public Works Permit form by following the instructions below:

- 1) **General Information** - Provide the name, address, and phone number of the permittee and the contractor who will be doing the proposed construction work. Be sure to include the State Contractor's and City Business License Numbers.
- 2) **Project Location / Major Intersection** – Specifically describe the location of work giving the street name(s) and address(es) if possible. In addition, indicate the major cross street(s).

- 3) **Trench Lengths** - Indicate the length of trenching within the public right-of-way on Arterial Street(s), Local Street(s) and New Street(s). These quantities are necessary for calculating permit fees and to determine the appropriate amount for the security deposit (see item 5 below). For a list of City streets classified as Arterial for fee calculation purposes, please visit our website <http://www.sanjoseca.gov/publicworks/tds/document.asp>.
- 4) **Certificate of Insurance** - Submit a certificate of insurance which meets City requirements. This insurance must be maintained for the duration of the project. See form titled "Insurance Requirements".
- 5) **Security Deposit** – A security deposit will be held for the duration of the work to guarantee repair and/or replacement of any public improvements damaged during work initiated by this permit. The surety requirements will vary based on the status of the project and whether any street improvement permits are currently active on the site. In general the surety requirements are as follows:
 - **Projects with approved permit in place for street improvements** - No additional security deposit will be required as long as the utility trench is in the same location as the new street improvements, the utilities are installed prior to the new street improvements, and the same Developer is the applicant for this permit. If all of these conditions cannot be met, then a security deposit will be required as listed below in "Stand-Alone projects"
 - **Stand Alone projects** - The security deposit will be equal to the cost of restoring the public right-of-way (\$2,000 minimum)

If the work can be completed within 90 days, then the security deposit can be in the form of a **Cashier's Check** from a local bank in favor of the *City of San Jose* with no expiration date imprinted on the check. Otherwise, the security deposit shall be in the form of a **Certificate of Deposit**. See the Certificate of Deposit guidelines for instructions.
- 6) **Fees** – Submit fees according to the "Public Works Permit Fees" fee schedule.
- 7) **Plans** - Prior to the issuance of the permit, the trenching plans must be approved by the affected utility company.