

**TULSA  
COUNTY**  
Engineering  
Division

## **MEMORANDUM**

**DATE:** June 9, 2016

**TO:** Board of County Commissioners

**FROM:** Tom Rains, County Engineer



**SUBJECT:** Utility permit for KPOWERNET LLC

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We present for your approval a utility permit for KPOWERNET LLC to cross and parallel West 41<sup>st</sup> and Campbell Creek Rd. approximately .40 miles NW of South 209<sup>th</sup> West Avenue.

Installation will be by directional boring for a fiber optic cable.

**TR: am**  
**Attachments**

**Original:** Pat Key, County Clerk, for June 20, 2016 Agenda

**xc:** Commissioner John M. Smaligo, Jr.  
Commissioner Karen Keith  
Commissioner Ron Peters  
Michael Willis, Chief Deputy  
Vicki Adams, Chief Deputy  
Scott Gray, District Two  
File

TULSA COUNTY  
BOARD OF COUNTY COMMISSIONERS

UTILITY PERMIT

NO. \_\_\_\_\_

TYPE OF INSTALLATION: FIBER OPTIC CABLE

This authority executed in the original and three copies this 7 day of JUNE, 20 16

By the Tulsa County Board of Commissioners, hereinafter called the "COUNTY", witnessed:

That the COUNTY does by these presents, grant to:

Applicant KPOWERNET LLC

Mailing Address 10830 E. 45<sup>TH</sup> ST. STE 405

City TULSA

OKLAHOMA

Zip 74146

A permit to erect, construct and maintain a FIBER OPTIC CABLE along, upon or across the hereinafter described County Highway (s) for the purpose of transporting, selling, and using that portion of said County Highway (s) being shown on the attached drawing (s) and further described as follows:

To CROSS AND PRALLEL WEST 41<sup>ST</sup> AND CAMPBELL CREEK RD approximately .40  
Cross or parallel County Highway name or number  
miles NW of the S. 209<sup>TH</sup> WEST AVENUE and further described as 1800 feet WEST of the  
N.E.S.W. Junction or other definite point N.E.S.W.  
SE corner of Section 22, Township 19N, Range, 10E, Tulsa County.

The installation will be made in the following manner: DIRECTIONAL BORE ON W.41<sup>ST</sup> AERIAL ON CAMPBELL CREEK  
(boring, pushing, cut slab, overhead crossing and other description)

Size of Line: 1.25 CONDUIT AND 60 FIBER AERIAL Size of Casing: \_\_\_\_\_

Exhibit A is a part of this permit.

This permit is granted subject to the following conditions, requirements and covenants, to-wit:

1. Work to be performed on County right-of-way must be under the direction of the Tulsa county Engineer, who must be notified of the time when the work is to begin. Under no circumstances will any work be done on County right-of-way until approval of the Tulsa County Engineer has been obtained.
2. One copy of an approved permit must be kept at the work site for inspection by the Tulsa County Engineer or his representative. Applicant will be required to have an inspector or engineer present at all time during construction to insure that installation is made in accordance with plans.
3. The applicant must agree to hold the COUNTY harmless for any damage (s) or injury (ies) to any person(s) or property (ies) caused by or resulting directly or indirectly from the construction, maintenance, operation or repair of the facilities on, under, or over the County right-of-way and must further agree to reimburse the COUNTY for any repair of any damage to COUNTY facilities caused by the construction and/or operation of the applicant's facility.
4. All work on the County right-of-way is to be done in accordance with the current Standard Specifications for Highway Construction, Oklahoma State Highway Commission, and at the conclusion of such work the right-of-way must be cleaned up and left in a presentable condition. This will include replacing any protective grass cover destroyed by trenching or operation of equipment, and correcting any other damage that may have been caused, as directed by the COUNTY. The applicant shall require the contractor or whoever installs the facilities to deposit with the COUNTY a cashier's check, certified check, cash or bond which is to insure the cost to the COUNTY for restoring the area to its original state, if not restored by the installer. The minimum deposit or bond will be based on fifty cents per lineal foot paralleling the highway, two dollars per lineal foot for boring and five dollars per lineal foot for trenching when trenching is necessary. The measurement to determine the amount of deposit shall be measured along centerline of trench for paralleling roadway, and for boring or trenching the measured centerline of trench from right-of-way line to right-of-way line. After final inspection by the County Engineer's Office, and an additional period of ninety days, the deposit less any amount not used to restore the area shall be returned to the depositor.
5. The applicant must furnish all flagmen, lights, barricades, and warning signs deemed necessary by the COUNTY, during the construction maintenance, or repair of its facilities on the County right-of-way.
6. When notified to do so by the COUNTY, the applicant agrees to make all changes in the facilities on a County right-of-way at the applicant's own expense, unless otherwise provided by law or order of the COUNTY.
7. Clearance above the traffic lanes of the highway at all pole line crossings should comply with applicable safety codes, but will not be less than 20 feet at a temperature of 69 degrees Fahrenheit. All poles, posts, stubs, fixtures, down guys, wires, and other appurtenances must be kept in good repair at all times and must be free from weeds and brush within a 5-foot area no more than 4 feet inside the right-of-way line, unless otherwise approved by the COUNTY.



8. All underground crossing of the right-of-way must be encased from right-of-way line to right-of-way line at a minimum depth of 48 inches below the bottom of the surfacing, but not less than 30 inches below the bottom of the ditches, unless otherwise approved by the COUNTY.

All encased crossings must be sealed at both ends and vented outside of right-of-way line. The vents should be sized to allowed proper release of carrier pipe contents in case of failure. The minimum pipe size for vents is 2-inch nominal, and the vent must extend a minimum of 36 inches above natural ground level. The owner must install identification markers at each right-of-way line directly above the facility. Such markers may be attached to vents or to a right-of-way fence. The markers may be in the owner's standard design, but must identify the owner and size of the facility, and must be erected at a location plainly visible from within the highway right-of-way.

The casing must be designed to sustain roadway loadings, contain and divert from the roadway the contents of the carrier pipe, and to have a life expectancy equal to or greater than the carrier pipe.

Encasement for underground telephone and power lines, or similar facilities, should comply with the above except for the installation of vents, end seals, and the ability to contain and divert.

Steel pipelines crossing the right-of-way may be installed without encasement if the installation is in accordance with "Special Provisions for the Installation of Underground Pipelines...". This Special Provision stipulates in part that carrier pipe material within the right-of-way must be superior to the carrier pipe material outside the right-of-way by being of steel at least one grade better, or a minimum of one wall width thicker and the same alloy. Pipe must be 48 inches below the flow line of drainage ditches and all other highway drainage facilities, and must be properly protected from corrosion.

Nonpressurized facilities, such as sanitary sewer lines, crossing the highway right-of-way may be approved without the use of encasement, if cast iron or material of equal or better quality is used, with the understanding that maintenance will be performed by a method that will not disturb the through lanes or interfere with traffic.

All underground crossings must be installed by boring or pushing or other approved methods. The method and equipment for the installation must be approved by the COUNTY. Wet boring or jetting will not be permitted unless special approval is obtained from the COUNTY. If considered necessary, pressure grouting of the voids will be required. This will generally be required when the diameter of the bore exceeds the outside diameter of the pipe by two inches or more. In the interest of safety, trenching and the parking of equipment should be performed as far as possible from traffic lanes. In unusual cases where trenching is necessary, a special plan with specifications will be developed by the owner with assistance from the COUNTY, setting out the method for controlling the traffic, placement of the facility, and proper restoration of the roadway. This method must bear the recommendation of the COUNTY.

Parallel facilities must be installed no more than 4 feet inside the right-of-way line and buried a minimum depth of 30 inches below the ditch flow line. The ditch must be backfilled to a density equal to the adjacent soil, and approved by the COUNTY.

9. The applicant must agree to refrain from disturbing trees, shrubbery or any part of the landscape without approval of the COUNTY. If it becomes necessary to disturb trees or shrubbery, applicant intentions must be plainly stated in the application, which will include size and kind of trees and shrubs, and disposition during installation.

10. Blasting will not be permitted within the highway right-of-way except in unusual cases and only with special approval from the County Engineer.

11. The applicant must agree to hold the COUNTY harmless for any and all damage that the utility facilities might sustain while occupying County right-of-way.

12. Applicant assures that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1973, 33 V.S.C. 1334.

13. Contractor for this project FLOCK ENTERPRISES INC., address 10515 N 4305 Rd  
Adair, OK 74330-2713

This permit may be revoked for noncompliance.

Accepted this 7 day of JUNE, 20 2016

KPOWERNET LLC

Owner of Utility

OTIS BREWER AGENT

Authorized Representative of Company

PROJECT MANAGER

Title

918-610-0014

Contact Person & Phone #

Attest:

Secretary

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
TULSA COUNTY, OKLAHOMA

Chairman

Attest:

County Clerk