

UTILITY PERMIT FOR USE OF PUBLIC ROAD RIGHT-OF-WAY
Village of Ridge Farm, Illinois

In accordance with the Illinois Telephone Company Act, 220 ILCS 65/4, MCC Network Services, LLC (“applicant”) hereby requests permission to contract, operate and maintain a buried fiber optic cable system in the public road rights-of-way located in the Village of Ridge Farm, Illinois (“Village”).

The method of construction primarily shall be by directional boring. Above ground utility pedestals and vaults will also be placed in the public right-of-way. A location map and a sketch or drawing of the proposed work has been provided or shall be included with this permit if requested by the Village.

This permit is subject to the laws of Illinois and grants a license only to undertake certain activities on the right-of-way described herein. This permit does not create a property right or grant authority to the applicant to impinge on the rights of others who may have an interest in the right-of-way.

The following conditions and restrictions apply to the operation and presence of specified equipment, material or facility on the right-of-way that may be related to the authorized work. The conditions and obligations shall survive construction and shall continue as long as applicant’s facilities shall remain in the Village’s rights-of-way:

- The applicant, its successors, grantees, and assigns, shall assume all risks and liabilities for all accidents and damages that may occur to person or property as a result of the work performed pursuant to this permit.
- Applicant shall indemnify, defend, and hold harmless the Village, its officers, agents, volunteers, and attorneys from and against any and all suits, claims, demands, losses, damages, costs, and expenses of any nature whatsoever incurred in connection with the work performed by applicant pursuant to this permit.
- A copy of this permit must be present when crews or equipment occupy the right-of-way.
- The public right-of-way shall be returned to its original condition in a timely manner at the expense of the applicant.
- The applicant shall not trim, cut, or in any way disturb any trees or shrubbery located in the right-of-way without the approval of the Village.
- The applicant shall avoid conflicts with any existing underground or above-ground facilities on or near the highway right-of-way and applicant shall comply with J.U.L.I.E. and its protocol.
- The proposed work shall be located and constructed to the satisfaction of the Village. The Village will make all reasonable efforts to mark its facilities as required by JULIE.
- The proposed work shall be done at a depth of approximately 24 inches, though in some instances it may be deeper in light of conflicts with other underground utilities. In cases where the depth will be greater than 24 inches, the applicant shall notify the Superintendent of Public Works for further assessment before proceeding.

- No revisions or additions shall be made to the proposed work on the right-of-way without written permission of the Village or its duly authorized representative. The Village shall have unrestricted access to inspect the applicant's work at all times.
- The applicant shall at all times conduct work in such a manner as to minimize hazards to vehicular and pedestrian traffic. All signs, barricades, flaggers etc. required for traffic control shall be furnished by the applicant.
- The applicant shall comply with all other applicable laws relating to the placement of utility lines, with all applicable provisions of the Illinois Telephone Company Act, the Public Utilities Code and its regulations, and with all other applicable laws.
- These conditions and terms will apply to all contractors including sub-contractors hired by the applicant to perform various functions of installation.
- This permit is valid for construction (including but not limited to, cutting and boring work) only from Monday through Friday 6:30 a.m. to 2:30 p.m., non-boring work can be done outside this window of time.
- Applicant and/or any contractor shall obtain and thereafter keep in force the following insurance coverage provided by an insurance company deemed acceptable to the Village and authorized to transact business under Illinois law. The Village does not warrant the adequacy of the types of insurance coverage or the limits of liability specified below, nor shall any such decision with respect to the type of insurance coverage obtained by applicant limit the indemnification provision of this permit.
 - Commercial General Liability: (a) General Aggregate Limit, \$2,000,000.00; (b) Products- Completed Operations Aggregate Limit, \$2,000,000.00; (c) Each Occurrence Limit, \$1,000,000.00;
 - Automobile Liability (covering owned, non-owned, and hired vehicles), Bodily Injury and Property
 - Damage Liability Limit Each Occurrence: \$1,000,000.00;
 - Worker's Compensation: in such amounts and consistent with the provisions of the Illinois Worker's Compensation Act, as amended; and
 - Employer's Liability: (a) Each Accident, \$500,000.00; (b) Disease-Policy Limit, \$500,000.00; (c) Disease-Each Employee, \$500,000.00.
- The applicant and/or any contractor may purchase insurance for the full limits required or by a combination of primary policies for less limits and remaining limits provided by an umbrella insurance policy. All insurance coverage shall remain in force during the period covering the work performed pursuant to this permit and at all times thereafter when the applicant and/or contractors may be correcting, removing, or replacing defective work and restoring damaged property.
- When applicant open cuts a street or alley and another utility is exposed, applicant shall backfill around all exposed utilities with sand.
- The applicant shall pothole water and sewer lines crossed during construction.
- The Village shall not be liable for any damage done to the applicant's facilities, provided the state's JULIE law and protocol is followed, and so long as such damage was not a result of gross negligence or willful conduct.
- This permit is subject to revocation by the Village upon violation of the terms and conditions governing its use.