

CHAPTER 11 – ACCEPTANCE PROCEDURES AND REQUIREMENTS

This section sets forth the procedures and requirements related to the acceptance of roads in Bennett. Chapter 11 is intended to maintain a uniform road development policy throughout the Town and to provide a clear statement of the procedures for road acceptance.

11.1 APPLICATION OF STANDARDS

11.1.1 The requirements contained herein shall apply to all new construction and all other work affecting Town ROW that are planned for or subject to present or anticipated public use within the jurisdiction of Bennett. Any variance or waiver from the following requirements must be approved by the Department of Public Works.

11.1.1.1 Construction tolerances shall conform to the requirements of the Construction Specification Tolerances that are included herein.

11.1.2 These requirements may be enforced by work stoppage injunctions issued to law; lawsuits may be filed by the Town Attorney for damages resulting to Town ROW due to non-compliance of these requirements.

11.2 GENERAL POLICIES

11.2.1 Where road improvements are required for a subdivision, an initial capital cost will be paid by the developer. After final acceptance of the roads, The Town will then provide a normal level of maintenance as available funds, manpower, and equipment permit. A normal level of maintenance means street sweeping, snowplowing, repair and cleaning of drainage structures, and general maintenance of the roadway in a condition deemed safe by the Town's Department of Public Works.

11.2.2 The Town will maintain only those roads specifically accepted for maintenance by the Department of Public Works.

11.2.3 Where a new development impacts an existing road by accessing onto the road or increasing storm runoff onto or along the road, the developer(s) will be responsible for upgrading the roadway to the minimum standards required by these Roadway Standards. The construction of new roadways for the purpose of providing access to a development is the responsibility of the developer(s).

- 11.2.4 The following traffic control aspects shall apply to acceptance procedures.
- 11.2.4.1 Roadways shall not be opened to general public traffic until necessary traffic control devices have been installed. Before a new roadway is accepted by the Town, it shall be properly signed and striped according to approved plans.
- 11.2.5 Improvements shall comply with the relevant Subdivision Improvement Agreement.

11.3 CONDITIONAL ACCEPTANCE PROCESS

Once public improvements (streets and/or drainage) which are covered by a valid Town of Bennett permit are constructed to the Town standards, the subdivider or developer may send a letter to the Town Engineer requesting inspection be made of the public improvements for conditional acceptance.

- 11.3.1 The letter shall fully describe the improvements for which the request is being made. It is the practice of the Town to accept all public improvements for a subdivision at one time or by completed phases; partial acceptance within a phase is discouraged (phases shall be shown on all construction drawings to ensure complete loops in each phase). If the owner/developer desires partial acceptance of subdivision public improvements, a request for such treatment should precede the acceptance request. The request should justify and define the partial acceptance schedule and explain the circumstances of the case. Such requests shall be considered by the Town Engineer on a case by case basis.
- 11.3.2 The letter shall designate a contact person for the owner/developer, an address and a telephone number.
- 11.3.3 The letter shall include a statement signed by a registered professional engineer in the State of Colorado. "I hereby affirm that the public improvement(s) for (Name of subdivision or project) have been constructed in substantial compliance with the construction plans accepted by the Town of Bennett." The letter containing this certification statement shall be accompanied by an independent test verification by a registered professional engineer. Such verification shall consist of acceptable destructive or nondestructive tests, an evaluation report based on those tests which substantiate compliance to the accepted plans, and a report showing the expected life of the roadway structure is at least twenty (20) years based on normal surface maintenance being provided by the Town.
- 11.3.4 If the Town Engineer cannot verify substantial compliance to the approved construction plans, a list of changes or exceptions to the plans shall be provided for construction acceptance by the Town Engineer. These must be documented by submitting record drawings with the list of changes or exceptions.
- 11.3.5 The Department of Public Works may require that a Profilograph be submitted with the letter.

- 11.3.6** The letter shall acknowledge the TERMS OF MAINTENANCE RESPONSIBILITY as described in this section.
- 11.3.6.1** The Town will be responsible for snow plowing within the guidelines of the Department of Public Works. The Town will not plow any streets that have manholes, valve boxes, etc., projecting above the pavement surface. The Town will not be responsible for any ice build-up at inlets where the final lift of asphalt paving has been deferred and the asphalt surface does not drain into the gutter.
- 11.3.6.2** Traffic control devices, either temporary or permanent, as approved by the Director of Public Works, must be installed before the Town will accept the facilities.
- 11.3.6.3** The Town will not be responsible for installation or maintenance of any barricades or warning signs required to protect the public because of phase construction of streets.
- 11.3.6.4** During the two (2) year warranty period, the Developer shall be responsible for all corrective or preventative maintenance as requested by the Department of Public Works in writing to ensure that all improvements are in place for as much of the two (2) year warranty period as possible. Such maintenance shall commence within thirty (30) calendar days after receipt of said written request (weather permitting).
- 11.3.7** The letter shall acknowledge that the developer (subdivider) has fulfilled the subdivision improvement agreement requirements on the extent of public improvements.

11.3.8 Acceptance Inspection Scheduling

Upon completion of each phase of improvements, the developer/contractor shall notify the Department of Public Works in writing and request preliminary inspection of the completed public improvements or part thereof. The Town will inspect the improvements, within ten (10) working days after notice, and, if the improvements are in substantial compliance with the plans and Specifications, accept such improvements. This shall constitute preliminary acceptance of the improvements.

The owner/developer shall be responsible for assuring that all public improvements associated with the subdivision are in good repair, are clean and free from debris and dirt, and are generally in an acceptable condition for thorough visual inspection.

- 11.3.8.1** An acceptance inspection shall not be scheduled nor conducted if the collateral for public improvements, as specified in the Subdivision Improvements Improvement Agreement, is not in valid force. The developer or subdivider shall be notified of any deficiency in collateral so corrective action can be taken.

11.3.9 Changes to Acceptance Inspection Date

Any changes to the inspection date requested by the owner/developer shall be received no less than three (3) working days prior to scheduled inspection. Notice may be written or verbal.

11.3.10 Notification of Deficiencies

Within ten (10) working days following an acceptance inspection, the Town shall provide the owner/developer a written list of deficiencies for the subdivision public improvements. These deficiencies must be rectified by the owner/developer, who shall obtain necessary permits prior to commencing the remedial work. Such permits shall be issued on a "no fee" basis.

11.3.11 Reinspections

When the owner/developer completes the repairs according to the deficiency list previously provided, a reinspection may be scheduled by calling the Building Permit Department. The Town shall give reinspection priority over new inspections when and if scheduling conflicts arise.

11.3.12 Granting Conditional Acceptance

The Town Inspector shall recommend approval or denial or conditional acceptance based on reinspection for compliance with the written deficiency list previously provided to the owner/developer. If new deficiencies are found, either in quality or extent of construction, the owner/developer shall be notified in writing that those new deficiencies shall be corrected as a condition of final acceptance. Conditional acceptance will not be delayed by discovery of new deficiencies. The Town shall issue written notice either granting or withholding conditional acceptance within the ten (10) working days of the acceptance reinspection. If acceptance is denied, deficiencies shall be explicitly delineated. The conditional acceptance letter shall specify the date on which the owner/developer is eligible to request Final Acceptance.

11.3.13 Denial of Conditional Acceptance

A request for conditional acceptance of a subdivisions public improvements for which such acceptance has been previously denied by the Town shall be treated as a new request for acceptance.

11.3.14 Reduction in Collateral

Upon receipt of the Conditional Acceptance Letter from the Town the owner/developer is eligible to have the SIA collateral reduced to Fifteen (15) percent of the original value.

If the conditional acceptance is for only part of the public improvements, the reduction in collateral shall correspond to the value of the accepted improvements. For conditional acceptance periods greater than two (2) years, an additional ten (10) percent of the original collateral shall, at the discretion of the Director of Public Works, remain in force for each additional year, or fraction thereof, of probation.

11.4 FINAL ACCEPTANCE

Once subdivision public improvements have been totally completed and the two (2) year warranty period as outlined in the conditional acceptance documents have been met, the owner/developer may request Final Acceptance.

11.4.1 The letter requesting Final Acceptance shall identify the public improvements by name and reference and shall be made to the date of the Conditional Acceptance.

11.4.2 A contact person, address and telephone number shall be listed.

11.4.3 The letter shall request a Final Acceptance Inspection.

11.4.4 No sooner than one year and nine months (21 months) following the completion of construction of all improvements within a phase and receipt of written notification of such by the developer, the Town shall, within ten (10) working days, inspect said improvements within that phase for Final Acceptance. The Town shall notify the developer in writing within ten (10) working days of inspection of either non-acceptance or Final Acceptance. If the improvements are not acceptable, the reasons for non-acceptance shall be stated in writing and corrective measures shall be taken by the developer pursuant to a compliance schedule prescribed by the Town after consultation with the developer.

The owner/developer is responsible for having public improvements clean and free from debris at the time of inspection. Failure to do so shall require rescheduling the inspection. Rescheduling will be treated as a new inspection, not a reinspection.

11.4.4.1 The Town will accept the dedication and conveyance of the improvements within ninety (90) days after the application of the top lift or plantmix sealcoat. Twenty (20) days prior to the Town's final acceptance of the improvements within a Phase, the developer shall submit to the Director of Public Works as-built drawings signed and stamped by a Professional Engineer registered in the State of Colorado.

- 11.4.4.2** An acceptance inspection shall not be scheduled nor conducted if the collateral for Public Improvements, as specified in the Subdivision Improvements Agreement, is not validly in force. The developer or subdivider shall be notified of any deficiency in collateral so that corrective action may be taken.
- 11.4.5** During the field inspection a listing of items requiring remedial action (punch list) will be prepared. This list of items shall be issued to the applicant within ten (10) working days of completing the inspection.
- 11.4.6** The owner/applicant shall then obtain necessary permits to perform corrective action prior to commencing any work operations. Such permits shall be issued on a "no fee" basis. These additional permits are required so that the Town is aware of all work going on in ROW and/or Easements.
- 11.4.7** Upon completion of all corrective works, the owner/developer shall request, in writing, a reinspection.
- 11.4.8** The Town shall notify the applicant in writing when the reinspection will occur. The Town will endeavor to notify the applicant 24 hours in advance.
- 11.4.9** Upon satisfactory completion of this final inspection, the Director of Public Works shall issue a Final Acceptance Certificate within 10 working days of the reinspection.

11.5 CONSTRUCTION INSPECTION TOLERANCES

11.5.1 Purpose

Below is a construction specification tolerance list to aid in the construction of subdivision improvements, and to provide technical guidelines for conditional and final acceptance by the Town. The list is to be used by the owner/applicant before an acceptance inspection to ensure that constructed improvements meet the Town's standards and specifications; the list will be used by the Town as a guideline during construction, conditional, and final acceptance inspections.

The list of Construction Specification Tolerances is supplementary to all other pertaining chapters of this Manual.

11.5.2 Tolerances

A. Curb, Gutter and Walk, Crosspans, etc.

1. Any localized humps or depressions greater than one quarter (1/4) of an inch (as measured with a ten (10) foot straight edge) will require removal and replacement of the work in question.

2. No ponding of water greater than three eighths ($3/8$) of an inch shall be allowed.
3. Combination curb, gutter, walk, and/or vertical curb and gutter flowline depths shall not vary from adopted standards by more than $1/2$ inch, measured vertically from the top of the curb to the gutter invert.
4. Pedestrian walks shall comply with the latest *American Disability Act* requirements.
5. Contraction and construction joints shall be placed at a standard spacing of 10 feet in curb, gutter, sidewalks, crosspans, trickle channel, etc. A minimum spacing of 5 feet will be allowed for repairs.
6. Heave or settlement of sidewalk, relative to separate curb pour, greater than $1/4$ inch shall be cause for corrective action. This provision shall apply to transverse sidewalk joints.

B. Roadways

1. Gravel Roadways

- a. If a gravel surface is the final surface of the roadway, alley, or shoulder, the depth of buried manholes, water valves, etc. shall be one (1) inch below the final grade of the roadway or alley. For items buried in the shoulder, the depth shall be determined with construction plan review.

2. Asphalt Roadways

- a. All manholes, water valves, range boxes, etc., shall be $3/8$ inch to $5/8$ inch below the final paved grade. The finish grade of pavement shall be $3/8$ inch above the rim elevation with a 2 foot transition provided.
- b. Individual and non-deflecting cracks in the asphalt shall, at the discretion of the Town, be sealed with rubberized asphalt sealant approved by the Town, to include cracks or open sawed joints at patch areas.
- c. Any humps and depressions greater than $1/4$ inch as measured with a 10 foot straight edge shall be cause for corrective measures.
- d. Additional asphalt thickness of up to $1/2$ inch will be permitted at the joint of the roadway and gutter pan and will be included in the actual asphalt thickness. Corrective action may be required for additional asphalt in excess of $1/2$ inch. In no case will asphalt in excess of $1/2$ inch above the gutter pan be included in the asphalt thickness for acceptance purposes.

3. Concrete Roadways

- a. All manholes, water valves, range boxes, etc., shall be flush to 3/8 inch below the final surface roadway grade.
- b. Repair action for hairline cracks as determined 1 above may be waived at the discretion of the Town. For the purpose of this section, a hairline crack is one that is reasonably immeasurable and without separation as determined by the Town.
- c. Two or more connecting cracks shall require removal and replacement of the entire cracked area.
- d. All panels and cracks wider than 1/8 inch shall be repaired by a partial or total removal of the panel and replacement as required by the criteria herein.
- e. Where the departure from the design cross-slope exceed 1/2 inch in 10 feet, the pavement shall be removed and replaced.
- f. Areas showing high spots greater than 1/4 inch as measured with a 10 foot straight edge, but less than 1/2 inch, shall be ground to within the specification of 1/4 inch.

4. Final Grade

- a. A light broom finish (not to expose the aggregate) to all concrete shall be required.
- b. All concrete work shall have the proper finished grade. No reversal of the flow path will be accepted by the Town.
- c. No abrupt changes in grade shall be allowed, i.e., curb returns from new to existing, driveway entrance, etc.

11.5.3 General Specifications

A. Curb, gutter and walk, crosspans, etc.

1. No utility facilities shall be placed in curb, gutter or walk, crosspans, etc., unless shown on approved construction plans. This includes water stop box, manholes, power poles, fire hydrants, water valves, etc.
2. Concrete Cracks
 - a. At the time of conditional acceptance inspection, the repair of cracks may be deferred if determined by the Town not to warrant immediate repairs.

- b. At the time of conditional acceptance inspection, the repair of all cracks will be completed.
 - 1. Individual non-connecting cracks that are less than 1/4 inch wide, exhibit no horizontal or vertical shifting, and do not meet the conditions in (2), (3) and (4) below may, at the discretion of the Town, be sealed by routing approximately 3/4 inch to 1 inch deep by 1/4 inch wide and filling with Sikaflex 1-A or equal.
 - 2. Any crack that extends through a joint shall require removal and replacement of the entire cracked area.
- c. All panel cracks 1/8 inch and narrower may be routed and sealed.
- d. There shall be no more than 1 structural crack per panel. Panels with more than 1 structural crack shall be repaired by a partial or total panel removal and replacement.
- e. The minimum section for removal of any panel shall be 1/3 of the panel length or width but in no case less than 4 feet.
- f. All sections removed shall have edges approximately parallel to adjacent panel joints.
- g. All saw cuts for removal of slabs shall be full-depth cuts.
- h. No panels shall be allowed which has a crack meeting an adjacent panel at an angle more acute than 45 degrees to a finished edge or control joint.
- i. All corner cracks to a panel shall be removed and replaced as required by the criteria contained herein.
- j. Any vertical differential movement across a crack greater than 1/4 inch shall be repaired by either partial or total panel removal and replacement.
- k. All panels with faulted joints resulting from settlement, pumping, and/or curing of the edges shall be repaired by removal and replacement or, in the case of curling, may be repaired by grinding at the discretion of the Town representative.
- l. All joint seal damage that allows the intrusion of water or foreign material shall be cleaned and replaced in accordance with the Town standards.
- m. All compaction shall meet the requirements of Chapter 8.

- B. Requirements and Specifications for Concrete Road Repair prior to Final Acceptance for Town Maintenance
1. All panels with cracks wider than 1/8 inch shall be repaired by a partial or total removal of the panel and replacement as required by the criteria herein.
 2. All panel cracks 1/8 inch and narrower may be routed and sealed.
 3. There shall be no more than 1 structural crack per panel. Panels with more than 1 structural crack shall be repaired by a partial or total panel removal and replacement.
 4. The minimum section for removal of any panel shall be 1/3 of the panel length or width but in no case less than 4 feet.
 5. All sections removed shall have edges approximately parallel to adjacent panel joints.
 6. All saw cuts for removal of slab shall be full-depth cuts.
 7. No panels shall be allowed which has a crack meeting an adjacent panel at an angle more acute than 45 degrees to a finished edge or control joint.
 8. All corner cracks to a panel shall be removed and replaced as required by the criteria contained herein.
 9. Any vertical differential movement across a crack greater than 1/4 inch shall be repaired by either partial or total panel removal and replacement.
 10. All panels and faulted joints resulting from settlement, pumping, and/or curling of the edges shall be repaired by removal and replacement or, in the case of curling, may be repaired by grinding at the discretion of the Department of Public Works.
 11. All joints seals damage that allows the intrusion of water or foreign material shall be cleaned and replaced in accordance with Town standards.
 12. All compaction shall meet 95 percent or greater Standard Proctor at plus or minus 2 percent optimum moisture content.