

CONCRETE CONSTRUCTION IN CITY OF BISMARCK RIGHT-OF-WAY REQUIREMENTS AND PROCEDURES

Property owners designated CONTRACTORS shall meet the requirements of and follow the procedures outlined in this document for concrete construction within City of Bismarck rights-of-way. All concrete construction within the City of Bismarck rights-of-way shall meet the requirements of the City Specifications.

All references to the [City Specifications](#) refer to the latest edition of The City of Bismarck Construction Specifications for Municipal Public Works Improvements available online at: www.bismarcknd.gov/1865/Construction-Specifications-Details

Please contact the City Engineering Department for permits, billings, renewals, construction requests, questions, and variances or for general questions or requests related to this document.

QUALIFICATIONS

The property owner and/or builder may designate a CONTRACTOR who is bonded with the City of Bismarck to perform concrete work within City right-of-way.

For bonding with the City, a concrete CONTRACTOR shall submit the following to the Engineering Department for approval:

- A letter requesting to be a concrete CONTRACTOR bonded with the City including: company name, address, email, and phone number.
- Class D or higher contractor license with the State of North Dakota.
- Contractor's liability insurance as per City Specifications Section 102-5
- \$5,000 License/Permit Bond
- Meeting with engineering staff to discuss City Specifications and procedures. The CONTRACTOR must provide documentation of the above requirements at this meeting.

Upon meeting the above requirements, the CONTRACTOR may perform three jobs on a trial basis. If the work completed does not meet City of Bismarck Specifications, or numerous complaints are received, the CONTRACTOR's bond and license with the City of Bismarck may be revoked. At that time the CONTRACTOR will no longer be permitted to perform work on the City right-of-way.

BONDING REQUIREMENTS

The bond is to ensure conformity with City ordinances and specifications for a term of two years from the final acceptance of any work and to indemnify the City against all losses, claims, suits, or damages, direct or special, which may be sustained as a result of the CONTRACTOR'S workmanship and failure or refusal to conform to the requirements of this Title.

The bond must state **CONCRETE CONTRACTOR**. If submitting a **continuous bond**, this must be stated on the bond. The City shall be listed as a certificate holder and notified of cancellation. Notifications of cancellation shall be sent to the City Engineering Department. It is the

CONTRACTOR'S responsibility to inform the City 30 days prior to cancellation of the bond and/or when the bond is renewed.

If the CONTRACTOR'S renewal has not been received by the expiration date, no work or petitions will be approved and the CONTRACTOR will be removed from the bonded contractor list. No work or petitions will be approved for a CONTRACTOR after the expiration date.

CONCRETE PERMITS

A permit is required to construct, repair, and alter any sidewalk, curb, driveway, street, trench drain or retaining wall on or along any right-of-way in the City of Bismarck.

PERMIT PROCEDURES

When a property owner or builder solicits a CONTRACTOR to perform work on the City right-of-way, it is the CONTRACTOR'S responsibility to contact the City Engineering Department to request a permit to alter, repair, or newly construct concrete on the City right-of-way. Permits must be obtained a minimum of 24 hours prior to pouring in the City right-of-way.

Permits for new commercial sites or residential sites, driveway widenings, and retaining walls must be pre-approved by the Engineering Department before the permit will be issued.

Permits for widening driveways will not be issued until the Project Manager has been contacted to review the widening.

The City of Bismarck Engineering Department reviews new construction, petitioned improvements, and driveway widenings for necessity, off street parking (for driveway applications), location of lot line in reference to the driveway, maximum and minimum size of driveways, ownership of lot, access control lines, outstanding issues at the site, and other site specific conditions prior to recommending to the City Engineer.

Permits for concrete repair do not need prior approval.

SITE PLAN REQUIREMENTS

A site plan will be required as detailed in the [Site Plan Review Information Guide](http://www.bismarcknd.gov/1020/Land-UseDevelopment-Process), available online at: www.bismarcknd.gov/1020/Land-UseDevelopment-Process. When a site plan is required, approval of the site plan will be required prior to issuance of a concrete permit.

PERMIT AND INSPECTION COSTS AND REQUIREMENTS

There is no charge for the approval of new construction petitions or review of a driveway widenings.

The current rates for inspection and engineering fees can be found on the City of Bismarck website at: www.bismarcknd.gov/312/Contractors-Developers-Consultants under the heading [Engineering Fees](#).

Billings will be sent to all CONTRACTORS or may be paid at the time of acquiring the permit.

The unit prices for public bid for new, repair, and slabjacking concrete work are available at the engineering office.

CONSTRUCTION INSPECTION NOTIFICATION

The CONTRACTOR must notify the Project Manager a minimum of two hours prior to the arrival of any concrete truck to allow for inspection prior to the pour.

Slabjacking notification must be given a minimum of two hours prior to the drilling of holes and again for inspection after the process has been completed.

Due to staffing limitations, the Engineering Department cannot guarantee that an inspection will be made on the same day notification is received, especially if notification is after 4:00 p.m.

For weekend inspection, the CONTRACTOR must give proper notification to the Project Manager by the preceding Thursday at 3:00 pm. Forms should be set up for inspection on the preceding Friday. If this is not possible, then follow the notification above.

The CONTRACTOR or his Construction Supervisor must be present for all inspections.

If the owner retained a private engineer, surveyor and/or private materials testing firm, the City must be informed of the arrangements prior to any construction. This does not relieve the CONTRACTOR from notifying the City for inspection prior to the pour. The City will inspect the site to ensure installation meets City specifications.

City staff must also be present for final inspection or requested to make their own final inspection.

REQUESTING CONSTRUCTION STAKING

The CONTRACTOR must notify the Project Manager to request construction staking for installation of new construction sidewalks, driveways and private driveways. The Project Manager will meet with the CONTRACTOR at the site to determine if staking is necessary. If staking is necessary the Project Manager will contact the Survey Manager to schedule the staking to be completed in a 72 hour time frame.

The CONTRACTOR must ensure that no obstructions are in the way of the stake line, including building supplies, dirt piles, etc.

The CONTRACTOR must ensure that the property pins have been located and are clearly marked. No construction staking will take place if the lot corners have not been located and marked.

If the CONTRACTOR fails to set and pour the concrete in ample time, causing staking to be destroyed or lost, and re-staking of the area is requested, the CONTRACTOR will be billed on their monthly permit fee for a re-staking charge.

The CONTRACTOR must notify the Project Manager when work is ready for inspection of subgrade, forming, grade, location, and other items prior to pouring of the concrete.

PROTECTION OF LOT CORNERS

The protection of lot corners or other monuments is the responsibility of the CONTRACTOR. If a lot corner must be moved to facilitate excavation, the lot corner should be offset by others prior to construction. Offsetting or replacement of moved or damaged monuments must be accomplished by a registered land surveyor.

CONSTRUCTION MATERIALS AND REQUIREMENTS

Construction methods and materials shall be in accordance with the latest City of Bismarck Construction Specifications including Standard Details or, in the absence of City Standards, in accordance with manufacturer's methods and materials.

MATERIALS

Prior to ordering concrete, the concrete CONTRACTOR must contact the Project Manager for a list of suppliers and concrete mix designs approved by the City of Bismarck Engineering Department. Suppliers without approved mix designs may not be used for work in the City right-of-way.

Any admixtures not submitted by the supplier may not be used unless approval has been granted by the City Engineer.

The Project Manager may reject a concrete mix and order it removed for any of the following:

- The supplier and mix design has not been approved.
- Subgrade compaction has not been approved.
- Forms are not to City of Bismarck construction standards.
- The mix does not meet specification including slump or air content.

The Project Manager may request a copy of the CONTRACTOR'S delivery receipt from concrete supplier whenever deemed necessary.

All CONTRACTORS must submit to the Project Manager Certificates of Compliance with applicable standards for materials for the following items:

- Admixtures requested from the supplier that are not on the approval list
- Reinforcing Steel and Wire Mesh
- Expansion Joint Material
- Dowel Bars
- Joint Sealant
- Curing Compound

- Stands for Raising Rebar and/or Wire Mesh
- Detectable Warning Panels
- Slabjacking Mix Designs and/or Compounds, and Hole Grouting Products

CONTRACTORS will not be allowed to proceed with work until such items are submitted and approved at the beginning of each year.

Colored or stamped concrete is not allowed unless approved by the City Engineer.

CONCRETE TESTING

The CONTRACTOR must engage an independent testing laboratory approved by the Project Manager to test consistency, proportioning, and strength of the concrete mixture.

The CONTRACTOR shall be responsible for scheduling all testing.

The CITY engages in random testing for concrete permits, the CONTRACTOR will be notified of the required test, if randomly selected, at the time of permit issuance. The Project Manager may require additional testing on larger projects per City specifications. The time and location of the testing shall be at the discretion of the Project Manager.

If selected for random tests, the cost will be paid by the CITY. The cost of project directed testing, including retesting of failed tests, shall be considered the CONTRACTOR'S cost. Do not include the cost of the testing in fees of the permit.

The independent testing laboratory personnel testing in the field shall be responsible for notifying the CONTRACTOR and the Project Manager in the field immediately of failures.

If any test has not met the specifications, testing shall continue on all batches until the specific ranges have been met and the limits of the area not meeting the requirements are established.

Copies of the test shall be provided to the Engineering Department. The test results must state the name of the CONTRACTOR, address test taken at, area the test was taken, and a description of the concrete installed, e.g. 4-inch Sidewalk ECT.

When testing failures are reported to the Engineering Department, notification will be given to the builder or property owner and the CONTRACTOR of such instances and the concrete may be required to be replaced.

CONSTRUCTION REQUIREMENTS

All driveways, sidewalks, retaining walls and trench drains on public rights-of-way must be constructed of concrete in accordance with Title 10 of the City of Bismarck Code of Ordinances and City Specifications.

Failure to seal joints after 14 days may be cause for all new petitions to be denied.

TRAFFIC CONTROL/LANE CLOSURES

Traffic control devices shall be used to separate workers, equipment, and work areas from the travelling public (motorists, bicyclists, or pedestrians). Traffic control devices shall conform to current editions of the MUTCD and City Specification Section 1211 – Traffic Control. If sidewalks or streets are closed for more than one week without activity occurring, then sidewalk closure fees and/or street closure fees will be assessed as per [current rates](#).

If any of the below conditions are anticipated, the CONTRACTOR shall submit a traffic control plan to the CITY TRAFFIC ENGINEER for approval:

- A driving lane will be closed
- A sidewalk will be closed
- Vehicles will be required to cross an existing centerline or outside of an existing lane line
- Temporary lane widths reduced to less than 10ft
- On a street without centerline pavement markings, a 20ft wide travelled way cannot be provided. Note, fire code requires a 20ft width.
- Unusual situations

If needed, based on the above or as determined by the Traffic Engineer, traffic control plans shall be submitted for approval a minimum of one week in advance of work occurring. Traffic control plans shall show the proposed construction signing, lane widths, lane closures, work area boundary, and an estimated time schedule for when the closure will occur and when it will be restored to normal. If multiple phases are anticipated, include separate layouts for each phase.

Regardless of the need for a traffic control plan, the CONTRACTOR shall notify the City Traffic Engineer a minimum of two working days prior to work occurring so that advance notice can be provided to the general public, fire, police, and ambulance.

SIDEWALK TRENCH DRAIN

Pre-approval must be given by the City Engineer prior to installation of any Trench Drain.

Trench drains must not be installed with mountable curb in place; such curb must be removed so that a transition to standard curb is made to within two feet of the trench drain on each side.

SUBCONTRACTING

Subcontracting may be allowed for all phases of work provided the following conditions are met:

- The City Engineer is advised of who is authorized to subcontract work on sidewalks, driveways, and curb and gutter on the CONTRACTOR'S behalf.
- The City Engineer is furnished a copy of the authorization certificate from the Surety Company covering all subcontractors who will be warranted under the bond.
- All concrete work by the subcontractor must be warranted for two years and stamped by the City bonded CONTRACTOR.