

2023-2024 WINTER MORATORIUM BOARD GUIDELINES

THE WINTER MORATORIUM WILL BEGIN THIS YEAR WEDNESDAY NOVEMBER 15TH

The moratorium board will only allow true hardship requests to excavate in the City during the winter moratorium.

For a full list of the City's requirements regarding construction activity performed during the Winter Moratorium please refer to the PWD Rules and Specifications for Excavation Activity within the City of Boston, Section 13.00 WINTER MORATORIUM.

As stated before, any new permit requests **after November 15th** must be presented to the **Winter Moratorium Board** which meets **every Wednesday for utility companies beginning November 15th at 9:30am, and every Thursday for private contractors beginning November 16th in room 714 at Boston City Hall**. The request must include a **hardship letter** explaining, in detail, the scope of the work; the approximate time to complete the work; and legitimate reasons as to why the work cannot wait until the end of the Moratorium period.

The Board will **not accept** permit requests if it is determined that the work was regularly scheduled maintenance, and/or service request work, but was **delayed or not performed** by the Permittee for **insufficient reasons** during its normal construction season, April 15th through November 15th.

Emergencies activated by your company **must be for emergency purposes only**, and must fully comply with the Public Works Rules and Specifications for Excavation Activity Within the City of Boston.

For any emergency work determined by the CIU/BPWD to be for normal work purposes and **not a true emergency**, the BPWD will suspend all of that Permittee's active work, no new permits shall be issued, and the Permittee will be required to meet with the Commissioners of both Public Works and Transportation with a representative of the Mayor's office to discuss this abuse.

Snow Obligations:

Winter Moratorium Snow and Ice Operations Requirements:

All Permittees may be required to provide snow plowing and snow removal of their entire work zone(s) during the Moratorium period.

Any Permittee who fails to provide snow plowing and snow removal of their entire work zone(s) during a snow event when directed by the PWD or BTM will be denied issuance of any further permits during the Winter Moratorium. That Permittee will be required to backfill and pave their existing work zone and wait until the spring to resume work

1. Forecasts for snow will require your company to immediately secure your job site by backfilling and paving your work zone.

If, for some unforeseen reason, your company is incapable of backfilling and temporarily paving the excavated location, your company must contact the Public Works Department by using the City of Boston PWD Street Construction Notifications app. **On the form you must list detailed explanations as to the reasons why the plate(s) must remain during a shutdown snow operation event.**

The City reserves the right to deny your request to leave plates on our roadways during a snow event (<https://t.ly/3BNL>)

2. Permittees must periodically monitor their plates during a snow event and take whatever measures or precautions needed to prevent or rectify unsecure plates
3. Depending on the location and number of plates the City may require the permittee to perform the snow and ice operation within their work zones or to have crews on standby at the work zone ready to respond to any possible emergency situations. The City reserves the right to require all permittees during the winter moratorium period have crews on standby at their work zone during a declared snow event
4. If City personnel identify an emergency situation regarding plates(s) and the permittee is contacted via the 24 emergency number they provide they must respond within 1 hour to make any necessary repairs
5. On a delayed response the City reserves the right to shut the job down and schedule a meeting for review
6. On NON response the jobsite will automatically be shut down and the permittee may be required to backfill and pave the location and resume work once the moratorium ends. In addition depending on the severity of the non-response emergency the City may deny any further winter moratorium permit requests until the moratorium period ends

7. As a requirement to return to work the permittee(s) must remove ALL snow on both the sidewalk and roadway within their work zone and haul the snow to a private location. The City reserves the right to extend your snow removal limits

8. The City will not allow you to use City snow farm locations during your snow removal operations unless otherwise authorize

No Permittee will be allowed to continue construction on their work site(s) after a citywide snow alert shutdown until authorization has been granted by both the PWD and BTD. Authorization will be issued via email

Sinkhole guidelines & Public Safety bad patches

Sinkholes and public safety sunken patches are a top priority for the City!

Note: You fully need to follow our sinkhole guidelines... See attached

SINKHOLE REPAIRS MUST FOLLOW DIG SAFE REGULATIONS !!

ALL PERMITTEES ARE REQUIRED TO BE ABLE TO MOBILIZE AND BE ON SITE TO PROTECT THEIR WORK ZONE WITHIN 1 HOUR OF BEING MADE AWARE OF A PUBLIC SAFETY ISSUE.

A WORK CREW SHOULD BEGIN MAKING ALL NECESSARY REPAIRS TO PROVIDE A SAFE WORK ZONE WITHIN 3 HOURS OF NOTIFICATION AND/OR AFTER THE DIGSAFE MARKOUT.

THE CITY MAY REQUIRE REGULAR UPDATES REGARDING THE STATUS OF YOUR EMERGENCY WORK TO BE SENT VIA EMAIL TO DESIGNATED CITY PERSONNEL.

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Failed Patches/Trenches:

Unacceptable Patches/Trenches Needing Immediate Attention -

Unacceptable Patches/Trenches Needing Repair within 24 Hours -

When the City contacts your company regarding a patch/trench that has settled to the point where it creates a jarring ride but is not a public safety issue, the City expects that the Hot Mix Asphalt (HMA) patch repairs will be made within 24 hours of notification unless otherwise authorized.

We will accept a temporary repair in cold patch or silvex until HMA is available. The City expects the HMA repair within 24 hours of asphalt plants opening unless otherwise authorized.

Other Unacceptable Patches/Trenches Needing Repair Within 72 Hours -

When the City contacts your company regarding an unacceptable patch/trench that the City feels needs to be repaired but is not a public safety issue and does not greatly affect traffic, the

City expects that the Hot Mix Asphalt (HMA) patch repairs will be made within 72 hours of notification unless otherwise authorized.

We will accept a temporary repair in cold patch or silvex until HMA is available. The City expects the HMA repair within 48 hours of asphalt plants opening unless otherwise authorized.

Cast Iron Structure Repair Protocol:

Erosion of HMA around Castings Repair Schedule

Public Safety: cast iron structures with erosion of a six (6) inch wide area or more adjacent to the casting of two (2) or more inches in depth.

1. Within three (3) hours of notification the utility must make temporary repairs of eroded area by patching with cold patch, HMA, or silvex, unless otherwise authorized.
2. Within fourteen (14) days of the temporary repair, or at earliest availability of HMA, the Permittee will be required to cut-out around the casting, reset the structure if below grade, and place a permanent hot top repair, unless otherwise authorized.

Non Public Safety: minor erosion around the casting.

1. Within two (2) business days of notification that utility will make repairs to eroded area by patching erosion with cold patch, HMA, or silvex, unless otherwise authorized.
2. Within fourteen (14) days, or at earliest availability of HMA, the Permittee will be required to cut-out around the casting, reset the structure if below grade, and place a permanent hot top repair, unless otherwise authorized.

Cast Iron Structure Grade Adjustment

Public Safety: two (2) or more inches of settlement of cast iron structure below street grade.

1. Cast iron structures settled two (2) or more inches must be reset to grade of the roadway within, forty-eight (48) hours, unless otherwise authorized.
2. The BPWD may require the Permittee to temporarily place cold patch, HMA, or silvex over the cast iron structure within three (3) hours of notification to bring the area to street grade until permanent repairs can be scheduled in order to address public safety issues.

Non Public Safety: less than two (2) inches of settlement.

1. Within thirty (30) days of notification the Permittee will raise the casting to street grade, unless otherwise authorized.

2. Depending on the volume of cast iron infrastructure needing repair or replacement the City may extend its thirty (30) day repair requirement so long as the utility company is repairing or replacing its infrastructure at a rate acceptable to the City.

The City may request that utility companies use alternate cast iron infrastructure or installation methodologies on a trial basis for cast iron replacement procedures as long as their infrastructure will not be compromised, and no public safety concern will be created. The City and utility company can then agree on an approved methodology for future installation procedures, unless otherwise authorized..

Plate Installation Protocol:

1. **On any plate(s) installed in the City of Boston the Permittee must fill out the Plate Notification App immediately no matter what time of day**
<https://boston.nxone.com/ApplicationBuilder/eFormRender.html?code=AA5312F761F5622411AA32FFAB73C232&Process=PWDNotifications>
2. **The City requires that steel plates used in the City of Boston have a skid-resistant surface equal to or greater than the adjacent existing roadway or sidewalk surface in high concern areas unless otherwise authorized (See below).**

Skid-resistant plates must be beige in color, unless otherwise directed by the City of Boston.

During the Winter Moratorium period (November 15th – April 15th) all steel plates used to secure an excavation are required to be skid-resistant, unless otherwise authorized.

During the regular construction season (April 15th - November 15th) the use of skid-resistant plates is mandatory on all High Concern Locations. (e.g. crosswalks, sidewalks, bike lanes, bus lanes, major intersections, and locations at the bottom of a steep decline). The City reserves the right to mandate that all locations be secured with skid-resistant plates if they feel the added safety is required.

3. **All plated locations must have a “Caution: Steel Plates Ahead” sign(s) constructed with Retro Reflective Florescent Orange material (Type 4) bracketed to a pole 6 feet in height or greater. Depending on the size of the pole and existing signage the PWD may allow the sign to be positioned below the 6 foot requirement.**

Signs must be posted 200-300 feet in advance of steel roadway plates being used, or as otherwise directed by the PWD.

If plates span across the centerline of a two way street a sign must be placed on both sides of the street approaching the steel plate(s). Depending on the location, including approaching streets, the City may require the use of more signs being posted as directed by the PWD.

4. All steel plates to be installed must have the Permittee’s name and 24 hour contact number on both sides of the plate. **Initials will not be allowed to identify plates.** The

full name of your company, or the contractor working for you, must be clearly displayed on each and every plate.

In the **past** there have been many **occurrences** where city personnel (Police/Fire/BPWD) have responded to plating problems and have **not been able to identify the owners**. Having the company and their emergency contact phone number on every steel plate would allow those responding to rectify public safety issues immediately.

Rental plates must also have the full name and emergency phone number of the party that is responsible for the safety of the plate. This is solely your responsibility, and an immediate solution should be devised without input from the BPWD

5. All steel plates installed must have a **minimum of 18"** overlap of the excavation. Depending on the sidewall conditions the plates may need to be extended beyond the 18" to ensure public safety.
6. All steel plates **MUST BE RECESSED** to street grade, unless otherwise approved by the PWD.

The City acknowledges that recessing a plate is difficult and requires skilled workmanship and a high level of effort to be done properly.

A poorly recessed plate will sit below grade resulting in the plate banging, lifting up and down creating a tremendous hazard as traffic travels over the plates(s).

Poorly recessed plates are completely unacceptable. A Permittee who displays poor practices when securing plates **will forfeit the privilege** of using plates within the City during the winter moratorium. If a Permittee forfeits their privilege to plate due to poor construction practices all locations are required to be backfilled and paved everyday during construction activity, or otherwise the Permittee must terminate all activity on the site.

After consulting various utility companies and contractors, the best method to ensure a recessed plate stays to grade is to make the recessing excavation deeper than the actual depth of the plate. A **leveling course** of hot mix asphalt is installed to bring the plate back up to grade.

Note: Cold patch will only be allowed when asphalt plants are closed, but must be replaced with hot mix asphalt immediately when the plant reopens.

The City was satisfied with the results of recessing plates from previous *winters* using this method, and feels this is the best process when securing plates. This method will be **mandatory** on all recessed plates.

There may be locations where road conditions such as the contour of the roadway, manhole castings, gate boxes etc., **will not allow plates to be recessed**. In these situations the plate must be ramped with (2') two-feet of hot mix asphalt or modified cold patch in the travel direction and a (1') one-foot ramp in the non-traveled direction. All modified cold patch shall be blotted with stones to prevent tracking. If the Permittee can not secure the plate by ramping properly they will forfeit the privilege to use plates within

the City during the moratorium. These locations will be required to backfill and pave everyday during construction activity, or terminate all activity on the site.

Major projects where the plates are moving forward daily with the trench excavation, and the City is guaranteed that the plates will only be at that location for **one day**, may be permitted to ramp their plates with (2') two-feet of hot mix asphalt or modified cold patch in the travel direction and a (1') one-foot ramp in the non-traveled direction with approval by the Public Works Department.

Backfilling:

1. ***The BPWD considers backfilling the most important event during street opening construction.***
2. The Permittee is required to supply new processed gravel, or recycled gravel that has been certified by the CIU.
3. All lifts must be compacted in **(6") six-inch loose layers to 95%** of maximum dry **density** unless otherwise approved by the BPWD.
4. Equipment that allows backfilling over the 6" lift requirement must be certified and approved by the CIU.
5. The source of gravel used for backfill must be protected from freezing using acceptable standard industry practices.
 - It is incumbent upon the foreman and their crew to reject frozen or unacceptable material.
6. **Cold weather and poor excavation conditions are no excuse for disregarding the Rules and Specifications regarding backfilling!!**

Paving:

1. All excavations prepared for paving shall be **rectangular**, unless otherwise agreed to by the BPWD. All irregular shaped cuts or damaged pavement shall be repaired at the expense of the Permittee.
2. The Permittee is required to supply (3") three inches of hot-mix asphalt in **(2) two even, compacted lifts.**
3. Cold patch will only be allowed when asphalt plants are closed, but must be **replaced** with hot mix asphalt immediately when the plant reopens.
4. **All paving shall be uniform, smooth and level to the adjacent surface.**

5. Any paving excavation found to be **unacceptable** must be repaired using the CIU bad patch protocol at the Permittee's expense, and may result in the suspension of any new permit applications as determined by the Winter Moratorium board.
6. Utility Repair Tags are to be placed as required in the Rules and Specifications.
 - Utility Repair Tags are installed during the final lift of paving. The Markers shall be imbedded at zero grade tolerance, or slightly below, and must be of one piece construction. The use of nails to secure Identification Markers is prohibited.
 - Markers must contain the year the patch was performed, the Permittee's customer name and/or ID number, and PWD assigned identifier ID where applicable, and must be of the color assigned to your company.
 - Excavations up to 50 linear feet must have one tag placed in the center of the patch.
 - An additional tag must be placed in the center of every lateral connection that branches off the main patch or trench.
 - Excavations greater than 50 linear feet and up to 100 linear feet must have a tag placed at either end of the patch or trench approximately 12 inches from the edge.
 - An additional tag must be placed in the center of every lateral connection that branches off the main patch or trench.
 - Excavations greater than 100 linear feet and up to 400 linear feet must have a tag placed in the beginning, center, and end of the trench, with the beginning and end tags approximately 12 inches from the edge.
 - An additional tag must be placed at every intersecting street.
 - An additional tag must be placed in the center of every lateral connection patch that branches off the main trench.
 - Excavations greater than 400 linear feet must have a tag placed at the beginning and end of the trench approximately 12 inches from the edge, and at every 200 linear foot intervals.
 - An additional tag must be placed at every intersecting street.
 - An additional tag must be placed in the center of every lateral connection patch that branches off the main trench.
 - Utility Repair Tags should not be placed within 12 inches from any casting unless space does not allow.
 - Utility Repair Tags should be placed away from direct wheel traffic when able.
 - On all cuts partially or fully within the parking lane, the tag should be placed on the center-line side of the patch or trench, 12 inches from the edge of the patch or trench.
 - Utility Repair Tags must be placed in all temporary and permanent asphalt patches during all phases of construction.

Failure to use the required Utility Repair Tags may result in suspension of new permit requests and shutdown of all active jobs.

$X < 50'$	<i>1 tag placed in the center of the patch</i>	ALL LATERALS EXTENDING FROM MAIN PATCH OR TRENCH MUST HAVE THEIR OWN TAG IN THE CENTER OF THE LATERAL!
$50' \leq X \leq 100'$	<i>1 tag placed at each end of the patch/trench approximately 12" from the edge</i>	
$100' \leq X \leq 400'$	<i>1 tag placed in the beginning, center, and end of the trench, with the beginning and end tags approximately 12" from the edge. An additional tag must be placed at every intersecting street</i>	
$X > 400'$	<i>1 tag placed at the beginning and end of the trench approximately 12" from the edge, and at every 200 linear foot intervals. An additional tag must be placed at every intersecting street</i>	

Inspection Requirements:

Permittees must inspect all permits issued during the Winter Moratorium requiring street cut excavation work 14 days after the work has been completed and report back in an email to the PWD Construction Management Division that the patch/trench is still smooth and level, or with a repair date to address any settlement.

All Permittees will perform a post-inspection survey 30 days after the initial (14 day) inspection takes place to verify their patches/trenches are still smooth and level. All inspection findings must be supplied to the PWD Construction Management Division via email.

Major utility companies are required to summarize their 14 and 30 day findings in a weekly report. This will eliminate individual emails for companies with multiple locations.

A failure to submit the required 14 and 30 day inspection findings to the PWD Construction Management Division will result in the suspension of all active work sites and no issuance of new permits during the Winter Moratorium Period.

Working during the winter is a privilege and your company should be proactive in inspecting and correcting any issues that arise with your excavation work.

PWD Construction Management Division Email Contacts: ciu@boston.gov

Please Remember

Winter's inclement weather can negatively affect the workmanship and materials used, and may result in poor City street infrastructure. Also, plated locations may constitute a safety hazard to city plowing efforts. Please realize that allowing Permittee's to work during the Winter Moratorium period is a privilege and should not be abused.

THERE WILL BE NO COMPROMISE REGARDING PUBLIC SAFETY!

It is the responsibility of each Permittee to be fully aware of the Rules and Specifications for Excavation Activity within the City of Boston, and failure to fully comply with Rules and Specification could result in permit suspension and a permanent moratorium on all new permits issued to your company.

Sincerely,
Norman Parks
Chief Engineer
Boston Public Works