

## Public Works Construction License Application and Licensing Requirements

This document explains the requirements an applicant must meet to obtain and retain a City of Brockton Public Works Construction License. Application forms are available at the office of the Superintendent of Engineering on the third floor of City Hall.

Please review this document, the [Revised Ordinances of the City of Brockton, Chapter 20, Article III, Sections 20-100 through 20-105](#), and the [Revised Ordinances of the City of Brockton Chapter 20, Article II, Sections 20-39 through 20-51](#) before submitting an application. The license holder agrees to abide by all City Ordinances in the commission of any and all construction work performed in the City of Brockton.

Public works construction licenses are valid from the date of issue until December 31 of that year unless the license is suspended or revoked. **Licenses must be renewed each year.**

**A Public Work Construction License is required for any and all street opening work in the City of Brockton. If any work is to be subcontracted, the subcontractor must also hold a Public Works Construction License.**

### **A. Application Requirements:**

In order to be considered for licensing an applicant must:

1. Be in the general contracting business.
2. Be qualified to do business in the Commonwealth of Massachusetts.
3. Demonstrate through the application process that he or she is qualified to perform street opening work on public streets and ways.
4. Submit a complete, signed application and Certificate of Insurance (see section B) to the Superintendent of Engineering, City Hall third floor.
5. Pay the license fee of \$500.00 (refundable only if the application is denied).

In order to demonstrate compliance with requirement #3 above, the applicant may submit either 1) evidence that he or she holds a “pre-qualification rating” from the Massachusetts Highway Department [720 CMR 5.00](#); or 2) written descriptions of his or her experience and equipment, as well as the names of three (3) cities or towns for which the applicant has done work or been licensed to serve as references. The awarding authority will use reasonable judgment to determine whether the applicant’s qualifications meet the standards for licensing.

[Note: If the applicant’s Public Works Construction License has been suspended or revoked in the three-year period preceding the date of the current application, he or she should contact the Superintendent of Engineering (508-580-7139) to discuss how to appropriately demonstrate the qualifications necessary for licensing.]

Applications will be promptly reviewed. If an application is successful, a license will be issued promptly. If an application is denied, the applicant may, within 90 days of the date of denial, submit a written request to the DPW Commissioner for a refund of the license fee.

**B. Insurance Requirements:**

1. Each licensed contractor shall acquire and continually maintain (while licensed) liability insurance coverage on all personnel and equipment to be used in the street opening work in the minimum amounts indicated in item #5 below.
2. Insurance must be held with insurance companies licensed to do business in Massachusetts.
3. The name of the municipality shall be listed as an additional insured on the Certificate of Insurance.
4. The Certificate of Insurance shall provide at least thirty (30) days' notice to the awarding authority of cancellation or material change.
5. The following minimum insurance requirements apply:

*Commercial general liability insurance—including operators, complete operations, XCU hazards, broad form property damage and personal injury:*

General aggregate.....\$2,000,000.00

Products and complete operations:

Aggregate.....\$2,000,000.00

Each occurrence.....\$1,000,000.00

Personal injury (note combined single limit).....\$1,000,000.00

*Automobile liability insurance—Covers owned, non-owned, and hired vehicles:*

Combined single limit.....\$1,000,000.00

OR

Bodily injury liability

Each person ....\$500,000.00

Each accident.....\$1,000,000.00

Property damage liability.....\$250,000.00

*Workers' Compensation and Employer's Liability:*

Bodily injury by accident.....\$100,000.00 each incident

Bodily injury by disease.....\$500,000.00 policy limit

Bodily injury by disease.....\$100,000.00 each employee

**Note: The city is not responsible for any loss or damage whatsoever to the property of the licensee.**

### C. License Requirements:

By signing the application for a Public Works Construction License, the applicant agrees to abide by the following rules and requirements and all City Ordinances if and when license is granted:

1. For each calendar year the applicant shall file with the DPW Engineering Superintendent a Certificate of Insurance in the minimum amounts required (see section B).
2. The applicant will continually abide by all insurance requirements while licensed (see section B).
3. The licensed contractor will hold a Performance Bond (License and Permit Bond) in the minimum amount of \$5,000.00.
4. No contractor except those whose names appear on the approved list of contractors is eligible to install any utility or to open any street or sidewalk.
5. The contractor shall certify that he or she has the necessary experience, equipment, and personnel to efficiently complete any anticipated project(s).
6. The contractor shall obtain a street opening permit at the office of the DPW Superintendent of Engineering for each installation. A refundable deposit is required for each permit sought by the applicant. A non-refundable administrative fee of \$75.00 shall accompany each application for a street opening permit. For new driveway openings or alterations to an existing driveway opening, a curb-cut permit from the DPW Operations Division, Highway Section, is a prerequisite for obtaining a street opening permit. There is currently no charge for a curb-cut permit. No permits, except for emergency repairs, will be issued during the winter months.
7. Except in emergency circumstances, all construction work must be performed during the normal working hours of the Department of Public Works, defined as 7:30 am to 3:30 pm Monday through Friday, excluding holidays.
8. The City of Brockton accepts **no liability** for any work performed by the contractor regarding the installation of a utility connection. Any agreement concerning the manner of payment shall be between the private property owner and the contractor.
9. At locations where utility connections (PARTIALS) have been previously installed by the City to the edge of the roadway or street layout, a street opening permit is still required. However, the deposit requirement (only) will be waived. Prior to the issuing of the permit, the property owner shall reimburse the City for this portion of the utility connection.
10. All materials and construction methods shall be in accordance with appropriate City ordinances or with MDPW Standard Specifications when not otherwise covered. It shall be the responsibility of the contractor to notify Dig Safe (811 or 888-DIG-SAFE) and appropriate City/State agencies for utility locations prior to excavation. A Dig Safe number is required on all applications for street opening permits.
11. All work performed by the contractor shall be viewed and approved by an inspector from the appropriate DPW division. The inspector must see 100% of the connection or main prior to the placement of Controlled Density Fill (CDF) or during any backfilling operation.
12. The contractor must provide a minimum of 72 hours' advance notice to the DPW Operations Division, Highway Section (508-580-7810) and the DPW Utilities Division (508-580-7865) prior to commencing work.
13. Violations of these or any other pertinent local, state, or federal requirement will result in the penalties described in the Revised Ordinances of the City of Brockton, Chapter 20, [Article II, Sections 20-39 through 20-51](#) and [Article III, Sections 20-100 through 20-105](#).