



## City of Austin

Austin Transportation Department, Right of Way Management Division  
3701 Lake Austin Blvd., Austin, Texas 78703

### **REQUIREMENTS FOR EXCAVATION (EX) PERMITS**

Requests for the use of City of Austin Right Of Way, including removing or otherwise disturbing soil, pavement, and/or concrete, must be authorized by the Austin Transportation Department. Enclosed in this packet are links to the City Code pertaining to these permits and additional helpful information. If *after* reading through this packet you have any questions or need additional information, please contact us at 512-974-1150 or visit our office:

City of Austin, Transportation Department  
Right Of Way Management Division  
3701 Lake Austin Blvd., Austin, TX 78703  
*Walk-in Hours – Monday through Friday, 8 a.m. to 1 p.m.*

If you are performing any kind of excavation, this is the permit you will need. If you are performing any kind of above ground construction, such as remodel or building repairs and need to close or barricade a portion of the Right of Way for these purposes, you will need to apply for a Temporary Use of Right of Way Permit.

#### **STEPS TO OBTAIN AN EXCAVATION PERMIT**

1. Submit an Excavation application through the Right of Way Management Network (ROWMAN) at <https://www.austintexas.gov/rowman>.
2. Provide an approved Traffic Control Plan (TCP) for the affected Right of Way; if a Standard Closure Detail is not applicable, the plan must have an Engineer's Seal.
3. Identify a Licensed Right of Way Contractor who will perform the excavation work.
4. Determine who will obtain the permit. A Licensed ROW Contractor may obtain permits directly OR name you as an Authorized Agent who can obtain permits on their behalf.
5. Provide any applicable documentation and pay remaining EX fees; Excavation permits can then be activated by Right of Way Management.

**NOTE:** IF THE EXCAVATED AREA WILL BE **300 FEET OR GREATER** THEN IT WILL BE NECESSARY TO PARTICIPATE IN THE **AUSTIN UTILITY LOCATION COORDINATION COMMITTEE MEETING (AULCC)**.

IF THE EXCAVATED AREA WILL BE **25 FEET OR GREATER** AND LIES WITHIN THE **DOWNTOWN AUSTIN PROJECT COORDINATION ZONE (DAPCZ)** THEN IT WILL BE NECESSARY TO ATTEND **DAPCZ AND AULCC MEETINGS**.

**\*\*SEE PAGE 4 OF PACKET\*\***

#### **STEP 1 –EXCAVATION APPLICATION, USING ROWMAN**

1. Go to <https://www.austintexas.gov/rowman>.
2. Scroll to the bottom half of the page. New users should select "**Click Here to Create a New Account**". Returning users should select "**Click Here to Login**".
3. Once logged in, select "**New Activity Request Form**".
4. Choose "**Excavation**" as the permit type and then select "**Submit**".
5. Review and check the Required Acknowledgements and then select "**Submit**".
6. Enter "**Street Name**". NOTE: Keep name short. Do **NOT** use directional prefix such as "W" for West. **Ex:** For 801 W Oltorf Street, type in *only* "**Oltorf**". For 500 W 6<sup>th</sup> Street, type in *only* "**6**". Then select "**Search for Street**".
7. Choose a block range or house # then select "**Add**". Repeat steps 6 & 7 as many times as needed. Once all affected streets have been added, select "**Continue to Next Step**".
8. Continue entering all applicable information regarding your project. Fields marked with asterisks CAN be left blank.
9. Once your application is submitted please record your project ID#; this will also be your ROWMAN#.

Review timelines are project-specific. The status of your ROWMAN application will be emailed to you.

## STEP 2 – TRAFFIC CONTROL PLAN (TCP)

All traffic control plans for redirecting or diverting of pedestrians and vehicular traffic must be in accordance with the most current version of the Texas Manual on Uniform Traffic Control Devices and the City of Austin, Transportation Criteria Manual. City of Austin Standard Details may be used for traffic control plans if they fit the situation; otherwise the traffic control plan must be prepared by a Texas Licensed Professional Engineer. The traffic control plan must be approved prior to the issuing of the permit. **If the permitted work is associated with a Site Plan or Building Permit, the Traffic Control Plan MUST BE REVIEWED A MINIMUM OF 6 WEEKS PRIOR TO THE START OF THE CLOSURE. A CLOSURE MAY NOT BE PERFORMED WITHOUT AN APPROVED TCP.**

The Austin Transportation Criteria Manual requires only those persons trained in safe traffic control practices, and who have a basic understanding of the principles established by applicable standards and regulations, should supervise the selection, placement, and maintenance of traffic control devices in work or incident areas. A copy of the training certificate will need to be on file with the ROW Management office prior to obtaining a permit for Excavation. If the person setting your traffic control is not certified to set traffic control, or you need clarification on what traffic control is needed, please contact a Barricade company.

## STEP 3 – IDENTIFY A LICENSED RIGHT OF WAY CONTRACTOR

To find a list of existing Licensed Right of Way Contractors:

1. Visit the Right of Way webpage at <https://www.austintexas.gov/department/right-way-permits>
2. The list can be found in the “Compliance Information” section.

To become OR continue to be a Licensed Right of Way Contractor:

1. **Bond OR \*Continuation Certificate** - \$10K, **original, signed** by the Principal, accompanied by Power of Attorney and any applicable Riders **(SEE PAGE 5 OF PACKET)**
2. **Insurance** – General Liability, with evidence of a 30 Day Notice of Cancellation, City of Austin as Additional Insured, and “City of Austin, Attn: Right of Way Mgmt, P.O. Box 1088, Austin, TX 78767” as Certificate Holder
3. **\*\*Resolution of Authority** – written statement confirming that the Bond signatory has authority to execute the Bond, **completed by SOMEONE OTHER THAN the Bond signatory**; form should indicate the company’s structure (LLC, Partnership, or Corporation) **(SEE PAGES 6-8 OF PACKET)**
4. **Authorized Agent** – Principal designates Agents that will be allowed to pull or submit permits on behalf of the company, must be notarized if not completed in front of Right of Way staff **(SEE PAGE 9 OF PACKET)**

**\*Continuation Certificate** - a Continuation can ONLY be accepted if the original Bond is already on file with Right of Way. If the Continuation does not require a signature from your company, then item #3 will **not** be necessary.

**\*\*ONLY one principal/member with signing authority?** In lieu of the Resolution you may provide a copy of an official document confirming the Bond Signee has authority to execute the bond. Examples of documents that satisfy this requirement include the Assumed Name Certificate (DBA), Certificate of Formation, or Articles of Incorporation.

There is a **\$50 dollar fee** assessed for the issuance of the license. The four above-mentioned items and the fee should be brought into the Right-of-Way office during the **walk-in hours**. **Drop-offs and mail-ins cannot be accepted.**

**\*\*FOR A DETAILED BREAKDOWN OF LICENSE REQUIREMENTS PLEASE REQUEST A COPY OF THE “REQUIREMENTS FOR INSURANCE, BOND, AND LICENSE” PACKET\*\***

## STEP 4 – WHO WILL OBTAIN PERMIT (CONTRACTOR OR AUTHORIZED AGENT)

ONLY a Licensed Right of Way Contractor, or the contractor’s Authorized Agent, is able to obtain an Excavation Permit. To become an Authorized Agent for a Licensed Right of Way Contractor, please have the contractor complete the Authorized Agent form found on page 9 of this packet. See the “Authorized Agent” section in Step 3 (above) for an explanation of how to complete the Authorized Agent form.

## STEP 5 – DOCUMENTATION AND FEES

### EXCAVATION DOCUMENTATION

1. Provide evidence of City of Austin project consent via an approved -- Site Plan, Utility Tap Plan, General Permit, Building/Demo Permit, CIP, and/or UCC tracking number(s). If available, please provide your Inspector Name.
2. Provide an approved Temporary Traffic Control Plan. If a City of Austin Standard Detail applies please list the specific detail number, otherwise provide an Engineer’s Sealed Plan. The plan must be specific to the right of way excavation work. **\*\*SEE “STEP 2 – TRAFFIC CONTROL PLAN (TCP)”\*\***
3. Provide evidence that commercial right of way development fees have been paid to Sites & Subdivisions.

#### Protected Streets:

Protected Streets require a Street Cut Justification Letter and Restoration/Paving Plan. Click [here](#) to view the “Protected Street List for Developers” (“Related Links” section of webpage).

#### Utility Crossings:

Utility Crossings may require a Horizontal View and Bore Profile sealed and signed by a Professional Engineer licensed by the State of Texas.

### EXCAVATION FEE SCHEDULE

<b>Permit Fee</b> (non-refundable)	\$45.00
<b>Right of Way Usage Fees</b> (assessed per street; no fee for excavation in dirt)	
Sidewalk, Driveway, Curb & Gutter, Medians	\$5.50 per structure, per day
Street Lanes	\$9.00 per lane, per day
<b>Inspection Fees</b>	
Dry Utilities	\$284 per street PLUS \$2 per linear foot
Wet Utilities (If not collected by Sites & Subdivisions)	\$284 per street per street PLUS \$2 per linear foot
Capital Improvement Projects (ADA project exemption)	\$1,500 per street
<b>Development Services Surcharge</b> (Assessed on all permits not charged through Sites & Subdivisions)	4% of DSD fees
<b>Protected Street Fees</b>	This fee is calculated in square yards based upon the actual size of the subgrade excavation within the paved area plus 18” on each side. The square yardage is then multiplied by the Street Unit Cost, which is calculated based upon age and condition of the pavement. This is still applicable to CIP Projects, unless proof of waiver or exemption is provided.
<b>Technology Improvement Surcharge</b>	4% of all ROW transactions
<b>All Permits Investigation Fees</b>	
No Permit	Equal to Cost of Permit for 1 Day
Violation of Permit Conditions, Restriction Limits, Times, and Locations on ROW Permit	\$250
Improper Advance Warning Sign	\$250
Improper Use of Device	\$250
Failure to Correct Deficiency	\$500
Restricting Traffic During Peak Hours	Equal to Cost of Permit for 1 Day

## CITY CODE

For information about City Ordinances, Standard Details, Transportation Criteria Manual, Utilities Criteria Manual, etc. go to <https://www.municode.com/library/tx/austin>. For in depth excavation requirements, reference “Division 3. - Excavation and Installation of Facilities in Right-of-Way” (chapter 14-11).

### PERMIT REQUIRED; CODE (14-11-171)

- (A) Except as provided in Section 14-11-172 (*Emergency Operations*), before excavating or installing a facility in a right-of-way a person or that person’s agent shall obtain a permit under this division.
- (B) A person who obtains a permit under this division is not required to obtain a temporary use of right-of-way permit required by Section 14-11-131 (*Permit Required*).

### SEAL OF PROFESSIONAL ENGINEER REQUIRED; CODE (14-11-164)

- (A) All drawings, plans, and specifications, including change requests, amendments, additions, deletions, and as-built drawings submitted to the director under this division shall bear the seal of a professional engineer licensed to practice in the State of Texas.

### ACTION ON PERMIT APPLICATION; CODE (14-11-177)

- (A) The director shall review an application promptly after it is filed.

## AUSTIN UTILITY LOCATION AND COORDINATION COMMITTEE (AULCC)

Per City of Austin ordinance 14-11-165, the **Utility Location and Coordination** Committee shall convene regularly to address the identification of facilities in the right-of-way, resolution of conflicts in location of facilities, AND coordination of plans for excavation in the right-of-way. If the excavated area will be **300 feet or greater**, it will be necessary to contact our office at 512-974-1150 and request to be added to the AULCC agenda.

**AULCC Meetings are scheduled on Thursdays from 2 p.m. to 4 p.m. and are held on the 10<sup>th</sup> floor of the One Texas Center Building, 505 Barton Springs Road, Austin, TX 78704.**

### How to be added to the AULCC agenda?

1. E-mail project details to Right of Way Management AULCC Coordinator. Details should include – contact phone and e-mail, ROW ID, and project name, location, description, manager, owner, start date, duration, status, bidding, and a current update on the project. **REZA SEDGHY – [REZA.SEDGHY@AUSTINTEXAS.GOV](mailto:REZA.SEDGHY@AUSTINTEXAS.GOV)**.
2. You will receive a confirmation e-mail. Prior to attending the meeting please review your agenda entry and advise if corrections/additions are needed.

## DOWNTOWN AUSTIN PROJECT COORDINATION ZONE (DAPCZ)

Per City of Austin ordinance 14-11-167, a person who seeks to excavate in the **Downtown Austin Project Coordination Zone** must submit a project description. If this requirement applies to you AND if the excavated area will be **25 feet or greater**, it will be necessary to contact our office at 512-974-1150 and request to be added to both the DAPCZ and AULCC agendas. Per ordinance, a project description should be submitted “to the director: 1) no later than January 1 for an excavation to begin after January 30 and before July 1; or 2) no later than July 1 for an excavation to begin after July 30 and before January 1.”

**TO VIEW A MAP OF THE DAPCZ, CLICK [HERE](#). DAPCZ Meetings are scheduled once per month and are held on the 3<sup>rd</sup> floor of the One Texas Center Building, 505 Barton Springs Road, Austin, TX 78704. **\*\*SEE “AUSTIN UTILITY LOCATION AND COORDINATION COMMITTEE (AULCC)” PROCESS ABOVE.\*\*****

### How to be added to the DAPCZ agenda?

1. E-mail project details to Right of Way Management DAPCZ Coordinator. Details should include – contact phone and e-mail, ROW ID, and project name, location, description, manager, owner, start date, duration, status, bidding, and a current update on the project. **NAN BROWN – [NAN.BROWN@AUSTINTEXAS.GOV](mailto:NAN.BROWN@AUSTINTEXAS.GOV)**.
2. You will receive a confirmation e-mail. Prior to attending the meeting please review your agenda entry and advise if corrections/additions are needed.

**LICENSE AND PERMIT SURETY BOND**

THE STATE OF TEXAS  
COUNTY OF TRAVIS

KNOWS ALL BY THESE PRESENTS:  
BOND NO. \_\_\_\_\_

PRINCIPAL, \_\_\_\_\_, (**check one**) a \_\_\_ corporation \_\_\_ limited liability \_\_\_ partnership \_\_\_ sole proprietorship, engaged in the construction, repair, excavation, installation, maintenance, or placement of facilities and/or doing such other work that may necessitate the use of certain public rights-of-way within the City of Austin, Texas ("CITY"), AND

SURETY, \_\_\_\_\_, a solvent company authorized under the laws of the State of Texas to act as surety on bonds for principals, agree to bind ourselves, our successors and assigns, jointly and severally, unto the CITY and to all persons who may suffer injury from any work undertaken by PRINCIPAL hereunder, as OBLIGEEES, in the sum of **TEN THOUSAND DOLLARS (\$10,000.00)**.

PRINCIPAL and SURETY are bound to pay this amount to OBLIGEEES only if PRINCIPAL fails to fulfill the following obligations:

- a. PRINCIPAL shall indemnify and hold harmless the CITY and all other persons and entities from all claims for damages to any person or property, including all costs and expenses, arising out of PRINCIPAL's use of the right-of-way within the CITY;
- b. PRINCIPAL shall repair any damage and correct any defect to the right-of-way caused by faulty materials or workmanship or when such damage or defect is caused, directly or indirectly, by PRINCIPAL's use of the right-of-way and shall warrant such work for a period of one year following completion of same;
- c. PRINCIPAL shall guarantee the replacement of public property that is disturbed or removed during construction activity;
- d. PRINCIPAL shall construct all safeguards ordered by the CITY to protect the public against hazardous conditions at or adjacent to PRINCIPAL's work site;
- e. PRINCIPAL shall pay all fees, charges, fines, assessments or judgments levied against or incurred by PRINCIPAL which may become due to the CITY or to other persons or entities as a result of the construction activities undertaken hereunder by PRINCIPAL;
- f. PRINCIPAL, its agents and employees shall perform all work in strict compliance with all applicable laws, ordinances, resolutions, rules and regulations; and
- g. PRINCIPAL and SURETY shall not violate any of the terms of this bond

If this bond is canceled or the coverage of this bond is restricted for any reason, SURETY shall immediately deliver written notice of such to the CITY and to the Director of the Austin Transportation Department. The cancellation or restriction becomes effective after thirty (30) working days from the date the CITY receives the notice. Cancellation or restriction does not affect SURETY'S liability on any transaction begun before the effective date of the cancellation or restriction. In the event of cancellation or restriction, PRINCIPAL will be suspended from all rights and privileges and no permit will be issued to PRINCIPAL under Chapter 14-11 of the City Code of Austin and/or no license will be issued to PRINCIPAL under Chapter 25-6 of the City Code of Austin, as applicable. This suspension remains effective until the bond coverage required by the applicable code section is fully restored.

The bond will be binding upon PRINCIPAL and SURETY from the \_\_\_ day of \_\_\_\_\_ 20\_\_\_, until midnight, the \_\_\_ day of \_\_\_\_\_ 20\_\_\_. Signed, sealed, and executed this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**PRINCIPAL**

BY: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**SURETY**

BY: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**Resolution of Corporate Authority**

I, \_\_\_\_\_ **{name of officer NOT SIGNING bond}** the undersigned  
\_\_\_\_\_ **{title}** of \_\_\_\_\_ **{name of corporation}** the  
"Corporation", hereby certify that:

Corporation is duly organized and existing under the laws of the State of \_\_\_\_\_. The following is a true and accurate transcript of a Resolution adopted at the \_\_\_\_\_ **{date}** Board meeting. The Corporation's Board of Directors adopted the Resolution, which is contained in Corporation's minute book, at a duly authorized board meeting. A quorum of Corporation's Board of Directors was present at the entire board meeting and all actions taken at the meeting complied with Corporation's charter and by-laws. The Resolution has not been amended or revoked on the date signed below, and remains in full force and effect.

Resolved, that \_\_\_\_\_ **{name of officer SIGNING bond}** the \_\_\_\_\_  
**{title}** of \_\_\_\_\_ **{name of limited liability company}**, is empowered to sign any and all documents, to take such steps, and to do such other acts and things, on behalf of said Corporation, as in his/her **{strike one}** judgment may be necessary, appropriate or desirable in connection with any License and Permit Surety Bond and related Permit(s) entered into with the City of Austin

Resolved, that all transactions with the City of Austin involving a License and Permit Surety Bond and related Permit(s) by any Officers of the Corporation, in its name and for its account, prior to the adoption of these resolutions, are hereby ratified and approved for all purposes.

Date \_\_\_\_\_, 20\_\_\_\_\_.

COMPANY SEAL, IF AVAILABLE



\_\_\_\_\_  
**{signature of officer NOT SIGNING bond}**

\_\_\_\_\_  
**{title}**

**Resolution of Authority for a Limited Liability Company**

I, \_\_\_\_\_ {name of member NOT SIGNING bond}, the undersigned Member of  
\_\_\_\_\_ {name of limited liability company} the "Company", hereby certify that:

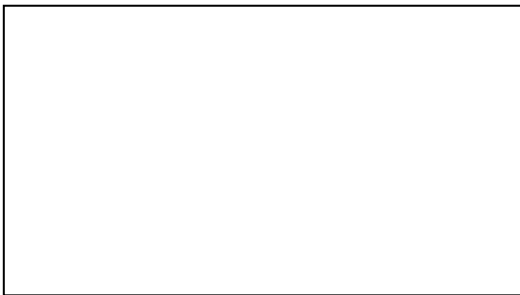
Company is a limited liability company and is duly organized and existing under the laws of the State of  
\_\_\_\_\_.

Resolved, that \_\_\_\_\_ {name of member SIGNING bond} Member of  
\_\_\_\_\_ {name of limited liability company}, is empowered to sign any and all  
documents, to take such steps, and to do such other acts and things, on behalf of said Company, as in his/her {**strike**  
**one**} judgment may be necessary, appropriate or desirable in connection with any License and Permit Surety Bond and  
related Permit(s) entered into with the City of Austin.

Resolved, that all transactions with the City of Austin involving a License and Permit Surety Bond and related Permit(s)  
by any Members of the Company, in its name and for its account, prior to the adoption of these resolutions, are hereby  
ratified and approved for all purposes.

Date \_\_\_\_\_, 20\_\_\_\_.

COMPANY SEAL, IF AVAILABLE



\_\_\_\_\_  
{signature of member NOT SIGNING bond}

**Resolution of Authority for a Limited Partnership**

I, \_\_\_\_\_ {**name of partner NOT SIGNING bond**}, the undersigned  
General/Limited **{strike one}** Partner of \_\_\_\_\_ {**name of partnership**} the "Partnership", hereby  
certify that:

Partnership is a limited partnership and is duly organized and existing under the laws of the State of  
\_\_\_\_\_.

Resolved, that \_\_\_\_\_ {**name of partner SIGNING bond**} Partner of  
\_\_\_\_\_ {**name of partnership**}, is empowered to sign any and all documents, to take  
such steps, and to do such other acts and things, on behalf of said Partnership, as in his/her **{strike one}** judgment may  
be necessary, appropriate or desirable in connection with any License and Permit Surety Bond and related Permit(s)  
entered into with the City of Austin.

Resolved, that all transactions with the City of Austin involving a License and Permit Surety Bond and related Permit(s)  
by any Partners of the Partnership, in its name and for its account, prior to the adoption of these resolutions, are hereby  
ratified and approved for all purposes.

Date \_\_\_\_\_, 20\_\_\_\_.

COMPANY SEAL, IF AVAILABLE



\_\_\_\_\_  
{**signature of partner NOT SIGNING bond**}

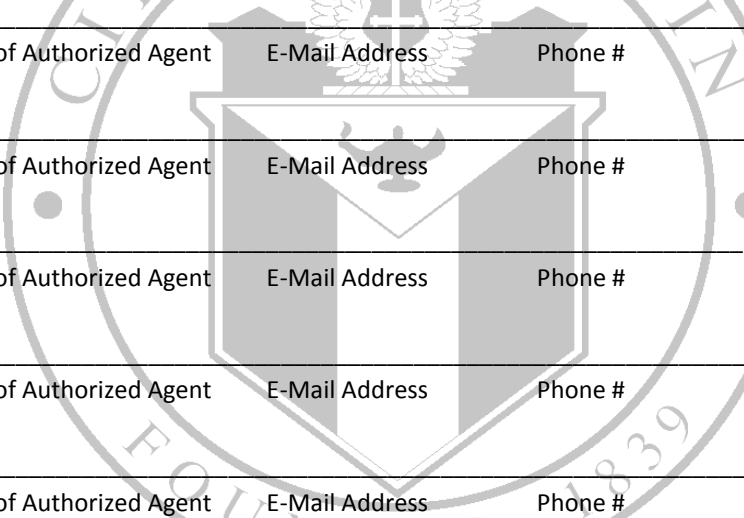


**Authorized Agent Form**

I, \_\_\_\_\_ of \_\_\_\_\_  
(Print Name of Principal License Holder) (Print Business Name)

Do hereby authorize the following to act as my Agent(s) in submitting permit applications on behalf of my company, within the corporate limits of the City of Austin. I understand that I am responsible for any applications/documents as submitted by my Agent(s) and that the individual must exhibit this authorization form to the permitting staff upon request. I further acknowledge that this original authorization form is to remain in my permit file for legal reference purposes. It is agreed that the Agent(s) named below may act as the primary contact for request of information by City staff to complete applications. I understand that it is my responsibility to update my file with the City of Austin upon change of authorized agent status.

Persons named below are authorized and approved to submit permit application data and to obtain any right of way permits in regards to the Licensed Right of Way Contractor:

- 
1. \_\_\_\_\_  
Print Name of Authorized Agent    E-Mail Address    Phone #
  2. \_\_\_\_\_  
Print Name of Authorized Agent    E-Mail Address    Phone #
  3. \_\_\_\_\_  
Print Name of Authorized Agent    E-Mail Address    Phone #
  4. \_\_\_\_\_  
Print Name of Authorized Agent    E-Mail Address    Phone #
  5. \_\_\_\_\_  
Print Name of Authorized Agent    E-Mail Address    Phone #

WITNESS OUR HANDS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_

I, the undersigned, representing the Licensed Right of Way Contractor, do hereby affirm and swear, under oath, that all information on this form and on accompanying documents are true and correct.

Approved: City of Austin

\_\_\_\_\_  
For the City of Austin Department of Transportation

\_\_\_\_\_  
PRINTED NAME  
Principal

\_\_\_\_\_  
SIGNATURE  
Principal

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

SWORN TO AND SUBSCRIBED BEFORE ME ON THE \_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_.