

OPTION #1

FOR THOSE LANDOWNERS AGREEING TO WAIVE THEIR RIGHTS UNDER SECTION 468.622 OF THE CODE OF IOWA:

Non-Paved Roads - Marshall County shall furnish sixty (60) feet of corrugated metal pipe of sufficient size for the crossing. In addition, Marshall County shall pay, upon proper billing from the contractor installing the crossing, a lump sum payment of \$550 for each crossing where the depth of cut (top of road to tile flow line) is less than or equal to 10.0 ft. Depths greater than ten feet may be appealed to the Board of Supervisors for additional payment. The Board of Supervisors, in consultation with the County Engineer, may allow an additional payment for crossing over 10.0 ft. in depth. See minimum tile crossing specifications as furnished by the County Engineer.

Paved Roads - All crossings shall be bored under the pavement. Marshall County shall furnish no labor or materials, but make a lump sum payment of \$2,500 plus \$100 per inch of diameter for each crossing. E.g., a 12" tile crossing would yield \$3,700

All other incidental costs of connecting the private tile lines to the above shall be at the expense of the individual landowners. See minimum tile crossing specifications as furnished by the County Engineer.

OPTION #2

FOR LANDOWNERS CHOOSEING NOT TO ACCEPT OPTION #1 ABOVE AND THOSE SITUATIONS WHERE ADJOINING LANDOWNERS DO NOT VOLUNTARLY AGREE TO ALLOW THE CROSSING, THEN, the procedures for approval and payment for such crossing shall be in accordance with applicable sections of the Code of Iowa Sections 468.600 through 468.622.

A summary of those procedures is shown below:

1. File an application in writing with the Marshall County Auditor, providing the information required by Iowa Code Section 468.600
2. If required, a public hearing shall be set by the Marshall County Auditor pursuant to Iowa Code Section 468.601.
3. Claims for damages shall be filed at or before the hearing pursuant to Iowa Code Section 468.604.
4. The Board of Supervisors shall conduct required public hearings in compliance with Iowa Code Section 468.605. If the Board of Supervisors find that the purpose is to secure more complete drainage or a better outlet and the levee, open ditch, tile or other underground drain is found to be beneficial it will be approved. If the Board of Supervisors find that a proposed drain runs in the course of natural drainage to a public road the owner of such land shall have the right to enter upon such highway for the purpose of connecting the owners drain or ditch with any drain or ditch constructed along or across said road.
5. If the Board of Supervisors approves the merits of the application Iowa Code Section 468.606 shall be followed. The landowner, however, in making such connection or crossing shall do so in accordance with the specifications furnished by the Secondary Road Department at the time of filing a crossing application.
6. If the Board of Supervisors approves the tile line to be projected across the public right-of-way to a suitable outlet, Marshall County, or their agent, shall construct said crossing across the entire width of public right-of-way at their expense. The cost of the public crossing and all future repair and maintenance cost shall be paid from the Secondary Road Department's Funds budgeted for the roadways effected.

In order to assure crossings are installed at the lowest possible cost, Marshall County reserves the right to install with their own forces or to contract out separately any tile crossing. The decision to use county forces, low bid contractors or the landowners tiling contractor to construct the crossing lies solely with Marshall County. The actual construction of crossings installed by Marshall County forces or by low bid contractors may be delayed due to the scheduling of crews or the requirements for Marshall County to advertise and award bids and the allowance of a reasonable amount of time for the contractor to complete the work. No bid will be awarded unless sufficient budgeted funds remain to pay the contractor.

REQUIREMENTS OF ALL CROSSING, REGARDLESS OF METHOD CHOSEN:

All requests to have subsurface field tile crossings within the county right-of-way must be first directed to the County Engineer's Office. If the optional payment procedure is not chosen, then the applicant will be directed to the Office of the Marshall County Auditor.

All tile crossing requests must initially be submitted on forms available at the Marshall County Engineer's Office located at 101 East Church, Marshalltown, IA.

Tile Crossing Applications must be filed on forms furnished by the Marshall County Engineer's Office. Before consideration for approval, all required information required on the form must be completed in a manner acceptable to the Marshall County Engineer.

All proposed tile crossing locations must be located with GPS coordinates or by a direction and distance description from an existing cross road culvert and roadway intersection.

Tile crossings will only be approved when no other suitable outlet within the watershed exists.

All contractors or individuals working and/or installing a tile crossing within the public right-of-way shall furnish a certificate of insurance meeting the requirements of Marshall County's "Tile Crossing Specifications" prior to commencing any work within the right-of-way.

Any materials furnished by Marshall County will be available for pick up at the Marshall County Maintenance Facility located at 901 East Boone St., Marshalltown, IA. during normal business hours.

If funds are not available in the current Marshall County Secondary Road Department Budget for reimbursement, construction or payment for construction, actual payment may be delayed until funds are available in subsequent budget years. It is further understood that said reimbursement will be made in chronological order of approved and completed crossings.

Marshall County assumes no liability for any crossing installation not installed by Marshall County Forces or contractors hired directly by Marshall County.

TILE CROSSING SPECIFICATIONS

Marshall County Payments for Tile Crossings - Payment will only be made to the approved contractor after proper billing by the contractor.

Insurance Requirements - Anyone installing tile within the public right-of-way shall file with the Office of the Marshall County Engineer a certificate of insurance meeting or exceeding the following requirements prior to any work being performed within the right-of-way:

General Liability, Including Independent Contractors Contractual Liability, Products and Completed Operations.

BODILY INJURY

\$1,000,000 Each Occurrence

\$1,000,000 Aggregate

PROPERTY DAMAGE

\$250,000 Each Occurrence

\$250,000 Aggregate

Un-Paved Crossings

- Marshall County will furnish two 20 ft. sections of solid CMP, two 10 ft. sections of perforated CMP and three connection bands. If the right-of way width or skew angle justify an additional 20 ft. solid section, an additional section(s) and band(s) will be furnished.
- The diameter of the crossing shall be no less than one size larger than connecting tile.
- All connection materials from the ends of the county furnished crossing materials and the right-of-way line shall be furnished by the landowner/contractor.
- The contractor shall notify the Marshall County Secondary Road Department 48 hours prior to the beginning of work furnishing the time and date work within the right-of-way is to begin.
- Adequate warning signs shall be installed to warn the public of the road closure and danger ahead. If the contractor does not have appropriate warning signs, they may be borrowed from Marshall County Secondary Road Department. The contractor must pick up the signs and return them to the Marshall County Maintenance yard in Marshalltown.
- Prior to excavation within the roadway, existing surfacing material shall be removed, preserved and replaced over the excavation trench.
- After installation of the tile, the trench located below the roadway shall be compacted in 6" lifts from the flow line to road surface.
- Contractor must backfill and compact all trenches
- The contractor shall install a witness post at each right-of-way line above the location of the tile.
- Work area shall be returned, as close as possible, to the original condition as approved by the County Engineer
- No intakes, risers or blowouts can be installed within the public right-of-way.
- No retention basins can be constructed within the public right-of-way.
- The contractor shall notify the Marshall County Road Department immediately upon completion of the crossing.
- Marshall County shall add additional surfacing to the roadway if needed.
- If the actual crossing is to be installed by Marshall County or its agent, connecting tile shall be located both in both the horizontal plane and vertical elevation by the applicant. The Marshall County furnished crossing will be extended to the right-of-way line. It shall be the responsibility of the landowner to connect their tile to the Marshall County supplied crossing.

Paved Road Crossings Installed Under the Optional Method

- Marshall County will furnish no materials for crossings.
- Schedule 40 PVC or equivalent shall be installed under the entire width of the roadway from edge of the shoulder to edge of shoulder plus a two to one slope from the outside edge of each shoulder to the crossing depth.
- The diameter of the crossing shall be no less than one size larger than connecting tile.
- The remaining pipe installed within the public right-of-way and between the toes of the back slope shall be either perforated schedule 40 PVC or perforated corrugated metal pipe. Any remaining tile pipe beyond the toes of the back slopes may be regular tiling materials
- Adequate warning signs shall be installed to warn the public of the roadway danger ahead. If the contractor does not have appropriate warning signs, they may be borrowed from Marshall County Secondary Road Department. The contractor must pick up the signs and return them to the Marshall County Maintenance yard in Marshalltown
- The contractor shall install a witness post at each right-of-way line above the location of the tile
- Contractor must backfill and compact all trenches
- Work area shall be returned, as close as possible, to the original condition as approved by the County Engineer
- No intakes, risers or blowouts can be installed within the public right-of-way.
- No retention basins can be constructed within the public right-of-way.
- The contractor shall notify the Marshall County Secondary Road Department 48 hours prior to the beginning of work furnishing the time and date work within the right-of-way is to begin.
- The contractor shall notify the Marshall County Road Department immediately upon completion of the crossing.
- If the actual crossing is to be installed by Marshall County or its agent, connecting tile shall be located both in both the horizontal plane and vertical elevation by the applicant. The Marshall County furnished crossing will be extended to the right-of-way line. It shall be the responsibility of the landowner to connect their tile to the Marshall County supplied crossing.