



**50/50 SIDEWALK REPAIR
PROGRAM**

APPLICATION PACKET

PROGRAM BACKGROUND:

The City of Woodburn recognizes the need to maintain sidewalks within the city is necessary to protect the health, safety, and welfare of residents and visitors. Woodburn loves its mature street trees throughout the city and strives to protect them; however, tree roots can cause significant damage to sidewalks.

Woodburn City Ordinance 1917 (*see attached*) identifies that the property owners are responsible for the maintenance and repair of damaged sidewalks adjacent to their property whether due to tree roots or general wear and aged concrete. Considering this requirement, the city has developed the Woodburn 50/50 Sidewalk Repair Program to assist with the financial burden public policies placed upon property owners.

ELIGIBILITY:

1. Applications will only be considered for repair of sidewalks along public streets as approved by the Public Works and Planning Departments.
2. Property-owners may only apply for one reimbursement for one property in a calendar year.
3. Applications must be received and approved by the City before the work begins.
4. Reimbursement requests will not be considered for work that is underway or has been completed prior to application approval.
5. Residential and commercial applications are eligible.
6. Property owners must obtain three (3) competitive bids from qualified contractors for sidewalk repairs. Bids must accompany the application upon submission.
7. Work must be completed within 90 days of application approval. If this deadline is not able to be met, applicant may apply for a one-time extension as determined by the City. Applicant must contact the City at least 14 days prior to the deadline if additional time is needed.

USE OF FUNDS:

1. Funds may only be used for the repair or replacement of existing sidewalks that have been damaged by the roots of street trees, general wear, or aged concrete, as approved by the Public Works and Planning Departments through the applicable process.
2. Property-owners are responsible for obtaining a Woodburn Right-of-Way Permit and comply with the conditions set forth in the permit for projects that require sidewalk repair.
3. Property owners must hire a licensed, bonded, qualified contractor for sidewalk repairs. Contractor must be one of the three bids submitted at the time of application.
4. The maximum reimbursement will be 50% of the lowest bid or 50% of the final invoice, whichever is less.
5. Maximum funds that will be reimbursed through this program is 50% of the project cost up to \$2,500 per application.

6. All program awards will be made on a first-come, first-served basis, subject to the availability of funds in the approved program budget. Once the budgeted funds have been expended, no further applications will be approved in the funding cycle.
7. The lack of sufficient funds to cover the number of applications received by the City in any given fiscal year will not excuse the property-owner from the responsibility of maintaining the sidewalks adjoining their property, in a safe condition nor create any liability to the City for any unsafe sidewalks.

Application Process:

- 1. PRIOR TO WORK GETTING UNDERWAY - PROPERTY-OWNER SUBMITS APPLICATION ALONG WITH THREE (3) COMPETITIVE BIDS.**

Applications should be emailed to jamie.johnk@ci.Woodburn.or.us or mailed to Woodburn City Hall, Attn: Jamie Johnk, Economic Development Department, 270 Montgomery Street, Woodburn, OR 97071.

- 2. CITY CONFIRMS APPLICANT ELIGIBILITY. IF ELIGIBILITY REQUIREMENTS ARE MET, APPLICATION WILL BE REVIEWED AND APPROVAL RECOMMENDATIONS MADE.**

Upon verification of the damage to the sidewalk and the Woodburn 50/50 Sidewalk Repair Program application is deemed complete, city staff will review and make recommendation of approval, subject to fund availability. The Applicant will be notified once the application is approved, when work may proceed. Completed right-of-way permit and three (3) written contractor bids must accompany the Woodburn 50/50 Sidewalk Repair Application. The work must then be completed within 90 days of the award date. If the work is unable to be completed within 90 days due to unforeseen circumstances, the applicant may request a one-time extension as determined by the City. Applicant must contact the City at least 14 days prior to the deadline should additional time be needed.

- 3. WORK COMPLETION. PROPERTY-OWNER PAYS CONTRACTOR AND SUBMITS REIMBURSEMENT REQUEST WITH FINAL INVOICE.**

After the work is completed, the property owner must submit the actual itemized invoice from the contractor along with a signed and completed Woodburn 50/50 Sidewalk Repair Reimbursement Request form. Upon approval that the work completed, as inspected by the City Engineering Department and that it meets city and ADA Standards, reimbursement will be made in the amount of 50% of the final invoice or 50% of the lowest bid submitted with the application, in a maximum amount not to exceed \$2,500.



**WOODBURN 50/50 SIDEWALK REPAIR PROGRAM
APPLICATION**

Property Owner/Applicant Name: _____

Property Address: _____

Phone Number: _____ Email Address: _____

Project Location Address: _____

Size of Project (*square feet*): _____ Estimated Cost: \$ _____

Project Description: _____

BIDS RECEIVED:

Company: _____ \$ _____

Company: _____ \$ _____

Company: _____ \$ _____

CERTIFICATION: By signing this application, I certify the following: **1)** I am the legal owner of the property where the proposed sidewalk repair project will take place; **2)** All the information on this application and accompanying material is true and accurate to the best of my knowledge. **3)** If awarded funds, I agree to comply with all the rules and conditions set forth in the application packet and on the permit forms.

Signature: _____ Date: _____

Printed Name: _____

Applications may be emailed to jamie.johnk@ci.Woodburn.or.us or mailed or dropped off at Woodburn City Hall Attn: Jamie Johnk, Economic Development Department, 270 Montgomery Street, Woodburn, OR 97071.

FOR ADDITIONAL INFORMATION CONTACT:

Jamie Johnk, Economic Development Director

Email: jamie.johnk@ci.woodburn.or.us

Phone: 503-980-6319

ORDINANCE NO. 1917

AN ORDINANCE REGULATING THE CONSTRUCTION, ALTERATION AND REPAIR OF SIDEWALKS.

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. Definitions. Unless the context requires otherwise, the following mean:

- (1) **Person.** A natural person, firm, corporation or other legal entity.
- (2) **Sidewalks.** The part of the street right-of-way or an easement which contains a walking structure between the curb lines on the pavement or gravel edge of a roadway and the adjacent property lines, including the driveway approach.
- (3) **Major construction.** Work that requires new construction or alteration and repair of more than 50% of the existing or future sidewalk area.
- (4) **Minor construction.** Work that requires alteration or repair of less than 50% of the existing sidewalk area.

Section 2. Duty to Repair Sidewalks. The owner of land adjoining a city street shall maintain in good repair the adjacent sidewalk whenever it becomes damaged or deteriorated in any way.

Section 3. Liability for Sidewalk Injuries.

- (1) The owner of real property responsible for maintaining the adjacent sidewalk shall be liable to any person injured because of failure of the owner to maintain the sidewalk in good condition.
- (2) If the City is required to pay damages for an injury to persons or property caused by the failure of a person to perform the duty which this ordinance imposes, the person shall reimburse the City for the amount of damages thus paid and the attorney fees and costs of defending against the claim of damages. The City may maintain an action in a court of competent jurisdiction to enforce the provisions of this section.

Section 4. Standards and Specifications. Sidewalks shall be constructed, altered and repaired in accordance with City standards and specifications.

Section 5. Submission of Plans. No person shall construct, alter or repair a sidewalk within the City without first making application for a permit and submitting the plans for the proposed work. The application shall be made to the City Engineer's office, and all applicable standards and specifications established under Section 4 shall be met by the plans, and thereafter the City Engineer or designee may issue a permit for the proposed work. There will be no charge for the permit.



**GENERAL CONDITIONS
FOR
APPLICATION & PERMIT TO CONSTRUCT A PUBLIC IMPROVEMENT**

Division 1. Generals

- 1. All work under this permit shall comply with the approved plans & special provisions, City of Woodburn Standard Specifications & Drawings, and the General Conditions for Franchise Utility Permits.
- 2. Plans are approved in general only and do not relieve the applicant from completing the construction improvements to the City's standards and specifications.
- 3. This permit is being issued ONLY for work performed in the Public Right-of-Way under the jurisdiction of the City of Woodburn and in Public Utility Easements under the jurisdiction of the City of Woodburn. All work performed on private property and/or other jurisdictions will require the applicant to obtain the appropriate permits and/or approvals required.
- 4. Only Contractors with a current Construction Contractor's Board (CCB) license in the State of Oregon shall perform work within the Public Right-of-Way and/or Utility Easements.
- 5. Notify the City of Woodburn Public Works Department 48-hours prior to beginning construction, 503-982-5240. Any work done without the proper inspection will be subject to rejection.
- 6. All underground utilities shall be installed with a minimum vertical separation of at least 1-ft. from existing water, sewer and storm pipes.
- 7. Applicant shall install a "tracer wire" or other similar conductive marking tape or device, if installing any non-conductive, un-locatable underground facility, to comply with the Oregon Utility Notification Center, one call system (per OAR 952-01-00700).
- 8. The the responsibility of the permit holder to understand the limitation of the UL markings, and to undertake all necessary precautions and diligence to avoid damage and impairment to any private or privately-maintained underground facilities.
- 9. The Applicant holder or Applicant's authorized representative shall be responsible for all damages related to work done under this permit, including, but not limited to damage to "unlocatable" underground facilities. All construction sites are to be restored to their original or better condition where affected by construction.



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- ❑ 10. Provide a traffic control plan and install traffic control devices in accordance with the current the guidelines set forth in the current edition of the Manual on Uniform Traffic Control Devices (M.U.T.C.D.) and the Oregon Temporary Traffic Control Handbook, as it applies to the project. Use as many traffic control devices as necessary to make a safe work site for the Public and construction crews at all times.
- ❑ 11. Leave work area in a clean condition, free from litter and debris, at the end of each workday, or more frequently if directed by the City Inspector.
- ❑ 12. Any changes to the approved plans shall be approved by Project Engineer and City Engineer prior to making the changes in the field.
- ❑ 13. All residents shall have uninterrupted access to their properties and to public roads. All streets, driveways, and sidewalks shall be open to the public at the end of each work day.
- ❑ 14. Construction work and activity shall be limited to Monday through Friday from 7:00 am to 7:00 pm, excluding legal holidays.

Division 2. Materials

- ❑ 1. The use of materials different from the approved plans, permit specifications, or the City Standard Drawings & Specifications is not allowed, unless they are submitted and approved by the City Engineer prior to their installation/construction.

Division 3. Site work

- ❑ 1. All concrete and asphalt to be removed for installation of replacement structure shall be saw cut vertically to ensure neat vertical face to adjoin new. All damaged concrete sections shall be saw cut to the next joint and the panel replaced in its entirety.
- ❑ 2. Do not trim, cut or in any way disturb any trees, shrubbery, and other vegetation without the approval of the City Engineer.
- ❑ 3. Remove and dispose all waste materials of debris in an approved and "Permitted" landfill.
- ❑ 4. All underground work in the Public Right-of-Way shall be properly covered and/or surrounded with caution tape to protect the Public.
- ❑ 5. The permit holder shall comply with the approved erosion and sediment control plan at all times.
- ❑ 6. All damaged or removed street signs shall be replaced by the applicant. Installation shall be according to the current MUTCD standards and shall be completed no later than the end of the work shift.



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- 7. Street Closures are issued through the Woodburn Public Works Department, 503-982-5240.
- 8. Existing property pins and survey monuments shall be preserved. When disturbed by construction activities, they shall be replaced/reinstalled by a Licensed Professional Land Surveyor.
- 9. “Sidewalk Closed” signs shall be placed at all intersections leading to the sidewalk where work is being performed.

Division 4. Streets

- 1. Pavement cutting is allowed only in areas specifically approved by the City Engineer or Field Representative.
- 2. Open cutting of pavement will be allowed in areas approved by the City, under the following conditions:
 - a) Trench backfill shall be 1”-minus gravel or crushed rock compacted in 8” lifts to 95% AASHTO T-180.
 - b) The asphaltic concrete replacement shall be full depth thickness, as per existing level 3, ½” Dense graded asphaltic concrete mix in accordance with the 2015 Oregon Standard Specifications for Construction. The edges must be saw cut, properly prepared, and sealed upon completion. The trench shall be temporarily patched with cold patch material if the surface repair is not to be immediately completed. Surface restoration shall be done in accordance with the City of Woodburn “*Trench Cap*” detail No. 3800-5.
 - c) Width of trenches in which pipe is to be laid shall be twenty-four-inches (24”) greater than the diameter of the pipe, unless permission is obtained from the City Engineer.
 - d) Open trenching length shall not exceed one-half of the street width.
 - e) Before paving, proof of passing compaction tests on the compacted rock must be provided to the City Inspector.
 - f) No trench shall be left in an open condition overnight. When approved, underground work in the area of paved surfaces shall be covered by steel plates that are capable of supporting traffic loads, with hot or cold mix along all edges, and pinned to prevent displacement of the steel plates. Steel plates shall be daily inspected, any necessary repairs completed on a timely basis, and shall not remain for over 48-hours without written permission from the City. A “SLOW” and “BUMP” sign shall be placed at each side of the steel plating.
- 3. The staging of materials on the Streets is not allowed. This includes but is not limited to, rock, backfill materials, spoils, construction supplies, etc.



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- 4. Existing roadway traffic markings are to be replaced to original or better condition where damaged by construction.

Division 5. Water

- 1. Only City staff can operate live water valves and Fire Hydrants. Notify the City of Woodburn prior to the need for the operation of live water valves.
- 2. The minimum vertical separation between the water line and any conduit shall be at least one-foot.

Division 6. Sanitary Sewer

- 1. The minimum vertical separation between the Sanitary Sewer line and any conduit shall be at least one-foot.

Division 7. Storm Sewers

- 1. The minimum vertical separation between the Storm Sewer line and any conduit shall be at least one-foot.

Woodburn Ordinances

2-11.6

2-11.10

Section 6. Supervision of Work. The property owner or agent thereof, may perform construction, alteration or repair of sidewalks after obtaining a permit from the City Engineer's office. The City Engineer or designee may inspect any materials and construction details as in the Engineer's judgment may be necessary to insure compliance with the applicable standards and specifications.

Section 7. Notice to Repair or Make Alterations.

(1) When major construction is involved the Council shall, by motion, direct the City Engineer to issue a notice.

(2) When minor construction is involved and the repair or alteration is brought to the City Engineer's attention, the Engineer may issue a notice directly.

(3) The notice shall require the owner of the property adjacent to the sidewalk to complete the work within 60 days after service of notice. The notice shall also state that if the work is not completed by the owner within the 60-day time period, the City may complete it and assess the cost against the property adjacent to the sidewalk.

(4) The City Engineer shall cause a copy of the notice to be served upon the owner of the property adjacent to the sidewalk, or the notice may be served by registered or certified mail, return receipt requested. If after diligent search the owner is not discovered, the City Engineer shall cause a copy of the notice to be posted in a conspicuous place on the property, and such posting shall have the same effect as service of notice by mail or by personal service upon the owner of the property.

(5) The person serving the notice shall file with the Recorder a statement stating the time, place and manner of service of notice.

Section 8. City May Alter or Repair Sidewalk. If the sidewalk alteration or repair is not completed within 60 days after service of the notice, the City may complete it. Upon completion of the project, the City Engineer shall submit a report to the Council. The report shall contain an itemized statement of the cost of the work.

Section 9. Assessment for Sidewalk Work Done by City. Upon receipt of the report, the Council, by ordinance, shall assess the cost of the work against the property adjacent to the sidewalk. The assessment shall be a lien against the property and may be collected in the same manner as is provided for the collection of street improvement assessments.

Section 10. Sidewalk Construction Requested by the Property Owner. If a property owner petitions the Council for an order to build a sidewalk on the part of the street abutting his or her property, agrees to pay cash or to make application to pay the cost in installments as provided by the Bancroft Bonding Act (ORS 223.205 to 223.295), waives the right of service and publication of notice of construction, and consents to the assessment of the property upon which the sidewalk abuts, the

Woodburn Ordinances

2-11.11

2-11.13

Council may order the construction of the requested sidewalk, if in its judgment the sidewalk should be built.

Section 11. Penalty. A violation of any section of this ordinance constitutes a class 1 civil infraction and shall be handled according to the procedures established by ordinance relating to civil infractions.

Section 12. Severability. Each portion of this ordinance constitutes a class 1 civil infraction and shall be handled according to the procedures established by ordinance relating to civil infractions.

Section 13. Repeal. Ordinance No. 778 (enacted February 3, 1942) is repealed.

Passed by the Council July 8, 1985 and approved by the Mayor July 9, 1985.

Contract List: 50/50 Sidewalk Repair Program

	<u>CONTRACTOR NAME</u>	<u>PHONE</u>	<u>NOTES</u>
		<u>CCB #</u>	
	Danskey Construction LLC Dan Danskey Woodburn, Or 97071 danskeyconstruction@gmail.com	(503) 982-1702 168267	
	Full Line Construction Inc James Berukoff Silverton, OR 97381	503-9328182 173375	
	David Garber Construction Inc Dave Garber Canby, Oregon 97013 kudos7777@hotmail.com	503) 932-4753 46473	
	Gelco Construction Tom Jordan Salem, OR 97301 tomj@gelcoconstruction.com	(503) 364-2638 51290	
	Kostenborder Contracting Willy Koskenborder Salem, OR 97302 kostenborder@wvi.com	(503) 362-5490 20532	
	D&D Conrete and Utilities Don Nienke Canby, Oregon 97013 office@ddcui.com	(503) 266-5229 219262	
	Nataly's Construction LLC Gerardo Ramos Woodburn, OR 97071 geramhdz@yahoo.com	(971) 216-1289 174295	
	Roger Langeliers Construction Co. Randy Hillsboro, Oregon 97124 geramhdz@yahoo.com	(503) 533-5709 106364	