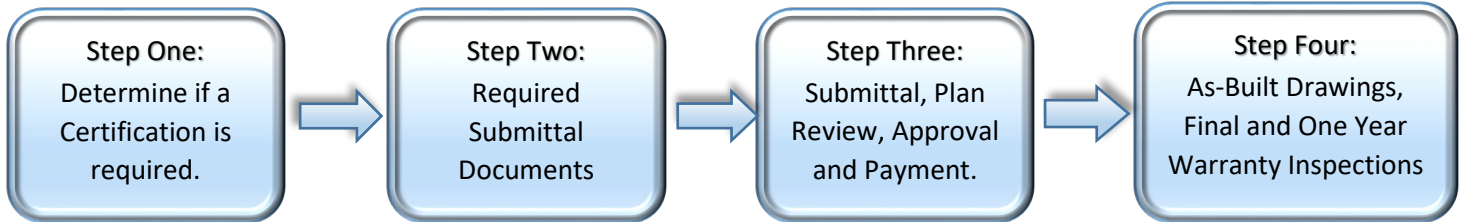




Harris County Public Review Procedure Document Right of Way Certification

The information provided below will assist in determining if your project requires a Right of Way Certification and will provide an overview of the Certification process.



Step One – Determine if a Certification is required.

A Harris County Right of Way Certification is required whenever an individual, contractor or utility company plans to perform work in Harris County maintained road right of way (ROW). The purpose of the Certification is to ensure that work constructed in County ROW is performed safely and in conformance with engineering standards. The goal is to protect users of the ROW and preserve the County's infrastructure. For more information please refer to the Rules of Harris County, Harris County Toll Road and Harris County Flood Control District for the Construction of Facilities within Harris County and Harris County Flood Control District Right of Ways. (<https://www.eng.hctx.net/Portals/23/Publications/Construction-in-HC-or-HCFCD-ROW-Regs.pdf>)

Requires a Certification:

- Non-Residential Sidewalk
- Roadway paving
- Turn lanes
- Median openings
- Utility Crossings, repairs and connections (water, sewer, pipelines, etc...)
- Landscaping
- Monuments
- Miscellaneous

Frequently Asked Questions:

- **Will the Certification hold up power?**
Yes. A certification must be issued and the initial inspection must pass before permanent power can be released.
- **Do I need a certification for my driveway?**
No. A driveway and/or culvert permits are issued separately.
- **The work within the ROW has already been completed, am I still required to get a ROW Certification?**
Yes. Any work within Harris County Right of Way requires a certification excluding service taps from a mainline (water, sewer, gas or cable) to single family residence.
- **How can I verify a ROW Certification is required?**
There are several ways to verify that a right of way Certification is required.
 1. *A notice will be included with the site development permits when the plans are approved. The notice will be titled "Special Requirements". A note is included with the notice informing the applicant a certification must be obtained separately. If you have approved plans or submitting for review will vary depending on the scope of work.*
 2. *The approved plans notate the scope of work within the right of way on the Harris County Review Sheet under Section 10. These facilities are identified during the plan approval process.*
 3. *In some cases a design engineer may need to be contacted to confirm if any work within the right of way is being performed based on the approved plans.*
- **The MUD District did the connection, do I still require a ROW Certification?**
Yes. Any work within Harris County Right of Way requires a certification excluding service taps from a mainline (water, sewer, gas or cable) to single family residence.

Step Two – Required Submittal Documents

Request for a Right of Way Certification requires the following items:

1. Completed Application
2. Standard Bond or Perpetual Bond
3. Approved Plans or Engineered Drawings (Drawings must be Signed and Sealed)



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The application and bond form can be found on our website located here: <http://www.eng.hctx.net/permits/Public-Review-Code/Public-Plan-Review/Notification-of-Construction-in-the-ROW>

Application Information

This information will be required whether submitting in person to our office or online using our ePermits system.

- Project Name
- Property Address
- Project Number (if plans are approved)
- Applicant Information (email, address, and phone number)
- Property Owner Information (email, address, and phone number)
- Construction Type
- Method of Construction
- Pipe Information (if applicable)
- Description (Scope of the work within the Right of Way)
- Bond Information (ID, Amount, Executed Date, and Surety Company)

Please visit the link below for the Application Form:

<http://www.eng.hctx.net/Portals/23/Notification%20of%20Construction%20in%20ROW%202015-10.pdf>

Bond Information

This information will be required whether submitting in person to our office or online using our ePermits system.

Standard Bond Users (Facilities without Statutory Authorization)

Bond Covering Construction of Facilities within Harris County and Harris County Flood Control District Rights-Of-Way form must be completed in its entirety by an insurance company. The Bond must be have either embossed or raised seal with the Power of Attorney that is provided from the insurance company. The original bond must be provided if the application is submitted over the counter. The bond can be submitted electronically with a scanned copy of the bond form through our ePermits system. The Power of Attorney must be included with electronic copy.

Please visit the link below for the Standard Bond Form:

http://www.eng.hctx.net/Portals/23/Publications/ROW_notification_bond_form.pdf

Perpetual Bond Users (Facilities with Statutory Authorization)

Perpetual Bonds are used by companies that are recognized as a Public Utility in the State of Texas. Public Utility Companies and/or engineering firms that are submitting on behalf of Public Utility Companies must submit under the Companies master account using our e-Permits site. The Public Utility Companies must have a bond on file with Harris County in order to process in accordance with the Rules of Harris County and Harris County Flood Control District for the Construction of Facilities within Harris County and Harris County Flood Control District Right of Ways.

Approved Plans Or Engineered Drawings

The purpose for the plans is to determine the scope of work being performed within the right of way and the proposed work conforms to Harris County regulations and specifications.

Approved Plans:

Only plans that have been reviewed and approved can be utilized by individual to submit a certification applications. The approved plans will be utilized in determining the work within the right of way. Approved plan are signed and sealed engineered drawings (for example – paving and utility work) or registered landscape architect (for example – irrigation, monuments, etc...). Plans that have been reviewed and approved by Harris County will be signed on Harris County Review Sheet.

Engineered Drawings:

All Construction Drawings for Work to be performed in the HC or HCFCDD ROW must be sealed by a professional engineer or registered landscape architect, as appropriate, licensed in the State of Texas. Traffic control plans shall be submitted for any and all construction activity requiring a lane closure.



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Frequently Asked Questions:

- **How can I apply for a Right of Way Certification?**
An application can be submitted through our ePermits system or directly to Harris County Permits Office located at 10555 NW Freeway Suite 120.
- **Is there a special bond form and who do I get the bond form?**
Yes. The bond must be issued using the Harris County bond form. A bond can be completed and issued by an insurance company.
- **How do I determine the amount for the bond?**
The bond amount can be determined with **Table I** located in the [RULES OF HARRIS COUNTY, INCLUDING THE HARRIS COUNTY TOLL ROAD AUTHORITY, A DIVISION OF HARRIS COUNTY, AND THE HARRIS COUNTY FLOOD CONTROL DISTRICT FOR THE CONSTRUCTION OF FACILITIES WITHIN HARRIS COUNTY AND THE HARRIS COUNTY FLOOD CONTROL DISTRICT RIGHTS-OF-WAY.](#)
- **How long does it take to process the Right of Way Certification?**
It is the *intent* of Harris County to process and approve the HC ROW Certification within 7 to 10 business days. Depending on the amount of requests a certification could be processed within a couple days.
- **Is there a way to expedite the Certification process?**
No. Requests are processed in the order they are received.
- **Where can I check the status of my Certification?**
In order to check on the status on a request you will need the Harris County project number. If the request was submitted through ePermits the information will be on the user's dashboard. If the request was submitted over the counter, the status can be verified on ePermits login screen. Once on the login screen of ePermits select **Projects Status & Payment** located near the top right of the screen.

Step Three – Submittal, Plan Review, Approval and Payments

Submittal, Plan Review and Approval - The required documents can be submitted for review directly at the Harris County Permits Office or online using our ePermits system (<https://epermits.harriscountytexas.gov/>). If you have not used our ePermits system before, registration is simple and it will allow you to complete the entire permitting process online including *submittal, review, approval, payment and inspection scheduling*. There are Help Videos on the ePermits login page and the one entitled "Apply" will walk you through the entire process indicating how to apply for a permit.

Once the project has been submitted, the documents will be reviewed by one of our plan reviewers. Review times vary depending on workload, but in general, you should receive a notification that the review has been completed within 7 to 10 business days. You will be notified via email of one of the following.

Disapproval

- The reviewer has made one or more comments to the submitted documents. Please address all comments and resubmit the project (**under the same project number**) for another review.

Approval

- If the project has been approved, the permit will be loaded into our system and payment can be made.
- You should also download a copy of your permit documents once the permit has been purchased
- A copy of the certification must be on the jobsite at all times.

Payment – Payment can be made directly through the applicant's ePermits account or through the Harris County Permits Office website using the 10-digit project number that was created for the project (See the Check Project Status and Payment hyperlink in Blue Box #2 at <https://epermits.harriscountytexas.gov/PublicProjectStatus.aspx>).



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Step Four – As-built Drawings & Inspections

48 Hour Notice

Prior to starting work in the right-of-way notice must be given to Harris County and the appropriate Commissioner's Precinct at least forty-eight (48) hours before laying, constructing, maintaining or repairing any utility, in, under, across or along any County road which involves disturbance of the soil for inspection purposes. Two weeks advanced notice is required if landscaping must be relocated by Precinct forces. The same notice shall be given to the Harris County Flood Control District is working in, under, across or along any Harris County Flood Control District right-of-way. Please complete the form below to send the 48-hour notice by email and/or fax.

Please visit the below for the 48 hour notice form for Road Right of Way:

http://www.eng.hctx.net/Portals/23/Publications/Notice_to_Proceed1808.pdf

Please visit the below for the 48 hour notice for HCFCD Right of Way:

http://www.eng.hctx.net/Portals/23/Publications/48Hr_Pre-Con_Notification.pdf

As-Built Drawings

The As-Built Drawings must be submitted to rowasbuilt@harriscountytexas.gov before the Final Inspection can be scheduled online using our ePermits system.

As-Built Drawings are a revised set of drawings (**This is different than the As Built Certificate**) submitted by the Applicant upon completion of the approved Work. They reflect all changes made in the specifications and Construction Drawings during the construction process, and show the exact dimensions, geometry, and location of all elements of the Work completed under the Certification.

Upon completion of construction, Applicant shall submit As-Built Drawings to Harris County (rowasbuilt@harriscountytexas.gov). The As-Built Drawings must be signed, sealed, and dated by a Professional Engineer or Registered Landscape Architect, as appropriate, licensed in the State of Texas. The signed and sealed drawings shall have the following statement verbatim "***The work within the right of way is constructed in general conformance with these plans and information on these drawings represent what was constructed within engineering tolerances***".

Final Inspection

After construction has completed, contractor will submit an "Initial Inspection Request for work in Right of Way". If you have not requested an inspection through our ePermits system before there are Help Videos on the ePermits login page and the one entitled "Inspections" will walk you through the entire process indicating how to request the inspection.

The Harris County inspector ensures the proposed work within the right of way matches the approved plans and conforms to Harris County Specifications. The inspector will inform the applicant of any deficiencies or if the inspection passes through our ePermits system. The inspector must observe all aspects of public roadway construction (turn lanes, median, open cuts, etc...) and the storm sewer prior to backfilling.

One Year Warranty Inspection

After the final inspection has passed, it starts the 1-year warranty period. The "One Year Warranty Inspection" must be requested 90 days prior to the expiration date on the bond. The one-year warranty inspection can be requested similar to the final inspection process on our ePermits system. The inspector will inform the applicant of any deficiencies or if the inspection passes through our ePermits system. The contractor that originally performed the work is not required to be in attendance for the one-year warranty inspection.



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Emergency Utility Work in Harris County Right of Way

(Statutory Authorization)

The purpose for emergency utility work are cases requiring immediate maintenance or repair of any utility, a notice must be given prior to any maintenance or repair

In certain situations, emergency utility work may require an open cut of the roadway pavement to repair the damaged utility. Please immediately contact Harris County Permits Office and the appropriate Commissioner's Precinct. No pavement is to be replaced without prior plan approval and inspection by Harris County. If an emergency necessitates an open cut of the roadway pavement to repair work to the damaged utility be completed but the pavement restorations must be observed by Harris County. A temporary steel plate must be utilized to cover the open cut area and provide proper warning signage at the project location. All warning signs shall be in compliance with part 6 of the Texas Manual on Uniform Traffic Control Devices. The owner must contact the Harris County Permit office at 713-274-3931 during normal business hours or by email acceptance@harriscountytexas.gov to request an inspection of the site. Upon inspection, Harris County will determine the extent of the pavement repair that will be required. Once this determination is made, the owner must apply for a ROW Certification (*see step three*).

Please visit the link below for the Emergency Utility Work Form:

http://www.eng.hctx.net/Portals/23/Publications/Emer_Util_ROW_Work1808.pdf