

## ROADWAY ACCESS PERMIT

### PREAMBLE

Applicant American Rock Products, 28937 NW Livestock Road, Hermiston, Oregon, is requesting to access a portion of road right of way to place temporary barriers to prevent parking along the South shoulder of Northwest Livestock Road (County Road No. 1328). Umatilla County desires to facilitate this request.

### NOW THEREFORE

It is hereby agreed between the parties to this agreement, Applicant and County as follows:

1. Applicant will be permitted to access the area of the south road shoulder Northwest Livestock Road to place temporary barriers to prevent parking in the shoulder area (non-traveled portion) of the road, and also temporary no parking signs. The barriers, signs and any work will be to the satisfaction of the County Public Works Director. All barriers and signs must meet requirements for such devices under the MUTCD, may not result in hazards to the traveling public, and may not prevent traffic on the road.

2. The barriers may be placed beginning June 15, 2020, and are authorized to be remain until permanent no parking signs are placed by Umatilla County Public Works Department. The barriers may be placed on an as-needed basis, or may remain for the duration of the authorized period. Once the permanent signs are placed, all temporary barriers must be removed by Applicant.

3. In all cases, signing and flagging will meet the requirements of the latest Manual on Uniform Traffic Control Devices (MUTCD) for the particular situation and will be at the sole expense of and the responsibility of the Applicant.

4. In the event any roadbed surfaces or ditches disturbed by the items authorized under this permit, will be repaired within one week of the placement of the permanent signs.

5. Any repair or replacement not accomplished by the Applicant, within the specified time will be done by the County with no prior notice to the Applicant and at the expense of the Applicant. The County will also make any immediate repairs, alterations, or additions to any barricading, signing, or warning for a hazardous area when such barricading, signing, or warning is found to be inadequate, inappropriate, or ineffective without prior notice to the Applicant and at the expense of the Applicant.

6. Traffic Control Applicant must maintain and protect the movement and safety of traffic at all times.

7. Employment Status: Applicant is an independent contractor and not an employee or officer of County as defined in ORS 30.265. As such Applicant is responsible for obtaining and paying for its own liability and workers compensation insurance, if applicable. Applicant further specifically agrees to comply with all State and Federal laws regarding rates of pay and hours of work for its employees, if any.

8. Compliance with Applicable Law: Applicant shall comply with all Federal, State and local laws and ordinances applicable to work under this permit.

9. Indemnification: Applicant will defend, save and hold harmless the County, its Board, officers and

employees from all claims, suits, or actions of whatever nature resulting from or arising out of the activities of Applicant or its agents or employees pursuant to this permit.

Applicant must carry all necessary liability insurance to protect the public at all times and may be required to show proof of such before issuance of the permit. County shall be added as an additional insured on the policy.

10. Term. This agreement is effective as of June 15, 2020, with the permanent signs estimated to be placed by July 15, 2020. This permit may be terminated by the mutual consent of both parties in writing, or by either party upon 10 days notice in writing, delivered to the other party by certified mail or in person.

UMATILLA COUNTY

  
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Commissioner

APPLICANT

  
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Signature                      11 June 2020



American Rock Products  
Title Asphalt Plant Manager