

City of Burlington Right-of-Way Agreement Application

Prior to constructing a utility system in the City of Burlington public rights-of-way or Streets, a City public rights-of-way use agreement, franchise agreement or encroachment agreement shall be applied for and entered into as set forth hereunder and a Request for Information shall be completed by the Applicant including the following information:

A) Applicant Information:

1. Applicant

Name: _____

Address: _____

2. Principal to whom inquiries should be made:

Name: _____

Title: _____

Address: _____

Telephone: _____

3. Representation:

This application is submitted to begin the process of obtaining a City public right-of-way agreement by the undersigned that has been duly authorized to make the representations within its behalf.

Applicant recognizes that all representations are truthful and that failure to adhere to any such representation may result in revocation of any City agreement that may be granted, in consequence of this application.

Consent is hereby given to the City and its representatives to make inquiry into Applicant's legal, character, technical, financial and other qualifications by contacting any persons or organizations named herein as references, or by any other appropriate means.

Name: _____

Applicant's Signature: _____

Official Position: _____

Date: _____

Applicant shall affix their corporate seal.

4. Business Structures.

- a. Check appropriate business format for applicant:
- (i) Individually owned
 - (ii) Corporation serving one community
 - (iii) Corporation operating systems in more than one community, but these operations are not separate corporations
 - (iv) Partnership
 - (v) Other (specify)
- b. Attach a copy of applicant's corporate articles or organization, partnership agreement, or other organization documents.

B. Character Qualifications

- (a) Has the applicant or any principal ever been a party in a civil proceeding, relative to their business practices, in which they were held liable for any of the following or are now a party to such proceeding?

	<u>Yes</u>	<u>No</u>
Unfair or anticompetitive business practices	___	___
Anti-trust violations (state and federal) including instances in which consent decrees were entered into	___	___
Violations of securities laws (state and federal)	___	___
False/misleading advertising	___	___
Violations of FCC regulations	___	___

If "yes," attach statement providing specifics.

- (b) Has applicant or any principal ever had a business license (defined to include FCC licenses, etc.) revoked, suspended or the renewal thereof denied or is a party to a proceeding that may result in same?

Yes ___ No ___

If "yes," attach statement providing specifics.

C. Experience

1. Please describe any right of way use constructed, in the City of Burlington, in the last four years in which applicant or any principal owns five percent or more of equity interest. (Please reproduce this form as needed.)

Location of project and contact person for local government

Date of most recent right of way use award or installation

Plant miles of project (specify fiber, coax)

a) Aerial

b) Underground

2. Please list any or all right of way use agreements held in North Carolina and indicate the number of customers, date of right of way use agreement award, and name, address and telephone number of local government official responsible for oversight of these operations.

D. Construction Practices

1. Please describe the safety practices which will be employed to protect the public during system construction.
2. Discuss availability of work crews and equipment to meet your construction schedule. Discuss commitments regarding projects of this nature.

3. Please indicate how supervision, administration, oversight and monitoring of any subcontractors will be handled.

4. Provide a description of practices for undertaking construction on or near private property and procedures for dealing with complaints of property owners.

5. Provide a description of the methods and practices for minimizing public and private property damage.

6. Do you have a manual of construction practices covering construction tasks to be followed by construction/work crews?
 Yes _____ No _____
 If "yes", attach a copy of the manual as an appendix to this application.

7. Please provide a plan for keeping the City informed of construction schedule and progress.

8. Do you have pole attachment and conduit lease agreements? If so, please provide copies.

Staff use only:

Date received _____

Type of agreement recommended (City Engineer):

Franchise _____, Right-of-Way Use _____, Encroachment_____

Date Submitted to City Council:_____