

Alameda-Contra Costa Transit District

Administrative Regulation No. 490:

Construction Access Permits

Issuing Officer: General Manager
Date of Adoption: 2/27/2023
Most Recent Amendment: N/A
See Also: 314

Subject Category: Section 400 - Operations
Subsection: Construction
Control Department(s): Planning & Engineering

I. PURPOSE

The purpose of this Administrative Regulation is to protect AC Transit property, facilities, services, and staff by establishing conditions for access, construction, and other related activities on or adjacent to AC Transit facilities and for AC Transit to recover the associated costs of providing that protection. This Administrative Regulation establishes guidelines for the issuance and management of Construction Access Permits (CAP) related to access for inspection or construction related activity on or adjacent to AC Transit properties and assets. Additionally, this regulation outlines the processes and authorities required to issue and manage CAPs with respect to the process, time, and cost, and provides a mechanism to utilize independent external third-party engineers as plan checkers and inspectors to verify code compliance.

II. PERSONS AFFECTED

AC Transit staff including but not limited to facility managers, project coordinators, project managers, senior project managers, directors, executive directors, and the General Manager.

External staff affected will include outside agencies proposing work on or near AC Transit property, contractors engaged by the project owner, and professional firms with current On-Call Architectural/Engineering (A&E) or Construction Management contracts that will be engaged to perform third-party reviews and inspections.

III. DEFINITIONS

“AC Transit Asset” means any AC Transit owned property, improvement or facility, or any AC Transit owned utility whether above or below ground.

“AC Transit Project Manager” means the AC Transit staff member who regardless of job classification is responsible for managing the budget, schedule, and quality of a specific project with a specific planned deliverable or outcome.

“Designer/EOR” means the registered architect or engineer who maintains responsible charge of the design for the proposed work covered by the CAP. This individual must provide a professional registration stamp and signature on all plans and specifications describing or depicting the proposed work.

“Permit Technician” means the AC Transit staff that coordinates and manages the CAP process.

“Plan Check Review” means the process of review and verification of plans, specifications, and submittals by an independent third-party reviewer to ensure compliance with state or federal codes and standards. Plan Check Reviews and inspections are required anytime that compliance with state or federal codes and standards is required by law or the District as the authority having jurisdiction.

“Third- party reviewer/inspector” means the professional A&E firm that provides the review of the plans and specifications for the proposed work. This review will include but not be limited to a multi-disciplined code compliance review, constructability review, traffic control plan review, and operational interference review. This also refers to the professional A&E firm that provides construction phase inspection to verify compliance with all permit terms and conditions.

“Fire AHJ” (Authority Having Jurisdiction) means the local fire agency with jurisdictional authority over fire code issues.

“Environmental AHJ” means the local environmental agency with jurisdiction authority over environmental compliance standards and issues.

“Local agency or city” means the actual city in which the work, as detailed in the CAP documents, is located.

“Contractor” means the person or entity licensed by the California State License Board who is in contract with the project owner or stakeholder to complete the construction work as detailed in the CAP documents.

IV. REGULATION

A. General

Construction Access Permits are intended to:

1. Confirm that any access or entry to any AC Transit property or facility is approved and that a proper escort is provided when appropriate.
2. Confirm that all construction, changes, alterations, and modifications to AC Transit property and assets are done in a manner that is fully compliant with all State and Federal codes and standards.
3. Ensure that all construction and construction related activities on or adjacent to any AC Transit facility, or within 10-feet of an AC Transit Asset are performed in a manner that is safe and minimally invasive to AC Transit operations.
4. Provide for ongoing facility security by ensuring that all non-AC Transit employees are appropriately vetted and approved for access by the District based on the security profile that is in effect at the time the work is performed.

5. Ensure that all non-AC Transit employees comply with all AC Transit Health and Safety standards.

The permitting process includes an application submission, payment of fees, AC Transit plan review, and required compliance with AC Transit insurance and background security check standards. Once an access permit is issued, an AC Transit inspector will be assigned to inspect portions of the project work that are covered by the CAP to verify compliance with all CAP terms and conditions.

B. Determine the Need for a Construction Access Permit

1. A Construction Access Permit (CAP) is required prior to entering or commencing any work located within AC Transit property, on or adjacent to any AC Transit asset, or any work within 10-feet of any AC Transit fiber optic cable.
2. A CAP is also required prior to commencing any work that is adjacent to any AC Transit facility or asset that may impact traffic flow or the ingress/egress to any AC Transit facility or asset.

C. Initiating the Construction Access Permit Application

1. A CAP application is initiated by the applicant or designer when a written application is submitted to the AC Transit permit technician. Applications can be found online at www.actransit.org/construction-access-permits or can be obtained by emailing permits@actransit.org.
2. CAP applications requiring a plan check review must be accompanied by a stamped and signed version of the plans and specifications.
3. A fee equal to the estimated reasonable cost to process, issue, and maintain the requested CAP must be paid with the application.
4. In the event the construction work is an AC Transit project, the actual cost of the CAP will be billed directly to the project budget.
5. The AC Transit permit technician will compile and review the CAP package to determine that it is complete for the next step in the CAP process.
6. Once the CAP package is complete, a copy of the plans and specifications will be shared via email with the local agency or city to ensure they have knowledge of work being completed. No review or plan check is requested of the local agency or city but any timely comments into the AC Transit plan check process will be accepted.

D. Performing the Code Compliance Plan Check (when required)

1. The AC Transit permit technician will assign any CAP application package requiring a plan check review to an independent third-party A&E firm by:

Questions concerning this Administrative Regulation should be referred to the General Counsel and the Control Department listed at the top of this document.

- a. Conducting a Mini-Brooks analysis to determine the best qualified firm to complete the CAP scope of work;
 - b. Negotiating with the selected firm to obtain a fair and reasonable cost;
 - c. Preparing an on-call tasking to engage the independent third-party reviewers/inspectors;
 - d. Preparing a requisition to provide for payment to the third-party reviewer/inspector; and
 - e. Providing the selected third-party reviewer/inspector with the engagement letter along with the plans and specifications for review.
2. The AC Transit permit technician will coordinate with appropriate Fire AHJs as necessary to ensure that all required fire code permit plan checks and reviews are completed and that all fire inspections are finalized.
 3. The AC Transit permit technician will coordinate with appropriate Environmental AHJs as necessary to ensure that all required environmental permit plan checks and reviews are completed and that all required inspections are finalized.
 4. The third-party reviewer/inspector will conduct a code compliance plan check review of the construction documents including plans and specifications for construction of project deliverables depicted in the construction documents related to the CAP.
 5. The third-party reviewer/inspector will ensure all construction documents are in compliance with all prevailing State and Federal codes including but not limited to:
 - a. 2019 California Building Code (2018 International Building Code)
 - b. 2019 California Green Building Standards Code (CALGreen Code)
 - c. 2019 California Mechanical Code (2018 Uniform Mechanical Code)
 - d. 2019 California Plumbing Code (2018 Uniform Plumbing Code)
 - e. 2019 California Energy Code (Title 24)
 - f. 2019 California Electrical Code (2017 National Electric Code)
 - g. 2019 California Fire Code (2018 International Fire Code)
 - h. Americans with Disabilities Act (ADA)
 - i. National Fire Protection Act (NFPA)
 - j. Any other applicable State or Federal standards

In the event the above listed Codes have been revised, the new revision adopted shall take precedence.

6. The third-party reviewer/inspector will check plans for accuracy of design and completeness; check calculations on structural drawings to determine if the design meets earthquake, wind loads, and material stress.
7. The third-party reviewer/inspector will recommend revisions or clarifications to plans and specifications when needed for compliance with appropriate codes.

8. The independent third-party reviewer/inspector will report all findings and comments back to the AC Transit permit technician on the provided Plan Check Comment Transmittal form.

E. Adding the Contractor to the Construction Access Permit

1. If the contractor is known at the time of the permit application, all contractor information on the CAP application should be completed at submission of the application.
2. If the initial CAP application is submitted during the bid and award process, all contractor information should be added to the CAP application as soon as the related contract is finalized. No CAP can be issued until the contractor has made a proper application and has completed the CAP vetting process.

F. Approving and Issuing the Construction Access Permit

1. The AC Transit permit technician shall reconcile all plan check comments and findings from all review sources into a single document that can be returned to the applicant for modifications, clarifications, or explanations.
2. The AC Transit permit technician shall compile all plan check responses and provide them to the third-party reviewer/inspector, the Fire AHJ, or the Environmental AHJ as appropriate for approval.
3. The AC Transit permit technician shall ensure that no CAP is approved until all issues have been satisfactorily resolved.
4. Once all issues have been resolved, the permit technician shall stamp the permit, plans, and specifications as approved and recommend approval of the CAP to the AC Transit's Director of Capital Projects.
5. The AC Transit's Director of Capital Projects will sign the permit and approve stamps.
6. The AC Transit permit technician shall make the stamped and signed permit, plans, specifications, and the inspection card available to the applicant for construction. The permit technician will notify the AC Transit project manager of the CAP approval.

G. Code Compliance Inspections During the Construction Phase

1. The contractor shall notify the AC Transit project manager at least two (2) days in advance that a compliance inspection will be required.
2. The AC Transit project manager will notify the third-party reviewer/inspector while ensuring that the work is ready for inspection.

3. Whenever possible, the contractor and the AC Transit project manager will endeavor to schedule several inspections at one time.
4. The third-party reviewer/inspector will sign off the approved work and provide any comments on unapproved work in the inspection card.
5. Once the project is complete, the third-party reviewer/inspector shall conduct a final inspection and sign off on the inspection card as “final” for all inspection items.
6. The AC Transit project manager shall notify the permit technician that the final inspection has been completed.

H. Closing the Construction Access Permit

1. Once the project is complete and the contractor has demobilized from the site, it is the responsibility of the permit technician to close the permit and to archive the CAP documentation package in the AC Transit Construction Access Permit document repository.
2. Once the project is complete and the contractor has demobilized from the site, it is the responsibility of the AC Transit project manager to archive all CAP documentation, including the signed off inspection card, in the AC Transit project document archive.

V. RESPONSIBILITIES

It is the responsibility of all AC Transit staff to understand and comply with this regulation as well as any other related regulations and Board Policies.

It is the responsibility of the AC Transit permit technician to ensure that the tasking for the third-party reviewer/inspector is completed and approved to AC Transit standards before they are allowed to initiate their work on the plan check review or compliance inspections.

It is the responsibility of the AC Transit permit technician to ensure that the CAP package is complete and that the entire CAP package is appropriately archived in the AC Transit document repository.

It is the responsibility of the AC Transit project manager to ensure that the contractor is not allowed to mobilize or have any staff on the project site until the CAP is approved and issued.

It is the responsibility of the AC Transit project manager to ensure that all inspections are completed in the appropriate time and sequence, and that all final inspections occur prior to the beneficial occupancy walk-through.

It is the responsibility of the AC Transit project manager to ensure that all CAP documentation, including the signed off inspection card, are included in the project archive.

It is the responsibility of all AC Transit staff involved in contract CAP Administration at permits@actransit.org to ensure that current processes, procedures, forms, and documentation are used for Construction Access Permits. The current version of processes and forms can be found on the AC Transit SharePoint site at: District Public Share – Construction Access Permits Process and Forms - AR 490 - All Documents (sharepoint.com)

VI. ATTACHMENTS

AC Transit Capital Projects - Construction Access Permit Workflow

Approved by:



Michael A. Hursh, General Manager
Alameda-Contra Costa Transit District

AC Transit Capital Projects - Construction Access Permit Workflow

