



Department of Transportation  
Division of Highway and Bridge Maintenance  
360 Lincoln Avenue  
Warwick, RI 02888

8/29/2022

GR Middletown Land, LLC  
Mr. Jim Waterman  
7 Benedick Place  
Greenwich, CT 06830

**Subject:** Revised - Physical Alteration Permit Application No. 180619  
Location: 991-995 West Main Road  
Middletown

Dear Mr. Jim Waterman:

In reference to the subject Physical Alteration Permit Application (PAPA) Number 180619, for the proposed work in Middletown, the revised application package received on 8/18/2022, has been reviewed and found to meet our design requirements. The Physical Alteration Permit authorizing construction of the work within or impacting the State Highway Right-of-Way will be issued upon receipt and acceptance of the following:

- Original Insurance Certificate (Section 4.8 Insurance Requirements of the Department's Rules and Regulations for PAPA)
- Original bond in the amount of **\$243,180.00** for the proposed work within or impacting the State Highway Right-of-Way (Section 4.7 Bond Requirements of the Department's Rules and Regulations for PAPA)
- Deed showing new ownership of property
- Proof of hired services of an independent testing and inspection firm approved by the Department as required under Section 4.9 of the PAPA regulations since the estimate exceeds \$25,000.

Please note that if all these documents are not received within three (3) years of the date of this letter, the permit application will expire and no longer be valid, requiring re-submission of the application. Please be advised that pursuant to Section 4.6 Part A of the Department's Rules and Regulations regarding Physical Alteration Permits, the collection of a new application fee with a re-submittal is required.

If you have any questions, please contact Arlene Nelson at (401) 734-4842.

**THIS LETTER SHALL NOT BE CONSTRUED AS A PHYSICAL ALTERATION PERMIT AUTHORIZING CONSTRUCTION WITHIN OR IMPACTING THE STATE HIGHWAY RIGHT-OF-WAY. A PERMIT WILL NOT BE GRANTED UNTIL ALL OF THE DOCUMENTATION REQUESTED ABOVE HAS BEEN RECEIVED AND ACCEPTED.**

Sincerely,

Joseph A. Bucci, P.E.

State Highway Maintenance Operations Engineer

Attachments: Rules and Regulations for PAPA - Section 4.8 Insurance Requirements  
cc: Sevan Solutions-Mr. Tim Kratz, P.E., Ouellette, Nascimento (w/o attachments), file

## 4.7 Bond Requirements

- A. The Permittee will be required to give surety or to submit a performance bond to the Department prior to the issuance of any Physical Alteration Permit.
- B. If the costs of the proposed Alteration under the Permit exceed \$25,000, the Permittee shall furnish a performance bond in the amount of one hundred percent (100%) of costs conditioned upon the faithful performance of work associated with the Permit in accordance with all applicable specifications and conditions. Such bond shall be solely for the protection of the Department and the State of Rhode Island.
- C. The bond submitted to the Department shall be provided by a surety both acceptable to the Department and licensed and authorized to conduct business in the State of Rhode Island.
- D. All surety companies must be listed with the Department of the Treasury, Fiscal Services, Circular 570, (Latest Revision published by the Federal Register or available at <http://www.treas.gov>).
- E. The Department may require an additional amount of bond in connection with work added to the Permit by changes, additions and modifications by directing the Permittee to increase the penal amount of the existing bond or to obtain an additional bond.
- F. If the costs of the proposed Alteration under the Physical Alteration Permit are less than \$25,000, the Permittee may be required to give security by depositing assets or other performance guarantee in a form acceptable to the Department in the amount of one hundred percent (100%) of such costs. If the Permittee has deposited assets instead of furnishing sureties for any bond required under the Permit and the assets are in the form of checks, currency, or drafts, the Department will hold the assets in an account for the Permittee's benefit. Upon completion of the work associated with the Permit, the Permittee's funds from such assets will be returned as soon as possible, unless the Department determines that part or all of the funds are required to compensate the Department for costs it incurs as a result of the Permittee's delay, default or failure to perform. In such a case, the funds will be available to compensate the Department.

## 4.8 Insurance Requirements

- A. The Permittee or the Permittee's contractor will obtain and carry for the period of time required for the completion of the work associated with the Permit, including the repair and restoration of the State Highway Right-of-Way, and also during such future periods of time when operations are performed involving the repair, relocation, or removal of any work associated with the Permit, a liability and property damage insurance policy or policies which indemnify, defend, and hold the Department harmless from any damages arising out of operations associated with the Permit.
- B. The said insurance will provide, as a minimum, coverage in the following amounts: \$500,000.00 for property damage resulting from any single occurrence (\$1,000,000.00 aggregate) and \$500,000.00 for the death or injury of any person, subject to a limit of \$1,000,000.00 for injuries or deaths resulting from any single occurrence.
- C. The said insurance policy, or policies, will be with an insurance company authorized and licensed to do business in the State of Rhode Island.
- D. A copy of the policy, or policies, or certificate evidencing the same, will be submitted to the Department for approval prior to the issuance of any Permit. The Department will be named as an additional insured on all policies. The Department, in its sole discretion, may waive the requirement for insurance.