



DEPARTMENT OF BUILDINGS  
EXECUTIVE OFFICES  
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Issuance # 342

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OPERATIONS  
POLICY AND PROCEDURE NOTICE # 7/92

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To: Distribution  
From: Barry G. Cox  
Date: 24 March 1992  
Subject: Street Obstruction Bonds

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**Amended:** Directive 13 of 1970, Section 1C

**Effective:** Immediately

**Specifics:** Counsel's Office has advised that Street Obstruction Bonds shall be in the amount of \$25,000 for multiple locations in any of the five boroughs or \$5,000 for a single location.

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The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

DIRECTIVE NO. 13 OF 1970

TO: Borough Superintendents

DATE: MARCH 31, 1970

FROM: Acting Director of Operations, Jeremiah T. Walsh, P.E.

SUBJECT: Related Agency Division - Department of Highways  
Sidewalk and Curb Construction

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Refer to: A Guide for the Industry for Plan Examination and Certificates of Occupancy - Department of Highways - Page 34.

The Provisions of the Guide are hereby amended to include the following changes and additions. The memorandum issued December 17, 1969, to you on the same subject is hereby superseded.

1. Public Liability Insurance

Prior to the issuance of a permit to build based on a Building Department approved application, where such application contains sidewalk and curb construction, a Public Liability Insurance Policy or a Certificate of Insurance must be filed at the Plan Desk of the Department of Buildings Borough Office for such sidewalk and curb construction. A Contractor's Insurance card index file shall be maintained by the Plan Desk. A notation of such insurance shall be made by personnel of the Plan Desk on Permit form 20. They shall make available such information upon request by the Department of Highways for work which is solely under their jurisdiction.

The Public Liability Insurance Policy or the Certificate of Insurance shall include the following minimum requirements:

- a. Name - The City of New York and Department of Buildings as principal or insured.
- b. Provide for \$25,000 and \$50,000 bodily injury and \$5,000 property damage insurance.
- c. State that in the event of expiration or cancellation of any such policy, the company will give to the Department of Buildings at least twenty days written notice prior to expiration or cancellation.
- d. The policy or certificate should indicate that the coverage is broad enough to cover all operations adjacent to the work site or premises, including roadways and sidewalks providing access to the work site or premises.
- e. A separate policy or certificate need not be filed for each location, provided such coverage is in force for all operations in the entire borough, city or state.

If it is so desired, the Public Liability Insurance Policy, in addition to the City of New York and the Department of Buildings, may include the Department of Highways as principal or insured. However, all the minimum requirements noted above must be included particularly the notice prior to cancellation.

### Street Obstruction Bond

To insure the City of New York for possible damage to pavements, curbs and sidewalks, a Street Obstruction Bond will be required. The bond shall be the same type and in the same amount as now required by the Department of Buildings and shall be retained at the Cashier's Office.

### 3. Workmen's Compensation Law and Disability Benefits Insurance

Proof of compliance with the New York State Workmen's Compensation Law and the New York State Disability Benefits Law presently required to be filed at the Plan Desk when obtaining a permit to build will suffice when such permit to build includes sidewalk and curb construction.

### 4. Performance Bond for the Restoration of Pavement and the Installation of Sidewalk and Curb

The Department of Buildings may, where there is difficulty in completion of the restoration of the pavement and the installation of the sidewalk and curb, accept the filing of a performance bond at the Cashier's Office. The bond must be in such form and amount as prescribed by the Department of Buildings to cover the full cost of the work and be for a period of time not to exceed six months.

### 5. Plan Examination and Inspection of Sidewalk and Curb Construction

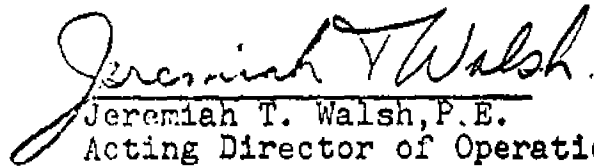
When plans filed with a new or altered building application indicate new sidewalk and curb construction, the plan examiner shall alert the Plan Desk Clerk by indicating "Sidewalk and Curb" immediately above his signature on Statement "A" and noting same on the face of the application folder followed by the date and his initials.

Cores shall be required for all sidewalks in excess of 100 lineal feet. One core shall be required for each five hundred square feet of sidewalk or fraction thereof. A minimum of 2 cores is required. Core evaluation reports by an approved laboratory must be filed with the Department of Buildings applications.

In the case of a one or two family dwelling on a corner lot and/or where the length of the sidewalks is less than 100 lineal feet, the cores may be waived provided that an affidavit of a Professional Engineer or Registered Architect who supervised the construction, certifies on an amendment form filed with the Building Department application that the work conforms with the Department of Highways specifications.

The results of the required sidewalk cores must be filed as an amendment to the approved Building Department application. The results of the cores must be in accordance with the requirements of the Department of Highways. Where the results of the cores have been approved, an affidavit shall be filed with the Department of Buildings by a Licensed Surveyor, Registered Architect or Professional Engineer certifying that the sidewalks and curb have been installed in conformance with the Department of Highways specifications and at the established grades or at the grades as modified and approved by the Department of Highways.

When inspection discloses cracks or other defects in a newly installed sidewalk, the contractor will be required to replace the defective sections.

  
Jeremiah T. Walsh, P.E.  
Acting Director of Operations

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All staff  
Industry